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GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF HIGHER EDUCATION AND TRAINING**NOTICE 363 OF 2021****DICTIONARY OF TERMS AND CONCEPTS FOR POST-SCHOOL EDUCATION AND TRAINING, 2021**

I, Bonginkosi Emmanuel Nzimande, Minister of Higher Education, Science and Innovation, in terms of section 15 of the Interpretation Act, 1957 (Act No. 33 of 1957) read with the Continuing Education and Training Act, 2006 (Act No.16 of 2006), Higher Education Act, 1997 (Act No. 101 of 1997), National Qualifications Framework Act, 2008 (Act No.67 of 2008) and the Skills Development Act, 1998 (Act No.97 of 1998) hereby publish the Dictionary of Terms and Concepts for Post-School Education and Training. The Dictionary is available on the Departmental website through the following link:

<http://www.dhet.gov.za/SitePages/HRDPlanningNew.aspx>



Dr BE Nzimande, MP

Minister of Higher Education, Science and Innovation

Date: 31/03/2021

DEPARTMENT OF HUMAN SETTLEMENTS

NOTICE 364 OF 2021

NOTICE OF EXPROPRIATION

Issued by the Kwa-Dukuza Municipality (hereinafter referred to as "the Municipality") in terms of the Housing Act No. 107 of 1997, as amended (hereinafter referred to as "the Housing Act") and the Expropriation Act, No. 63 of 1975, as amended (hereinafter referred to as "the Expropriation Act").

To the Owner(s) (within the meaning of that term as defined in Section 1 of the Expropriation Act) of the properties (all of **GLEDHOW, REGISTRATION FU, PROVINCE OF KWAZULU-NATAL**) described in the schedule hereto, and which expression includes, but is not limited to the Trustee or Liquidator in the insolvent estate of the owner, the executor in the estate of a deceased owner, or if the owner of the property is under legal disability, his / her legal representative and includes the authorized representative of the owner in the Republic of South Africa.

AND TO: All other persons claiming any right to or interest in the properties (all **GLEDHOW, REGISTRATION FU, PROVINCE OF KWAZULU-NATAL**) described in the schedule hereto, whether by virtue of registration or otherwise, and particularly any lessee, buyer or builder contemplated in terms of Section 9(1)(d) of the Expropriation Act; including any person(s) who have claims of any nature on the property(ies) and including any person(s) who have placed Interdicts over the property(ies).

EXPROPRIATION OF LAND AND SERVITUDE RIGHTS

1. PLEASE TAKE NOTICE that the Municipality in terms of the powers vested in it by Section 156 (1) (b) of the Constitution of the Republic of South Africa, 1966, Section 9(3)(a) of the Housing Act read with and in terms of Sections 1, 6 to 15 and 18 to 23 of the Expropriation Act and in terms of the powers invested in it in terms of the provisions of Section 190 (1) of the Local Authorities Ordinance Number 25 of 1974, hereby expropriates, for public purposes in general with the specific purpose of providing and delivering housing, the land and/or right(s) described in the schedule hereto together with all improvements.
2. The date of expropriation shall be 02 JUNE 2021 from which date, ownership of the said land will pass to the Municipality and/or the said rights will vest in the Municipality
3. The Municipality shall take possession of the said land shall be 2 JUNE 2021 or such other date as may be agreed upon between the Owner(s) and the Municipality in terms of Section 8(3) of the Expropriation Act, or a date determined in terms of the provisions of Section 8(5) of the Expropriation Act, as the case may be.
4. Where land is expropriated, with effect from the date of possession of the land by the Municipality, but not before such date, the Owner(s) will be relieved of the obligation to take care of and maintain the land and to pay taxes and other charges thereon, and will no longer be entitled to the use of any income from the land.
5. Your attention is directed to the provisions of Section 9(1), 12(3)(a)(ii), 12(4) and 13(3) of the Expropriation Act, which read as follows:

"9. Duties of owner of property expropriated or which is to be used by (the Municipality). – (1)
An owner whose property has been expropriated in terms of this Act, shall, within sixty days from the date of notice....., deliver or cause to be delivered to the (Municipality) a written statement indicating-

- (a) if any compensation was in the notice of expropriation offered for such property, whether or not he accepts the compensation and, if he does not accept it, the amount claimed by him as compensation and how much of that amount represents each of the respective amounts contemplated in section 12(1)(a)(i) and (ii) or (b) and full particulars as to how such amounts are made up;
- (b) if no such compensation was so offered, the amount claimed as compensation by him and how much of the amount represents each of the respective amounts contemplated in section 12(1)(a)(i) and (ii) or (b) and full particulars as to how such amounts are made up;
- (c) if the property expropriated is land and any amount is claimed in terms of paragraph (a) or (b), full particulars of all improvements thereon which, in the opinion of the owner, affect the values of such land;
- (d) if the property being expropriated is land-
 - (i) which prior to the date of notice was leased as a whole or in part by unregistered lease, the name and writing or full particulars of the lease, the name and address of the lessee, and accompanied by the lease or a certified copy hereof, if it is not in writing;
 - (ii) which, prior to the date of notice, was sold by the owner, the name and address of the buyer, and accompanied by the contract of purchase ad sale or a certified copy thereof.

- (ii) on which building has been erected which is subject to a builder's lien by virtue of a written building contract, the name and address of the builder, and accompanied by the building contract or a certified copy thereof.
- (e) the address to or at which the owner desires that further documents in connection with the expropriation may be posted or delivered or tendered.
- Provided that the (Municipality) may at (its) discretion extend the said period of sixty days, and that, if the owner requests the (Municipality) in writing within thirty days as from the date of notice to extend the said period of sixty days, the (Municipality) shall extend such period by a further sixty days."

"12. Basis on which compensation is to be determined-

- (1)
- (2)
- (3) (a) Interest at the standard interest rate determined in terms of Section 28(1) of the Exchequer and Audit Act, 1975 (Act No. 56 of 1975), shall, subject to the provisions of subsection (4), be payable from the date on which the Municipality takes possession of the property in question in terms of Section 8(3) or (5) on any outstanding portion of the amount of compensation payable in accordance with subsection (1):
- Provided that –

- (i)
- (ii) If the owner fails to comply with the provisions of Section 9(1) within the appropriate period referred to in the said section, the amount so payable shall during the period of such failure and for the purpose of the payment of interest be deemed not to be an outstanding amount.
- (4) If the owner of property which has been expropriated occupies or utilized or any portion thereof, no interest shall, in respect of the period during which he so occupies or utilizes it, be paid in terms of subsection (3) on so much of the outstanding amount as, in the opinion of the (Municipality), relates to the property so occupied or utilized."

"13. Payment of compensation in respect of rights of unregistered leases in respect of property expropriated –

- (3) If the owner of expropriated property fails to comply with a the provisions of Section 9(1) (d)(1) and the (Municipality) did not prior to the payment of any compensation money to the owner become aware of the existence of the lease in respect of such property the (Municipality) shall not be obliged to pay compensation to the lessee concerned in respect of the termination of his rights, but such owner shall be liable to any such lessee for damages sustained by him in consequence of the termination of his rights."

6. Your attention is directed to the provisions of Section 20 of the Expropriation Act, which reads as follows:

"20. Payment of certain taxes and other moneys out of compensation monies –

- (1) If any land which has been expropriated is situated within the area of jurisdiction of a local authority, such local authority shall upon receipt or publication of a relevant notice in terms of section 7, forthwith inform the (Municipality) in writing) of any outstanding tax or other moneys in respect of the payment of which the production of a receipt or certificate is in terms of any law prerequisite for the passing of a transfer of such land by a registrar of deeds.
- (2) The (Municipality) may utilise so much of the compensation money in question as is necessary for the payment on behalf of the owner of such land of any tax or other moneys mentioned in subsection (1) ."

7. If the title deed to the land is not in the possession or under the control of the Owner(s), you are further requested in terms of Section 9(3)(a) of the Expropriation Act to provide within sixty days of the date of this notice written particulars of the name and address of the person in whose possession or under whose control is.
8. All responses in terms of this notice of expropriation must be addressed to the Municipal Manager at the address indicated hereunder:

N J MDAKANE
The Municipal Manager
Kwa-Dukuza Municipality

Municipal Offices
P.O. BOX 72
STANGER 4450

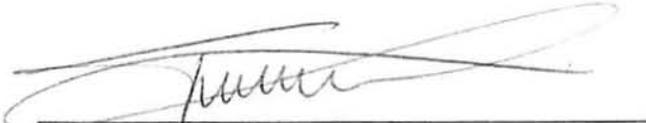
DEPARTMENT OF EMPLOYMENT AND LABOUR

NOTICE 365 OF 2021

LABOUR RELATIONS ACT, 1995

**BARGAINING COUNCIL FOR THE FURNITURE MANUFACTURING
INDUSTRY OF THE WESTERN CAPE: EXTENSION TO NON-PARTIES OF
THE MAIN COLLECTIVE AMENDING AGREEMENT**

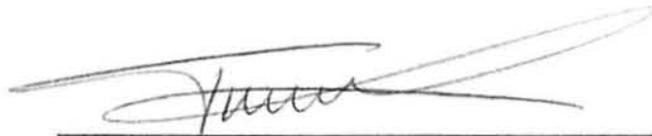
I, **THEMBELANI WALTERMADE NXESI**, Minister of Employment and Labour, hereby in terms of section 32(2) of the Labour Relations Act, 1995, declare that the Collective Agreement which appears in the Schedule hereto, which was concluded in the **Bargaining Council for the Furniture Manufacturing Industry of the Western Cape**, and is binding in terms of section 31 of the Labour Relations Act, 1995, on the parties which concluded the Agreement, shall be binding on the other employers and employees in that Industry with effect from the Second Monday after publication of this Notice and shall remain in force until the last full pay week in March 2023.



MR TW NXESI, MP
MINISTER OF EMPLOYMENT AND LABOUR
DATE: 09/06/2021

UMNYANGO WEZEMISEBENZI NEZABASEBENZI**UMTHETHO WOBUDLELWANO KWEZABASEBENZI KA-1995****BARGAINING COUNCIL FOR THE FURNITURE MANUFACTURING
INDUSTRY OF THE WESTERN CAPE: UKWELULELWA
KWESIVUMELWANO PHAKATHI KWABAQASHI NABASEBENZI
ESIYINGQIKITHI SELULELWA KULABO ABANGEYONA INGXYENYE
YESIVUMELWANO**

Mina, **THEMBELANI WALTERMADE NXESI**, onguNgqongqoshe Wezemisebenzi neZabasebenzi, ngokwesigaba 32(2) soMthetho Wobudlelwano Kwezabasebenzi ka-1995, ngazisa ukuthi isiVumelwano sabaqashi nabasebenzi esitholakala kwiSheduli yesiNgisi exhunywe lapha, esenziwa kwi **Bargaining Council for the Furniture Manufacturing Industry of the Western Cape**, ngokwesigaba 31 soMthetho Wobudlelwano Kwezabasebenzi, ka 1995 esibopha labo abasenzayo, sizobopha bonke abanye abaqashi nabasebenzi kuleyoMboni, kusukela ngomSombuluko wesibili emuva kokushicilelwa kwalesisaziso kuze kube isikhathi esiphela ngeviki lenkokhelo yomholo ngomhlaka 30 kuNdasa 2023.



MNUMZANE TW NXESI, MP
UNGQONGQOSHE WEZEMISEBENZI EZABASEBENZI
USUKU: 07/06/2021

SCHEDULE**BARGAINING COUNCIL FOR THE FURNITURE MANUFACTURING
INDUSTRY OF THE WESTERN CAPE****MAIN COLLECTIVE AMENDING AGREEMENT**

in accordance with the provisions of the Labour Relations Act, 1995, made
and entered into by and between the

Cape Furniture Manufacturers' Association

(hereinafter referred to as the "Employers" or the "Employers'
organisation"), of the one part, and the

**National Union of Furniture and Allied Workers of
South Africa**

(hereinafter referred to as the "Employees" or the "trade union") of the
other part,

being the parties to the Bargaining Council for the Furniture Manufacturing
Industry of the Western Cape to amend the Agreement published under Government
Gazette Notice No. R.112 of 12 March 2021 as extended, amended by Government Notices No.
R. 137 of 26 March 2021.

PART I**A – Administrative issues****1. SCOPE OF APPLICATION OF AGREEMENT**

- (1) The terms of this Agreement shall be observed in the Furniture,
Bedding, Upholstery and Curtain Manufacturing Industry as defined
hereunder in the Provinces of the Northern Cape and Western Cape
excluding the Magisterial Districts George, Knysna, Mossel Bay,
Plettenberg Bay and Oudtshoorn:

**"Furniture, Bedding, Upholstery and Curtain Manufacturing
Industry"** or "Industry" means, without in any way limiting the
ordinary meaning of the expression, the industry in which employers
and their employees are associated for the manufacture, either in
whole or in part, of all types of components of furniture, furniture,
bedding, curtains, upholstery and/or re-upholstery and will, inter
alia, include but not be limited to the following:

- (a) Furniture
Manufacturing, assembling, repairing, staining, spraying,
polishing, re-polishing, making loose covers and/or cushions,
wood machining, veneering, woodturning, carving,
assembling, painting, spraying, cutting, edging, drilling, wood
bending, laminating and/or papering/foiling, of board.



Handwritten signature, possibly reading "G. ... AD."

"Board" means any type of wood or wooden or related product or any other substitute material amongst others being: laminated board, fibre board, chip board, block board, veneer board, pressed board.

Furniture manufacturing will also include the manufacturing, repairing, polishing, assembling, cutting, drilling, edging, re-polishing, staining, spraying either in whole or in part of: pianos, organs, kitchen cupboards, attached wall cupboards, built-in cupboards, free standing cupboards, bars or built-in bar counters, cane, wicker or grass furniture, cabinets including cabinets for musical instruments and radios, wireless or television cabinets, coffins, draw and draw fronts, doors and cupboard doors irrespective of size, bathroom cupboards, cupboard tops and furniture for tea-rooms, restaurants, offices, churches, schools, libraries, hotels, other educational institutions, conference centres and theatres.

(b) Bedding

The manufacturing, assembling, repairing, covering, re-covering of mattress bases, mattresses, spring mattresses, overlays, bolsters, pillows, cushions for studio couches, spring units, box-spring mattresses, sleeper couches and studio couches.

"Studio Couch" means an article of furniture, which is designed for seating and for conversion into a double bed or two or more beds and of which the frames are constructed mainly of metal and the seating and/or sleeping surfaces consist of mattresses and/or cushions.

(c) Upholstery

The upholstering or re-upholstering of any furniture, or item of furniture, bedding, seating, pelmets, mattress bases, foam mattresses and/or cushions.

(d) Curtain making

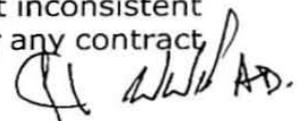
The making, altering, repairing and hanging of curtains and/or blinds made mainly of fabric, wood, cane, wicker, reed or grass.

Curtain making includes window treatment, cutting of rails and rods, fitting of pelmets, curtains, blinds and associated products.

(2) Notwithstanding the provisions of sub-clause (1), the terms of this Agreement shall:-

(a) apply to all employees for whom minimum wages are prescribed in this agreement and to employers of such employees

(b) apply to Learners in so far as the terms are not inconsistent with the Skills Development Act, 97 of 1998, or any contract



entered into or any condition fixed under the Skills Development Act, 97 of 1998.

2. PERIOD OF OPERATION OF AGREEMENT

This Agreement shall come into operation:-

- (1) (a) in respect of parties to this agreement, on the date of signature;
- (b) in respect of non-parties, on such date as fixed by the Minister of Labour in terms of section 32 of the Act.
- (2) This Agreement shall remain in force until the last full pay week in March 2023.

C – Contributions and deductions

3. CLAUSE 41. EXPENSES OF THE COUNCIL

Substitute clause 41 with the following:

- (1) For the purpose of meeting the expenses of the Council, every Employer shall:-
 - (a) deduct from the wage of each of his Employees for whom a wage is paid R5-30 per pay week from the period of operation of this agreement to the last full pay week in March 2022; and
 - (b) contribute R5-30 per week from the period of operation of this agreement to the last full pay week in March 2022 for every employee in the employ; and
 - (c) deduct from the wage of each of his Employees for whom a wage is paid R5-50 per pay week from the first full pay week in April 2022; and
 - (d) contribute R5-50 per week from the first full pay week in April 2022 for every employee in the employ; and
 - (e) no contribution shall be made in respect of any week if the earning of the member for such week does not exceed two fifths of his normal weekly wage.

4. CLAUSE 43. SUBSISTENCE ALLOWANCE

Substitute clause 43 with the following:

- (1) Whenever the work of an Employee precludes him from returning to his normal place of residence for his night's rest, he shall be paid, in addition to his ordinary remuneration, a subsistence allowance of not less than: -
 - (a) where it is necessary for the Employee to obtain a bed, R120,00; or

G. M. M. AD.

- (b) where it is necessary for the Employee to obtain an evening meal and a bed: R300,00.

PART II

5. CLAUSE 48. WAGE INCREASE

Substitute clause 48 with the following:

- (1) Employees employed in the Furniture, Bedding, Upholstery and Curtain Manufacturing Industry are to receive the following wage increases:

- (a) Wage Increase – Foreman, Supervisors, Change-hands, Skilled, Semi-Skilled and Unskilled Categories

- (i) For the above mentioned categories of Employees increase on actual wages is to be applied as follows:-

- (a) With effect from the coming into operation of this Agreement :

Hourly wage rates	Percentage increase agreed
To and including R30	5%
Between R30.01 – R45.00	4%
Between R45.01 – R60.00	3%
Above R60.01	No increase agreed upon

Those Employers who were granted increases from 1 July 2020, are required to top-up the wage increase, from the coming into operation of this Agreement if the increase granted was less than the agreed increase agreed to in 48 (1) a (i)

(b) From the first full pay week in April 2022:

Hourly wage rates	Percentage increase agreed
To and including R30	5%
Between R30.01 – R45.00	4%
Between R45.01 – R60.00	3%
Above R60.01	No increase agreed upon

- (c) Should the Consumer Price Index (CPI) for the year ending February 2022 fall below 3% or exceed 6% the parties to this agreement shall meet to renegotiate across the board weekly wage increases only for the second year period.

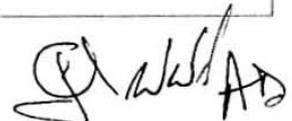
PART III

ANNEXURE A

6. CLAUSE B. MINIMUM HOURLY WAGE RATES FOR EMPLOYEES

Substitute clause B. Minimum hourly wage rate for employees with the following:

Sectors	Occupation Skills Level	Occupation Skills Level Code	With effect from the coming into operation of this Agreement
Furniture, Bedding, Curtaining and Upholstery	Unskilled employees	05	R21-69 per hour
	Semi-skilled employees	04	R23-37 per hour
	Skilled employees	03	R25-10 per hour
	Chargehands	02	R27-08 per hour
	Foremen & Supervisors	01	R27-08 per hour



Note: *The prescribed minimum wage rate to be increased from the first full pay week in April 2022, by the same percentage increase applied to the national minimum wage.*

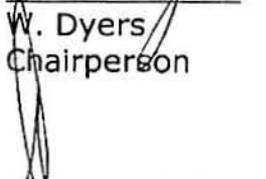
Agreement signed at Bellville on this 24 February 2021.



J. Claassen
Vice - Chairperson



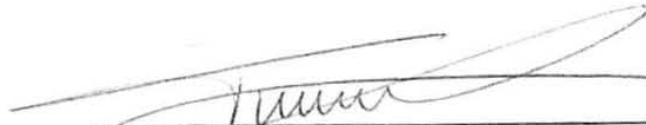
W. Dyers
Chairperson



A. Davids
Secretary

DEPARTMENT OF EMPLOYMENT AND LABOUR**NOTICE 366 OF 2021****LABOUR RELATIONS ACT, 1995****CANCELLATION OF GOVERNMENT NOTICE****SOUTH AFRICAN ROAD PASSENGER BARGAINING COUNCIL: THE MAIN COLLECTIVE AGREEMENT**

I, **THEMBELANI WALTERMADE NXESI**, Minister of Employment and Labour, hereby, in terms of section 32(7) of the Labour Relations Act, 1995, cancel Government Notice No. R.496 of 11 September 2021 with effect from the second Monday after the date of publication of this notice.

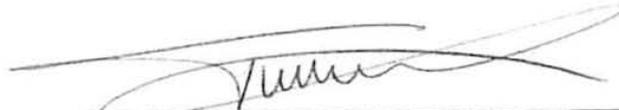


MR TW NXESI, MP
MINISTER OF EMPLOYMENT AND LABOUR

DATE: 07/06/2021

UMNYANGO WEZEMISEBENZI NABASEBENZI**UMTHETHO WOBUDLELWANO KWEZABASEBENZI KA-1995****UKUHOXISWA KWESAZISO SIKAHULUMENI****SOUTH AFRICAN ROAD PASSENGER BARGAINING COUNCIL: ISIVUMELWANO ESIYINGQIKITHI**

Mina, **THEMBELANI WALTERMADE NXESI**, uNgqongqoshe Wezemisebenzi Nabasebenzi ngokwesigaba 32(7) soMthetho Wobudlelwano KwezabaSebenzi ka-1995 ngihoxisa iSaziso sikaHulumeni esingunombolo R.496 somhlaka 11 kuMandulo 2020 kusukela ngomSombuluko wesibili emva kokushicilelwa kwalesisaziso.

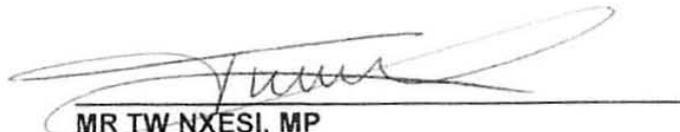


MNUMZANE TW NXESI, MP
UNGQONGQOSHE WEZEMISEBENZI EZABASEBENZI

USUKU: 07/06/2021

LABOUR RELATIONS ACT, 1995**SOUTH AFRICAN ROAD PASSENGER BARGAINING COUNCIL:
EXTENSION TO NON-PARTIES OF THE MAIN COLLECTIVE AGREEMENT**

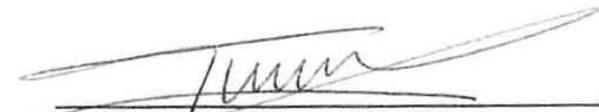
I, **THEMBELANI WALTERMADE NXESI**, Minister of Employment and Labour, hereby in terms of section 32(2) of the Labour Relations Act, 1995, declare that the Collective Agreement which appears in the Schedule hereto, which was concluded in the **South African Road Passenger Bargaining**, and is binding in terms of section 31 of the Labour Relations Act, 1995, on the parties which concluded the Agreement, shall be binding on the other employers and employees in that Industry with effect from the second monday after publication until 31 March 2022 or until replaced by a subsequent agreement.



MR TW NXESI, MP
MINISTER OF EMPLOYMENT AND LABOUR
DATE: 07/06/2021

UMNYANGO WEZEMISEBENZI NEZABASEBENZI**UMTHETHO WOBUDLELWANO KWEZABASEBENZI KA-1995****SOUTH AFRICAN ROAD PASSENGER BARGAINING COUNCIL:
UKWELULELWA KWESIVUMELWANO PHAKATHI KWABAQASHI
NABASEBENZI ESIYINGQIKITHI SELULELWA KULABO ABANGEYONA
INGXENYE YESIVUMELWANO**

Mina, **THEMBELANI WALTERMADE NXESI**, onguNgqongqoshe Wezemisebenzi neZabasebenzi, ngokwesigaba 32(2) soMthetho Wobudlelwano Kwezabasebenzi ka-1995, ngazisa ukuthi isiVumelwano sabaqashi nabasebenzi esitholakala kwiSheduli yesiNgisi exhunywe lapha, esenziwa kwi **South African Road Passenger Bargaining**, ngokwesigaba 31 soMthetho Wobudlelwano Kwezabasebenzi, ka 1995 esibopha labo abasenzayo, sizobopha abanye abaqashi nabasebenzi kuleyoMboni, kusukela ngomSombuluko wesibili emuva kokushicilelwa kwalesisaziso kuze kube isikhathi esiphela ngomhlaka 31 kuNdasa 2022 noma kufikela ngesikhathi sibuyiselwa ngesinye isivumelwano.



MNUMZANE TW NXESI, MP
UNGQONGQOSHE WEZEMISEBENZI EZABASEBENZI
USUKU: 07/06/2021

SCHEDULE**THE SOUTH AFRICAN ROAD PASSENGER BARGAINING COUNCIL (SARPBAC)****MAIN COLLECTIVE AGREEMENT**

in accordance with the provisions of the Labour Relations Act, 1995, made and entered into by and between the

SOUTH AFRICAN BUS EMPLOYER'S ASSOCIATION

And

COMMUTER BUS EMPLOYER'S ORGANISATION

(hereinafter referred to as the "Employers" or the "Employers' Association"), of the one part, and the

SOUTH AFRICAN TRANSPORT AND ALLIED WORKERS UNION

NATIONAL UNION OF METAL WORKERS OF SOUTH AFRICA

And

TRANSPORT AND ALLIED WORKERS UNION OF SOUTH AFRICA

(hereinafter referred to as the "employees" or the "trade unions"), of the other part,

being the parties to the South African Road Passenger Bargaining Council (SARPBAC)

(hereinafter referred to as the "Bargaining Council")

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1. SCOPE OF APPLICATION AND PERIOD OF AGREEMENT

1.1. SCOPE OF APPLICATION

The terms of this agreement shall be observed in the Road Passenger Transport Trade as defined hereunder in the Republic of South Africa:

1.1.1 'Road Passenger Transport Trade' or 'trade' means the trade in which employers and their employees are associated for the purpose of conveying for reward on any public road any person by means of a power-driven vehicle (other than a vehicle in possession and under the control of Transnet) intended to carry more than 16 persons simultaneously including the driver of the vehicle and includes all operations incidental or consequential thereto."

1.1.2 Notwithstanding the provisions of sub-clause 1.1.1, the terms of this agreement shall: -

- a. apply to all employees for whom wages are prescribed in this agreement and to employers of such employees.

1.2. TERM OF THE AGREEMENT

This Agreement shall come into operation for the parties to this Agreement on 1 April 2021 and for non-parties on such date as may be decided upon by the Minister of Employment and Labour in terms of section 32 of the Labour Relations Act, 1995 and shall remain in force until 31 March 2022 or until replaced by a subsequent agreement and shall be applicable to all Eligible Employees and their employers.

2. DEFINITIONS

Unless the context otherwise indicates, any expressions which are used in this Agreement and which are defined in the Labour Relations Act, 1995, shall have the same meaning as in that Act and for the purposes of this Agreement an Employee shall be deemed to be in the job title in which he is wholly or mainly engaged; further, unless inconsistent with the context:

"**Bargaining Council**" means the South African Road Passenger Bargaining Council (SARPBAC);

"**Basic Wage**" means the amount of money payable to an Employee in respect of his/her ordinary hours of work;

"**Bus**" means a power-driven vehicle intended to carry more than 16 persons, including the driver of the vehicle;

"**Day**" means the period of 24 hours from midnight to midnight. Provided that in the case of a member of the operating staff it shall mean a period of 24 consecutive hours calculated from the time the Employee commences work;

"**Daily wage**" means an Employee's hourly rate multiplied by the Employee's ordinary hours of work in a day;

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"Eligible Employee" means an individual, other than an individual who is part of an Employer's Management, Supervisory or Management Support Staff, who works in the Road Passenger Transport Trade and who is in the employment of an Employer.

"Employee" for the purpose of this agreement means "Eligible Employee"

"Employer" means an individual, company or organisation that employs or provides work for any person or employs an eligible employee in the Road Passenger Transport Trade;

"Hourly Rate" means an Employee's hourly rate of pay;

"Job Title" means the position occupied by an Employee within an Employer's organisation;

"Management Staff" mean those individuals who are responsible for the management of the business or a division, department, depot, section or workshop within such a business. Business owners, directors and/or persons holding positions of assistant manager, or any more senior position within an Employer's staff structure, fall within the definition of this category of staff;

"Management Support Staff" means those individuals' providing support services within a business. Individuals involved in the auditing, accounting, personnel administration, payroll, recruitment, welfare, public relations, secretarial and/or information technology functions as well as those with insurance claim processing, disciplinary activities or security services (other than individuals working as security guards) fall within the definition of this category of staff;

"Minimum Hourly Rate" means the minimum basic hourly rate of pay applicable to a specific job as reflected in "Annexure A";

"Monthly wage" means an Employee's Weekly Wage multiplied by 52 and divided by 12;

"Operating Staff" means a bus driver, bus driver-conductor, checker/regulator, conductor, dispatcher/transport officer, inspector, point controller, clip card seller, ticket office Employee, senior inspector, senior dispatcher/transport officer, senior checker/regulator;

"Ordinary Hours of Work" means the hours of work prescribed in clause 6 or if by agreement between Employer and his Employee the latter works a lesser number of hours, such shorter hours, and includes:

- (a) all periods during which an Employee is obliged to remain at his post in readiness to commence or proceed with his work; and
- (b) all time spent by a bus driver or bus driver-conductor on work connected with the bus or the passengers and all time spent by a driver of a motor vehicle on work connected with the vehicle or its load, but does not include any meal interval, sleep-over period or any time for which a subsistence allowance is payable to an Employee, if during such period, the Employee does no work other than remaining in charge of the vehicle;

"Overtime" means that portion of any period worked by an Employee during any week or on any day which is longer than his weekly or daily ordinary hours of work, as the case may be, but does not include any period during which an Employee works for his Employer on a paid holiday, on his weekly day off as referred to in Clause 6.5 of this Agreement, or on a Sunday;

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"Paid Holiday" means New Year's Day, Human Rights Day, Good Friday, Family Day, Freedom Day, Workers' Day, Youth Day, National Women's Day, Heritage Day, Day of Reconciliation, Christmas Day, Day of Goodwill and any other day declared to be a paid public holiday in terms of the Public Holidays Act No. 36 of 1994;

"Registration" means Registration by companies or employers falling within the Road Passenger Transport Trade as defined in this agreement of the particulars (name, employee number and identity number) of all eligible employees with SARPAC as required by the Department of Employment and Labour..

"Retirement Fund" shall mean a fund established in terms of the Pension Funds Act no 24 of 1956;

"Short-time" means a temporary reduction in the number of ordinary hours of work owing to slackness in trade, inability to operate normal services, a breakdown of plant, machinery, a bus or buses or a breakdown or threatened breakdown of buildings;

"Spread-over" means the period in any day from the time an Employee commences work until he ceases work for that day;

"Subsidised Contract" means a contract between an Employer and government in terms of which the Employer receives a subsidy in return for rendering prescribed services and is liable for the payment of penalties for non-performance.

"Supervisory Staff" means those individuals' exercising supervisory control and who are responsible for the activities and/or work performance of Employees falling within the ambit of such control. Individuals occupying a position such as assistant manager or higher in the administration function, charge hand or higher in the engineering function, chief inspector or higher in the traffic function, chief operator or higher in the traffic control function or assistant chief ticket office clerk or higher in the revenue receiving function fall within the definition of this category of staff;

"Terminally Ill Employee" means a permanent employee who has been diagnosed by a company appointed and/or approved certified specialist physician as suffering from a terminal disease;

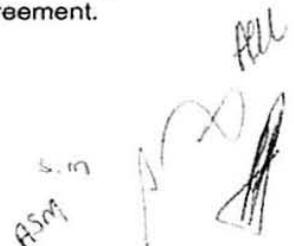
"Week" in relation to an Employee, means the period of seven days within which the working week of the Employee ordinarily falls.

"Weekly wage" means an Employee's hourly rate multiplied by the ordinary hours worked in a week.

3. ACROSS THE BOARD INCREASE

An across-the-board increase on the hourly rate of all Employees, for the term of the Agreement, will apply as follows:

- 3.1. The base rate of pay for the purpose of this clause will be the hourly rate payable to Employees immediately preceding the commencement date of this Agreement.

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- 3.2. An across-the-board increase of 4% on the base rate of pay will become due from the 1 April 2021 for parties and for non-parties on a date determined by the Minister, until 31 March 2022.

4. **MINIMUM BASIC WAGE**

- 4.1. The minimum hourly wage for Employees will not be less than R40.43 per hour from 1 April 2021 for parties and for non-parties on a date determined by the Minister to 31 March 2022

5. **JOB TITLES, GRADES, MINIMUM HOURLY RATES**

- 5.1. The provisions of this Agreement shall apply to the job titles set out in Annexure A, which specifies:
- 5.1.1. The definition applicable to each job title.
 - 5.1.2. The various occupations within the trade which are encompassed within the job title.
 - 5.1.3. The peromnes grade range applicable to such job title.
 - 5.1.4. The minimum hourly rate applicable to such job title.
- 5.2. Where an Employer's entry level hourly rate in respect of new Employees is greater than the minimum hourly rate specified in Annexure A, the Employer shall be entitled to maintain such entry level hourly rate without increase.

6. **ORDINARY HOURS OF WORK AND OVERTIME**

- 6.1. **Ordinary hours of work** – Ordinary hours of work shall not exceed 45 hours in any week.
- 6.2. **Averaging of hours** – Notwithstanding the provisions of this Agreement, an Employer may conclude a collective agreement which permits the Employer to average the ordinary hours of work and overtime of Employees over a period of up to 4 months, provided:
- 6.2.1. That the Employer may not require or permit an Employee who is bound by the collective agreement to work more than:
 - a) An average of 45 ordinary hours of work in a week over the agreed period.
 - b) An average of 5 hours overtime in a week over the agreed period.
 - 6.2.2. That the collective agreement lapses after 12 months.
 - 6.2.3. That the proviso referred to in sub-paragraph 6.2.2 above only applies to the first two collective agreements concluded in terms of this clause.

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- 6.3. **Meal interval** – An Employer shall not require or permit an Employee to work continuously for more than five hours, without a meal interval, of not less than 30 minutes, during which interval, such Employee shall not be required or permitted to perform any work and such interval shall not form part of the ordinary hours of work or overtime.
- 6.4. **Rest intervals** – An Employer shall grant to his Employee, other than a member of the operating staff, a rest interval of not less than 10 minutes as nearly practicable in the middle of each first work period and second work period of the day, and during such interval the Employee shall not be required or permitted to perform any work and such interval shall be deemed to be part of the ordinary hours of work of the Employee.
- 6.5. **Weekly day off** – An Employer shall grant to every Employee at least one full day off during every seven consecutive days.
- 6.6. **Spread-over** – In the case of a member of the operating staff the ordinary hours of work, including the meal interval where applicable, and all overtime, shall on any day be completed within a spread-over of 14 hours.
- 6.7. **Overtime** - Employees working overtime will be compensated at a rate of 1.5 times their normal hourly rate on an ordinary day and double their normal hourly rate on a working day off.
- 6.8. **Sunday** – Employees working on a Sunday which is not their weekly day off will be compensated at a rate of 1.5 times their normal rate for each hour worked on the Sunday.
- 6.9. **Limitation of overtime:**
- 6.9.1. An Employer shall not require or permit an Employee to work overtime, otherwise than in terms of a collective agreement or an agreement concluded with the Employee.
- 6.9.2. The maximum permitted overtime may not exceed 15 hours per week.
- 6.10. **Set-off** – Where in any one week an Employee absents himself/herself from work during any or all of the ordinary hours of a shift or shifts, without authority, any overtime worked by the Employee shall be paid at the Employee's ordinary rate of pay for a period equivalent to the period of such absence.
- 6.11. **Rest period** – An Employer shall grant the Employee, other than a member of the operating staff, a daily rest period of a least 12 consecutive hours between the Employee ending and recommencing work.
- 6.12. **Short-time** – An Employer shall be entitled to implement short-time upon notice to Employees in which event the provisions of clause 35.4.4 will apply.

7. SCHEDULING OF WORK

- 7.1. Employers have the right to schedule Employees for all ordinary hours of work in any day and/or week at ordinary rates of pay.

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- 7.2. Schedules may make provision for waiting/standby periods, to the extent decided by the Employer, which periods may, amongst other duties, include driving, special hires, attendance at training courses or meetings.
- 7.3. Employers may amend schedules provided that 7 days' notice is given prior to the implementation of such new schedules.

8. TRAINING

Where training is provided outside of the Employee's normal working hours, Employees required to attend such training will not be remunerated for the first 24 hours of such training in any given calendar year.

9. SUBSISTENCE & TRAVEL ALLOWANCE

- 9.1. An Employee, who is away from his Employer's establishment on special hire/charter duties or on instructions from his Employer and is, as a consequence thereof and at the instruction of the Employer, required to sleep out, will be paid an allowance of R660.41 for each night that the employee is required to sleep out to cover the costs of meals and accommodation.
- 9.2. An Employee, who is away from his Employer's establishment, for more than 7 hours 20 minutes, on special hire/charter duties or on the instruction of the Employer but is not required/instructed by the Employer to sleep out, will be paid a meal allowance of R9.71 per hour for each completed hour of such special hire/charter or absence.
- 9.3. The above allowances will not be paid where, in terms of the Employer procedures, the Employer or a third party provides accommodation and/or food, pays for such expenses directly or where accommodation and/or food are made available at no cost to the Employee.

10. NIGHT-SHIFT ALLOWANCE

A night-shift allowance of R9.71 per hour will be payable to employees for the work performed between 20:00 and 03:00

11. TOOL ALLOWANCE

An allowance of R47.10 will be paid to Employees who, as a requirement of the Employer, are in possession of the applicable tool kit complying with the Employer's specifications.

12. CROSS BORDER EXPENSES AND ALLOWANCES

When an employee is required by the employer to cross the South African National border into a foreign country, the employer will:

- 12.1 Reimburse the employee for the required expenses of obtaining a passport, visa, medical certificate and medication.
- 12.2 Pay the employee who is away from the Employer's establishment on special hire/charter duties or on the instruction of the employer and is as a consequence thereof

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and at the instruction of the employer required to sleep out outside of South Africa, an allowance of R751.05.

- 12.3 Pay an employee, who is away from his Employer's establishment, for more than 7 hours and 20 minutes on special hire/charter duties or on the instruction of the employer but is not required/instructed by the employer to sleep out outside the border of South Africa, a meal allowance of R11.39 for each completed hour of such special hire/charter or absence.
- 12.4 The above allowance will not be paid where in terms of the Employer's procedures, the employer or a third party provides accommodation or food or pays for the food directly and where food and accommodation are available at no cost to the employee.
- 12.5 Where this clause applies, then clause 9 does not apply.

13. DUAL DRIVER ALLOWANCE

Employers engaged in scheduled intercity services, where two Coach Driver are required on the vehicle as a result of the distance to be travelled, shall pay an allowance of R400-00 per month to each Coach Driver who had engaged in such services for the pay period concerned."

14. CELL PHONE ALLOWANCE

Where employees are required by the employer to use his personal cell phone the full actual expense will be reimbursed

15. PART TIME ADULT BASIC EDUCATION AND TRAINING INSTRUCTORS

All Employees who, on a part time basis, perform the work of Adult Basic Education and Training (ABET) instructors will receive an allowance R12.00 for each hour of ABET instruction.

16. PROFESSIONAL DRIVING PERMIT/LICENSE

- 16.1 Employees who are required by the Employer to have a Professional Driving Permit will receive a 100% refund in respect of the cost of the successful renewal of the Professional Driving Permit and the cost of the card that is replaced at the same time as the Professional Driving Permit renewal. Where a medical examination is required for the renewal of the Professional Driver Permit, such medical examination shall, for those individuals employed after 31 March 2004, be performed by a medical doctor of the Employer's choice
- 16.2 Individuals employed before 1 April 2004 may use a medical doctor of the Employee's choice for the medical examination referred to above, in which event the Employee will be responsible for the cost thereof.
- 16.3 Should an Employee contest the medical finding of the company appointed doctor, such Employee will have the right to undergo, at the Employee's cost, a further medical examination by a doctor of the Employee's choice.
- 16.4 Should the medical opinion of the doctor appointed by the Employee differ from that of the doctor appointed by the company, the Employee shall be entitled to seek a third medical examination. If the Employee does not exercise such right within 14 days, the

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medical finding of the company appointed doctor will stand. For the purpose of conducting the third medical examination, the parties will establish an agreed panel of doctors. In the event that such third medical examination is sought, the medical opinion obtained from a panel doctor for this purpose will be final and binding.

- 16.5 Should the panel doctor's opinion confirm the company appointed doctor's opinion, the cost of the third medical examination will be for the account of the Employee.

Should the panel doctor's opinion confirm the Employee appointed doctor's opinion, the cost of the third medical examination will be for the account of the Employer.

- 16.6 All Employees who are required by their Employer to be in possession of a valid driver's license of the appropriate code and/or professional driving permit (PrDP) are required to obtain from the relevant authorities documented proof of the validity of such licenses and/or PrDP, if requested to do by the Employer and to present such documents to the Employer.

17. LEGAL ASSISTANCE

- 17.1 When an Employee, acting in the course and scope of his employment, is involved in a motor vehicle accident in a company vehicle, and is subsequently charged with commission of a criminal offence arising out of the accident, the Employer will provide legal assistance by granting an interest free loan up to a maximum of R 10 000.00.
- 17.2 The Employer will appoint a lawyer in such cases. Such loans will be repaid in instalments by the Employee immediately. If eventually found not guilty, the Employer will refund the amount already deducted from the Employee's pay.
- 17.3 The provision of legal assistance is extended to a security guard with a company-issued firearm who is charged with commission of a criminal offence arising from the use of the firearm whilst on duty.

18. ANNUAL LEAVE

- 18.1 Annual leave cycle means the period of 12 months employed with the same Employer, immediately following:
- 18.1.1 an Employee's commencement of employment; or
- 18.1.2 the completion of that Employee's prior leave cycle.
- 18.2 An Employer must grant an Employee at least 21 consecutive days of annual leave, on full remuneration, in respect of each annual leave cycle. This means:
- 18.2.1 15 working days for Employees working a 5 day week.
- 18.2.2 18 working days for Employees working a 6 day week.
- 18.3 An Employer may reduce an Employee's entitlement to annual leave by the number of days of occasional leave on full remuneration granted to the Employee at the Employee's request in that leave cycle.

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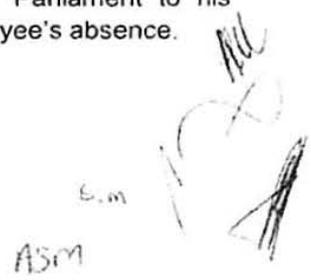
19. SICK LEAVE

- 19.1 Sick leave cycle means the period of 36 months' employment with the same Employer immediately following:
- 19.1.1 an Employee's commencement of employment; or
 - 19.1.2 the completion of the Employee's prior sick leave cycle.
- 19.2 During every sick leave cycle, an Employee is entitled to an amount of paid sick leave equal to the number of days the Employee would normally work during a period of six weeks.
- 19.3 Despite sub-clause 18.2, during the first six months of employment, an Employee is entitled to one day's paid sick leave for every 26 days worked.
- 19.4 During an Employee's first sick leave cycle, an Employer may reduce the Employee's entitlement to sick leave in terms of sub-clause 18.2 by the number of days' sick leave taken in terms of sub-clause 18.3.
- 19.5 An Employer must pay an Employee for a day's sick leave:
- 19.5.1 the basic wage the Employee would ordinarily have received for the ordinary hours of work on that day; and
 - 19.5.2 on the Employee's usual payday.
- 19.6 An agreement may reduce the pay to which an Employee is entitled in respect of any day's absence in terms of this clause if:
- 19.6.1 the number of days of paid sick leave is increased at least commensurately with any reduction in the daily amount of sick pay; and
 - 19.6.2 the Employee's entitlement to pay:
 - 19.6.2.1 for any day's sick leave is at least 75 percent of the basic wage payable to the Employee for the ordinary hours the Employee would have worked on that day; and
 - 19.6.2.2 for sick leave over the sick leave cycle is at least equivalent to the Employee's entitlement in terms of sub-clause 18.2.

20. INFORMING EMPLOYER OF ABSENCE AND PROOF OF INCAPACITY

- 20.1 Where an Employee is unable to attend work as a result of ill health, the Employee shall be obliged to inform the Employer of this fact within 24 hours of taking ill.
- 20.2 The Employee shall submit a sick certificate, signed by a medical practitioner who is registered with a professional council established by an Act of Parliament to his Employer, stating the nature of the illness and the duration of Employee's absence.

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- 20.3 This sick certificate shall be submitted within 48 hours of the Employee going absent due to illness.

21. LEAVE FOR TERMINALLY ILL EMPLOYEES

A terminally ill Employee who requires treatment designed to counter the effects of the defined condition will be provided with terminally ill leave subject to the following conditions:

- 21.1 The leave will be made available solely for the purpose of hospitalisation or treatment that will require more than 2 days of absence as prescribed by a company appointed and/or approved certified specialist physician.
- 21.2 The Employee will be allowed a maximum of 18 working days leave in any one year at normal basic rates of pay.
- 21.3 The Employee must, prior to any leave being granted in terms of this clause, first have exhausted all his/her sick leave.
- 21.4 An Employee will be required to provide the Employer with prior notice of every treatment session as well as written proof, from the institution providing the prescribed treatment, of having undergone such treatment.
- 21.5 Where companies provide sick leave in excess of the combined benefits that would accrue from clause 18 of this agreement and this clause, Employees working for such companies will not be entitled to the terminally ill benefit as provided for herein.
- 21.6 Leave provided in terms of this clause is not cumulative.

22. MATERNITY LEAVE

Female Employees will be entitled to 16 weeks paid maternity leave at a rate of 37% of the Employee's basic wage, commencing 1 month prior to the expected date of confinement. Such Employee is also, at the time of her confinement and at her option, entitled to a further period of 10 weeks unpaid leave.

23. FAMILY RESPONSIBILITY LEAVE

Employees will be entitled to a maximum of 8 days paid family responsibility leave per annum, for which documentary proof may be required by an Employer. Family responsibility leave may be applied for in respect of the following:

- 23.1 A maximum of 5 days compassionate leave may be granted in respect of the death of a spouse, life partner, parent, parent in law, grandparents, grandchildren, direct or adopted child or direct sibling.
- 23.2 A maximum of 3 days leave may be granted to an employee whose child is born or sick; or to a spouse for the care of a mother who is ill relating to the confinement within a period of a year.

24. STUDY LEAVE

Employees shall be entitled to paid study leave as follows:

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- 24.1 2 days prior to and 1 day on the day of the examination per approved course, subject to a maximum of 15 days per annum for approved courses.
- 24.2 Approved course (as referred to in Annexure "D") for purposes of this clause, means a course approved in line with the existing company policy or a course included in the SARPBAC list of "Accredited Courses"
- 24.3 Study leave benefits are only applicable to examinations in courses undertaken at registered institutions of higher learning within South Africa.
- 24.4 Eligibility for the above benefit shall be subject to: -
- 24.4.1 Applications for Study Leave in terms of clause 24, setting out the details of the course(s) of study and the educational institution must be received by the Employer not later than January in the year which the course(s) of study are to be undertaken.
- 24.4.2 Applications will be considered by the Employer in accordance with the Employer's operational requirements (the ability of the employer to efficiently and effectively operate its business)
- 24.4.3 Employees whose applications are approved must, at least one month prior to embarking on any study leave in terms of clause 24, provide the employer with documentary proof of the employee's eligibility to write the exam.
- 24.5 Should a dispute arise out of the application of clause 24, the matter must be dealt with in terms of the companies' grievance procedure.

25. **RETIREMENT FUND**

- 25.1 Membership of Retirement Fund is compulsory in respect of all Employees.
- 25.2 The Employer's contribution to such fund shall not be less than 10% of the Employee's basic wage.
- 25.3 The Employees contribution to such fund shall not be less than 7.5% of the Employee's basic wage

26. **BONUS**

- 26.1 Employees who are in the service of their Employer on the first day of December in any calendar year, shall be paid a bonus equivalent to one month's basic wages, provided that such bonus will be calculated pro rata to an Employee's service where the Employee is engaged for a period of less than 12 months immediately preceding the first day of December.
- 26.2 Employees who leave the service of the Employer prior to the 1st of December in any one year, will be paid a pro rate portion of the bonus referred to above provided that the termination of their service is as a result of any one of the following:
- 26.2.1 the Employee being declared medically unfit to continue employment; or

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26.2.2 the Employee attaining normal retirement age; or

26.2.3 the employment relationship being terminated for operational reasons; or

26.2.4 the death of the Employee.

26.3 Any Employer seeking exemption from the provisions of this clause as a consequence of financial reasons shall be obliged to follow the exemption procedure detailed in Annexure C.

27. CONTRACT PENALTIES

Where an Employee is found to be directly responsible for a penalty being imposed on the Employer because of the non-compliance with the terms and conditions of a subsidised contract, the Employee will be required to reimburse the Employer to the extent of the penalty incurred, up to a maximum of R200.00 per incident. Such reimbursement shall be deducted from the basic wage of the Employee.

28. RETRENCHMENT/SEVERANCE PACKAGE

28.1 Where an Employee is eligible for severance pay following dismissal for operational requirements, this shall be calculated on a basis of two weeks' severance pay for each completed year of service. (this issue is not to be raised again as a demand by organized labour unless future legislative changes necessitate alignment)

28.2 Provided that the provisions of this Agreement shall not supersede the provisions of any other common law agreement which may be binding upon employers and/or employees in relation to the payment of a severance pay following upon dismissal for operational requirements.

29. FARE INCREASES

Employees will not obstruct, act against or undermine fare increases in any manner. Only Employees who, as part of their normal duties, are required to promote fare increases will be required by the Employer to do so. Employees will not be disciplined for refusing to promote fare increases where this is not part of their normal duties.

30. TRADE UNION NATIONAL RETIREMENT FUNDS

It is agreed that labour's demand that Employees be allowed to move to national union retirement funds, be referred in its entirety to company level. Plant level meetings with labour representatives and other relevant parties and stakeholders will be held for this purpose.

31. STATUS QUO

All substantive terms and conditions of employment and benefits that were applicable at an employer as at the effective date of this agreement and are not regulated by the agreement, shall remain in force and effect. Further any existing substantive terms and condition of employment and benefits that were applicable as at the effective date of this agreement at a level higher/better than regulated in the agreement, such higher/better terms and conditions of employment and benefits shall continue to apply.

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Therefore, no employer shall reduce such substantive conditions of employment and benefits to the level of what is contained in the Main Agreement.

32. PROHIBITION OF EMPLOYMENT

An Employer shall not:

- 32.1 employ any person under the age of 15 years.
- 32.2 require or permit any female Employee to work during the period commencing 1 month prior to the expected date of her confinement and ending 2 months after the date of her confinement, unless a medical practitioner who is registered with a professional council established by an Act of Parliament certifies that the Employee is fit to resume work earlier.

33. NOTICE OF TERMINATION OF CONTRACT

Other than where individual contracts of employment provide for a longer notice period, the Employer or the Employee, other than a casual Employee, who desires to terminate the contract of employment, shall give:

- 33.1 during the first four weeks of employment, not less than one workday's notice of termination of contract;
- 33.2 after the first four weeks of employment, not less than one week's notice of termination of contract.

34. CERTIFICATE OF SERVICE

On termination of employment an Employee is entitled to a certificate of service stating:

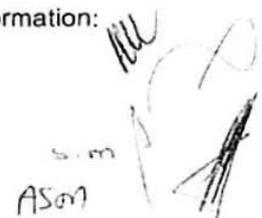
- 34.1 the Employee's full name;
- 34.2 the name and address of the Employer;
- 34.3 a description of the Bargaining Council by which the Employer's business is covered;
- 34.4 the date of the commencement and the date of termination of employment
- 34.5 the title of the job or a brief description of the work for which the Employee was employed at the date of termination;
- 34.6 the Employee's remuneration at date of termination; and
- 34.7 if the Employee so requests, the reason for termination of employment.

35. KEEPING OF RECORDS

35.1 Every Employer must keep a record containing at least the following information:

- 35.1.1 the Employee's name and occupation;

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- 35.1.2 the time worked by each Employee;
 - 35.1.3 the remuneration paid to each Employee;
 - 35.1.4 the date of birth of any Employee under 18 years of age; and
 - 35.1.5 any other prescribed information.
- 35.2 A record in terms of sub-clause 35.1 must be kept by the Employer for a period of three years from the date of the last entry in the record.
- 35.3 No person may make a false entry in a record maintained in terms of sub clause 35.1 above.
- 35.4 An Employer who keeps a record in terms of this clause is not required to keep any other record of time worked and remuneration paid as required by any other employment law.

36. PAYMENT OF REMUNERATION

- 36.1 Any amount due to an Employee shall, in accordance with company policy, be paid weekly, fortnightly or monthly in cash, by cheque or by direct deposit into an account designated by the Employee.
- 36.2 Any remuneration paid in cash or by cheque must be given to each Employee:
- 36.2.1 at the workplace or at a place agreed to by the Employee;
 - 36.2.2 on the designated pay day; and
 - 36.2.3 in a sealed envelope.
- 36.3 An Employer must give an Employee the following information in writing on each day that an Employee is paid:
- 36.3.1 the Employer's name;
 - 36.3.2 the Employee's name and occupation;
 - 36.3.3 the period for which the payment is made;
 - 36.3.4 the Employee's gross remuneration;
 - 36.3.5 the amount and description of any deduction made from the remuneration;
 - 36.3.6 details of overtime and other earnings; and
 - 36.3.7 the actual Nett pay.
- 36.4 Save as provided for in terms of this Agreement, no Employer shall levy any fines against the Employee nor may he make any deductions from the Employee's remuneration other than:
- 36.4.1 with the written consent of the Employee;

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- 36.4.2 whenever an Employee is absent from work, other than at the direction of his Employer, a deduction proportionate to the period of his absence and calculated on the basis of the basic wage of the Employee in respect of his ordinary hours of work at the time of such absence, subject to any set-off which may be applicable in terms of clause 6.8 above;
- 36.4.3 a deduction of any amount which an Employer by law or order of any competent court or by collective agreement is required or permitted to make;
- 36.4.4 whenever the ordinary hours of work are reduced because of short-time as defined, a deduction not exceeding the amount of the Employee's hourly basic wage in respect of each hour of such reduction. Provided that:
- a) such deduction shall not exceed one third of the Employee's weekly/monthly wage, as the case may be, irrespective of the number of hours by which the ordinary hours of work are thus reduced;
 - b) no deduction shall be made in the case of short-time arising out of slackness of trade or inability to operate normal services unless the Employer has given his Employee notice on the previous workday of his intention to reduce the ordinary hours of work;
 - c) no deduction shall be made in the case of short-time owing to a breakdown of plant, machinery, a bus or buses or a breakdown or threatened breakdown of buildings, in respect of the first hour not worked, unless the Employer has given his Employee notice on the previous day that no work will be available;
- 36.4.5 with written consent of an Employee, a deduction of any amount which an Employer has paid or has undertaken to pay to:
- 36.4.5.1 a registered financial institution, local authority or the State in respect of a payment on a loan granted to such Employee to acquire a dwelling;
 - 36.4.5.2 any organisation or entity in respect of the rent of a dwelling occupied by such Employee;
- 36.4.6 with the written consent of an Employee, a deduction towards the repayment of any amount loaned or advanced to the Employee by the Employer. Provided that any such deduction shall not exceed one third of the total remuneration due to the Employee on the pay-day concerned and provided further that no such deduction shall be made in respect of any period during which the Employee's basic wage is reduced in terms of paragraph 36.4.4.
- 36.4.7 with the written consent of an Employee, a deduction towards the repayment of any amount loaned or advanced to the Employee by a third party whom the Employer has approved for the purposes of advancing loans.

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37. DESIGNATED AGENTS

- 37.1 One or more persons shall be appointed by the Council as agent(s) to assist in enforcing the terms of this Agreement.
- 37.2 The Council may, in terms of Section 33 of the Act, request the Minister of Employment and Labour to appoint any person as a designated agent of the Council.
- 37.3 A designated agent shall have the powers conferred on a commissioner by Section 142 of the Act, except the powers conferred by Section 142(1) (c) and (d).

38. APPLICATIONS FOR EXEMPTION AND APPEALS AGAINST DECISIONS OF THE EXEMPTION PANEL

The procedures to be adopted in applying for exemption, and appealing against a decision of the exemption panel, are set out in Annexure C to this Agreement.

39. DISPUTE PROCEDURE

Dispute procedures are detailed in Annexure B to this Agreement.

40. LEVIES

- 40.1 Employees for whom minimum basic wages are prescribed an amount of R6.33 per week or R27.43 per month of an Employee's normal basic wage shall be deducted by an Employer from the basic wage of every Employee.
- 40.2 Other employees in the bargaining unit for which minimum basic wages are not prescribed, but who qualify for the across the board increases as per clause 3.2, an amount of R6.33 per week or R27.43 per month of an Employee's normal basic wage shall be deducted from the basic wage of every Employee, in his or its employ who works one or more days a week.
- 40.3 To the amounts deducted in terms of clause 40.1 and 40.2, the Employer shall add a like amount and pay the total by no later than the 7th of each month over to the council together with the schedules at Ground Floor, Stonefountain House, 95 Klipfontein Road, Rondebosch, 7700, or into the councils bank account: SARPAC, First National Bank, Account no. 62289781752, Branch Bode 202409.

41. ADMINISTRATION OF AGREEMENT

The Council shall be the body responsible for the administration of this Agreement, and may issue expressions of opinion and rulings not inconsistent with the provisions thereof for the guidance of Employers and Employees.

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42. **APPLICATION OF AGREEMENT**

No Employer which is bound by the terms of any Collective Agreement concluded by SARPBAC shall be compelled by industrial action, litigation or otherwise to negotiate on matters contained in such Collective Agreement at any other level during the currency of such agreement.

43. **REGISTRATION**

All Employers operating in the Road Passenger Transport Trade who employs eligible employees in terms of this Agreement are compelled to register with the South African Road Passenger Bargaining Council

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ANNEXURE A**JOB TITLES, GRADES, MINIMUM HOURLY RATES**

Job Title	Purpose Statement	Occupations Included	Range of Grades	Minimum Rate Per Hour with the coming into operation of the Agreement until 31 March 2022
Artisan	Qualified artisan who holds the relevant trade papers. Artisan could include Diesel Mechanic, Auto Electrician, Body Builder, Painter, Welder and Spray Painter. Typical work would include the service, repair, maintenance, upgrade of vehicles/components, inspections. Conducts road tests, recovers breakdowns, and identifies / diagnoses faults/defects. Artisans may supervise and assist in training unqualified staff.	Artisan, Artisan Auto Electrician, Artisan Body Builder, Auto Electrician, Body Builder, Mechanic, Diesel Mechanic, Painter, Spray Painter, Trimmer, Welder.	P13-P10	R 81.19
Bus Driver	Drives a bus to transport passengers on scheduled services over established routes. Controls lighting, heating and ventilation for the passengers. Observes prescribed speeds, traffic, travelling conditions and signals to ensure the safe arrival of passengers. Ensures passengers arrive at destinations on time. Holds the appropriate licence and a PrDP. This category is restricted to commercial contracts which are not subsidized by government.	Bus Driver	P15-P14	R 47.60
Cabin Attendant	Provides assistance to passengers on a Luxury Coach. Tasks include serving of refreshments and ensuring passengers experience a comfortable journey.	Cabin Attendant	P14	R 71.64
Canteen Attendant	Maintains the cleanliness of the canteen and assists in the preparation and serving of food and beverages. Keeps the canteen clean and tidy.	Canteen Assistant Meals, Canteen Assistant Tea, Canteen Attendant	P18-P17	R 40.43
Cashier	Receives cash from drivers and/or ticket sellers and banks all cash received.	Cashier, Cashier - Ex DC.	P14-P12	R 54.90

Cleaner	Cleans and maintains office / yard / workshop / buses / vehicle parts / bellows, utilising the appropriate cleaning agents and cleaning tools.	Bellow Cleaner, Bus Cleaner, Bus Washer, Office Cleaner, Steam Cleaner, Steam Jenny Cleaner, Workshop Cleaner, Yard Cleaner.	P19-P18	R 40.43
Clerk	Performs administrative / clerical / stores / technical duties. Tasks may include filing, recording of data, copying, typing, handling petty cash, ordering of stationery/groceries, reporting, receiving and issuing of stock/parts or stock-taking. Additional duties may include attending to client queries/complaints, supervising and/or coordinating the workload of subordinates and/or operating on a senior administrative level.	Clerk, Assistant Contract Clerk, Receiving and Recon Clerk, Tyre Clerk, Taco Clerk, Operations Clerk, Planning Clerk, Terminal Clerk, Private Hire Clerk, Reservations Clerk, Scheduling Clerk, Technical Clerk, Waybill Clerk, Contract Clerk, Revenue Office Assistant, Special Hire Clerk, Stores Clerk, Engineering Clerk, Senior Clerk, Senior Store Clerk, Systems Clerk, Data Capturer.	P15 - P11	R 50.15
Cook	Prepares and serves meals to staff members. Compiles a weekly menu and assists in canteen administration. Supervises Canteen Attendants.	Chef	P15	R 57.29
Despatcher	Books and despatches drivers on allocated routes to ensure buses depart on schedule and executes administrative-related functions. Duties may include signing on/off shifts for Bus Drivers, reporting of any incidents and analysing the AM and PM operation.	Depot Despatcher, Despatcher, Sub Depot Despatcher.	P13 - P12	R 62.07

Driver / Conductor	Drives a bus or luxury coach to transport passengers on the scheduled services over established routes. May issue tickets and collect fares. Controls lighting, heating and ventilation for the passengers. Observes prescribed speeds, traffic, travelling conditions and signals to ensure safe arrival of passengers. Ensures that passengers arrive at destinations on time. Holds the appropriate licence and a PrDP. Includes all BRT operations.	Driver / Conductor, Duty Bus Driver, Luxury Coach Driver, Coach Driver, OMO.	P14-P12	R 62.07
Driver Instructor	Provides training to drivers and conducts evaluations on drivers.	Driver Instructor, Driver Training Instructor.	P12 - P11	R 71 64
ETM Technician	Services, repairs and maintains Electronic Ticket Machines.	ETM Repairer, ETM Technician, Wayfarer Mechanic, Setright Mechanic, Senior Setright Mechanic.	P14 - P10	R 52.54
Forklift Driver	Operates a forklift to move equipment within the premises.	Forklift Driver	P18	R 52.54
Fuel Attendant	Refuels buses /company vehicles.	Fuel Attendant, Diesel/Fuel Attendant.	P17-P16	R 40.43
Gardener	Maintains gardens, lawns, shrubs and trees. Loads and unloads goods and materials. May provide assistance in the washing of company cars and cleaning of windows.	Gardener, Garden Labourer, General Worker.	P18	R 40.43
Handyman	Performs general building maintenance and repair work for plumbing, electrical, building and paving activities.	Handyman, Handyman Building Maintenance, Handyman Electrical	P16-P11	R 54.90
Help Desk Administrator	Handles passenger complaints, issues refund-vouchers to passengers, issues trip vouchers, assists passengers with dead tags, records customer complaints, visits head office and provides feedback	Help Desk Administrator	P14	R 69.48

Hospitality Representative	Meets and greets clients at airports and ensures that the correct vehicles are boarded.	Hospitality Representative	P13	R 49.97
Inspector	Executes and carries out inspection duties to investigate irregularities and ensure compliance to company policy - performs physical vehicle checks, evaluates driver compliance, monitors scheduled trips and audits the issuing of tickets and the collection of revenue.	Inspector	P13 - P11	R 62.26
Maintenance Assistant	Assists a qualified Artisan and has sufficient relevant experience to perform the work required.	Semi-skilled Body Builder, Semi-skilled Electrician, Semi-skilled Mechanic, Semi-skilled Shift Mechanic; Junior Body Builder, Junior Electrician, Junior Glazier, Junior Mechanic, Junior Body Builder, Junior Spray Painter, Operative B.	P14-P13	R 57.29
Maintenance Technician	Unqualified Artisan who is able to perform all technical duties not performed by an Artisan (auto electrician/body builder/diesel mechanic), but does not have the qualification (i.e. trade certificate).	B Artisan (Auto Electrician, Body Builder, Diesel Mechanic), Workshop Operative, Honorary Artisan, Auto Elec Operative, Body Shop Operative, Operative A.	P13-P12	R 62.26
Messenger	Delivers and collects mail / documents and runs errands as required by the operation. May be required to drive a motorcycle or vehicle and hold the applicable license.	Messenger	P18-P15	R 40.43

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Mobile Driver	Drives a light motor vehicle to transport personnel to and from the required location. Holds a code 08 (EB) license.	Mobile Driver	P18-P15	R 40.56
Porter	Loads and off loads luggage at major centres in an intercity environment.	Porter	P19	R 40.43
Receptionist	Performs front desk duties, operates the switchboard to attend to incoming calls, receives visitors to the organisation and responds to general enquiries. Performs clerical duties when required e.g. photocopying, handling mail, handling faxes.	Receptionist, Receptionist/Switchboard Operator, Switchboard Operator.	P14	R 52.54
Regulator	Records arrival and departure times of buses at terminal points to ensure buses keep to routes and schedules. Liaises with passengers on the service provided.	Regulator, Point Controller.	P14-P12	R 45.37
Route Controller	Ensures that specific routes are covered for passengers to arrive on time at destinations.	Route Controller	P12 - P11	R 114.54
Security Guard	Patrols and guards company assets and personnel and provides secure access control to the property.	Security Guard, Gatekeeper.	P17 - P16	R 43.00
Senior Cashier	Supervises Cashiers in the receipt and banking of cash received. Tasks include reconciling cash to ticket sales, liaising with customers, controlling safes, ensuring the smooth running of equipment at depots and conducting periodic depot spot checks.	Senior Cashier, Chief Cashier, Senior Cashier T/Seller	P13-P12	R 62.26
Senior Inspector	Supervisors a team of inspectors, works according to a pre-determined schedule and performs adhoc investigations. Liaises with passengers and driver conductors. Carries out a census.	Senior Inspector	P12-P11	R 71.64
Senior Regulator	Supervises operational duties of Regulators, maintains an effective passenger information system and monitors passengers at platforms.	Senior Regulator, Senior Point Controller.	P12-P13	R 62.26

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Shunter Driver	Moves buses on company premises and between sections for maintenance activities. Road test buses as and when required by Artisans and workshop supervisors. Parks buses in stipulated areas. Drives buses through bus wash machines. Drives vehicles onto and off pits. Requires the applicable license.	Shunter Driver, Shunter Driver-Maintenance.	P16-P15	R 43.00
Stores Driver	Performs driving duties for stores e.g. collection of parts and other store items. Requires the applicable license.	Stores Driver	P15	R 40.43
Storeman	Establishes and maintains minimum and maximum stock levels, controls and checks the delivery of stock, issuing of parts and spares, keeps stock cards up to date, receives and books out spares, performs stock take, conducts spot checks on stocks, etc.	Storeman, Storeman Buyer, Storeman / Counterhand.	P15 - P12	R 52.54
Stores Assistant	Assists the Storeman with the issuing and receiving of parts in the store, physically moves stock (packing, unpacking) and drives a forklift to load and unload spares from delivery vehicles. Requires the applicable licence.	Stores Assistant	P16-P14	R 50.36
Tea Person	Make tea and coffee and wash dishes	Tea Person	P18	R 40.43
Technical Driver	Performs driving duties for the Technical Department inclusive of shunting vehicles from the wash bay to check pits and to the workshop, fuelling of vehicles, taking vehicles for COF and towing busses in for repairs. Requires the applicable licence.	Technical Driver	P15	R 40.43
Terrain Controller	Supervises the dispensing of diesel, oil and water. Supervises, shunting, parking and despatching of buses. Supervises the cleaning and washing of the exterior and interior of buses. Supervises the cleaning of the yard, offices, buildings, equipment and premises.	Terrain Controller, Yard Supervisor.	P13 - P12	R 80.34

Ticket Admin Clerk	Performs cashier and ticket selling duties, inclusive of selling trips and tags to passengers and the maintenance of stock. Handles cash, cashes up drivers' modules, drivers' tickets and standby waybills, pays in at a Cashier, cashes up daily sales. Is responsible for the banking of money, assisting customers with complaints, checking that ETM's are working and reporting defaults, requesting stock, stationery and float, and rotating between depots.	Ticket Admin Clerk, Ticket Office Clerk, Admin Clerks (Tickets).	P14-P13	R 54.90
Ticket Seller	Sells tickets to passengers from a mobile vehicle or at a point identified by the company. May require the applicable license.	Ticket Seller, Pre Seller, Season Ticket Seller.	P14-P12	R 54.90
Transport Officer	Signs Bus Drivers/ Driver Conductors On & Off. Reports any incidents that have a negative effect on the smooth running of the operation in the occurrence book. Analyses the AM and PM Operation.	Transport Officer	P11	R 62.26
Typist	Types documents and performs clerical duties for a department, e.g. Operations.	Typist, Typist Clerk.	P15-P13	R 54.90
Tyre Attendant	Removes and replaces tyres on vehicles. Checks tyres for defects, damage and pressures. Removes and inspects rims for damage and replaces rims.	Tyre Attendant, Tyre Operator.	P17-P14	R 40.43
Tyre Controller	Supervises tyre attendants and ensures optimal work output.	Tyre Supervisor	P13	R 80.34
Workshop Assistant	Assists a qualified artisan in the trade (Body Builder, Auto Electrician, Vehicle Checker, Greaser, Diesel Mechanic and Spray Painter) through supplying the correct tools, cleaning of components, and assisting with the service, repair, maintenance and upgrade of vehicles/components. Performs general housekeeping in keeping the work area safe and clean. Not an apprentice. Reports into an Artisan.	Trade Worker P15 & P16. Trade Assistant: Auto Electrician, Trade Assistant Diesel Mechanic, Handyman Assistant, Mechanical Shop Assistant, Assistant Electrician, Assistant Glazier, Workshop	P19-P15	R 40.43

		Assistant, Workshop Operator Assistant, Builder Assistant, Assistant Mechanic, Assistant Spray Painter, Auto Electrical Assistant, Grade C and D Operatives, Electrical Shop Assistant, Body Shop Assistant, Artisan Assistant, Greaser, General Worker, Labourer, Tyre Shop Assistant, Upholstery Assistant, Vehicle Checker.		
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ANNEXURE "B"**DISPUTE RESOLUTION****1. DISPUTE**

A dispute is any disagreement relating to matters of interest or right between: -

- 1.1 two or more Parties to this Constitution or
- 1.2 an individual Employer(s) and any Eligible Employee(s) or
- 1.3 SARPBAC by way of its Agents or any other person so appointed by SARPBAC and an Employer and/or Employee and/or Employers' Organisation(s) and/or Trade Union(s) for failure to comply with the provisions of this Constitution and/or one or more of the SARPBAC's Agreements or:

in connection with the interpretation and/or application of SARPBAC's Constitution and/or Collective Agreements, organizational rights, disputes about unfair dismissals or unfair labour practices and all other disputes required, in law, to be resolved by SARPBAC.

2. DISPUTE RESOLUTION AGENCY

SARPBAC may appoint a dispute resolution agency or agencies to assist with the management of the dispute resolution function of SARPBAC and reference in this appendix to SARPBAC shall, where such agency or agencies have been appointed, be read as reference to such appointed agency or agencies.

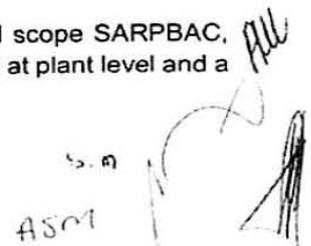
3. DISPUTE RESOLUTION PANELS

- 3.1 SARPBAC shall establish and maintain regional panels of Commissioners, who are accredited conciliators and/or arbitrators, to carry out the conciliation and/or arbitration functions of SARPBAC.
- 3.2 The panels shall have a sufficient number of properly qualified Commissioners to handle disputes without undue delay and in an effective and efficient manner.
- 3.3 The appointed dispute agency or agencies shall provide names of possible Commissioners from which SARPBAC will select the various regional panels.
- 3.4 SARPBAC may, at any stage and after a thorough investigation as to the reasons submitted for the removal of a Commissioner by any Party, decide to remove an individual from a panel.

4. REFERRAL OF DISPUTES

- 4.1 Parties to SARPBAC, as also Parties who fall within the registered scope SARPBAC, may refer a dispute to SARPBAC should the dispute not be resolved at plant level and a Party to the dispute wish to take the matter further.

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- 4.2. Disputes shall only be referred to SARPBAC after Parties to the dispute have complied with and exhausted all plant level dispute resolution procedures and failed to resolve the dispute.
- 4.3. A Party may refer a dispute to SARPBAC if:-
- 4.3.1 there is no plant level Collective Agreement or if the plant level Collective Agreement does not provide dispute procedures
 - 4.3.2 the procedure provided for in the plant level Agreement is inoperative
 - 4.3.3 a Party to the dispute has frustrated the resolution of the dispute in terms of the plant level procedures
- 4.4. A Party wishing to refer a dispute to SARPBAC for conciliation, Conciliation/Arbitration and/or arbitration must do so in writing, by completing SARPBAC's referral form setting out the details of the dispute and lodging the referral form, duly signed, together with all other required documentation with SARPBAC within the allowed time frame.
- 4.5. The referring Party must, when lodging a dispute with SARPBAC, attach documented proof that a copy of the referral form has been served on all other Parties to the dispute.
- 4.6. SARPBAC shall, on receipt of a referral and having satisfied itself as to the compliance of the referral with agreed procedures and time frames, appoint a Commissioner from the panel to conciliate, conciliate/arbitrate or arbitrate the dispute, as the case may be, and arrange the venue, date and time for the matter to be heard.
- 4.7. Disputes, including dismissal disputes, must be lodged with SARPBAC within thirty (30) days of the date on which the Act giving rise to the dispute occurred or, if at a later date, within thirty (30) days of all the plant level, internal dispute resolution procedures have been complied with and exhausted.
- 4.8. Unfair labour practice disputes must be lodged with SARPBAC within ninety (90) days of the date that the alleged unfair labour practice occurred.
- 4.9. SARPBAC shall refuse to accept a late referral unless, and until, an application for Condonation has been lodged with SARPBAC in terms of Clause 6 of this appendix.

5. TIME PERIODS

For the purpose of calculating any period of time in terms of these dispute resolution procedures:-

- 5.1 a day means any day of the week including Saturdays, Sundays and Public Holidays but excludes the period from the 16th December of any year to the 7th January of the following year, both days inclusive.

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5.2 the first day is excluded and the last day is included, subject to Clause 5.1 above.

6. CONDONATION FOR LATE REFERRAL

6.1 Late referral applies to any document, including a referral or an application document, lodged with SARPBAC outside of the time period prescribed in the Act or this appendix.

6.2 A Party lodging a late referral and/or document must apply for Condonation at the same time as lodging such late referral and/or document.

6.3 An application for Condonation must set out the grounds for seeking Condonation and must include details of the following:-

6.3.1 the degree of lateness

6.3.2 the reasons for the lateness and degree of fault

6.3.3 the referring Party's prospects of succeeding with the dispute and obtaining the relief sought against the other Party or Parties

6.3.4 any prejudice to the other Parties and

6.3.5 all other relevant factors.

6.4. SARPBAC shall not accept any late referral without a Condonation application being attached to such late referral together with documented proof that all other Parties to the dispute have been notified about the late referral and application for Condonation.

6.5. Once a Condonation application has been submitted the responding Party or Parties must, should they wish to oppose such application, lodge written objections thereto within fifteen (15) days of receipt of the notice of such Condonation application.

6.6. A Commissioner will be appointed and will consider the late application and any objections lodged against the said application within fifteen (15) days after the date allowed, in terms of Clause 6.5 above, for submission of objections to such late referral and Condonation application.

7. SERVING OF DOCUMENTS ON PARTIES

The Party referring a dispute to SARPBAC must serve copies of such referral on each and every other Party to the dispute by:-

7.1. handing a copy of the referral documents to the person(s) that is Party to the dispute or

7.2. handing a copy of the referral document to the person(s) authorised in writing to accept service on behalf of each of the Parties to the dispute or

7.3. faxing a copy of the referral document to all other Parties to the dispute or

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- 7.4. sending a copy of the referral document by registered post to each of the other Parties to the dispute or
- 7.5. sending a copy of the referral document by courier to each of the other Parties to the dispute or
- 7.6. sending a copy of the referral document by e-mail to each of the other Parties to the dispute.

8. **LODGING DOCUMENTS WITH SARPBAC**

- 8.1 The Party declaring the dispute must lodge the required dispute referral document and all supporting documentation with SARPBAC by:-

handing the documents to an Official of SARPBAC or

faxing the documents to SARPBAC or

sending the documents by registered post to SARPBAC or

sending the documents by Courier to SARPBAC or

sending a copy of the documents by e-mail to SARPBAC.
- 8.2 Documents will only be considered lodged with SARPBAC on the date on which SARPBAC actually receives such referral documents.
- 8.3 It is the sole responsibility of the referring Party to ensure the timely delivery of the documents to SARPBAC and to verify receipt of the documents by SARPBAC.

9. **REPRESENTATION AT DISPUTE PROCEEDINGS**

- 9.1. A Party to a dispute must appear in person at the dispute proceedings before SARPBAC but may, in addition, be represented by:-
 - 9.1.1. a Legal Practitioner or labour law consultant subject to agreement between the Parties or
 - 9.1.2. a member, Official or office bearer of a registered Trade Union, that the Party was a member of at the time the dispute arose or
 - 9.1.3. an Official or office bearer of a registered employer's association that the Party was a member of at the time the dispute arose or
 - 9.1.4. a director, employee, trustee or partner of the Employer Party or
 - 9.1.5. if proceedings are brought, or opposed, by more than one Party by another party to the dispute.

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9.2. Despite clause 9.1.1 above, if the dispute is about the fairness of a dismissal and a Party has alleged that the reason for the dismissal relates to the employee's conduct or incapacity, the Parties are not entitled to be represented by a Legal Practitioner in the proceedings unless:-

9.2.1. the Commissioner and the other Parties consent to such an arrangement;

9.2.2. the Commissioner concludes that it is unreasonable to expect the Party to deal with the dispute without legal representation, after considering the nature of the questions of law raised by the dispute, complexity of the dispute, public interest and/or the comparative ability of the opposing Parties or their representatives to deal with the dispute.

10. JOINING OF PARTIES TO PROCEEDINGS

10.1. SARPBAC or a Commissioner may join any number of persons as Parties in proceedings, if the right to relief depends on substantially the same question of law or fact.

10.2. A Commissioner may make an order joining any person as a Party in the proceedings if the Party to be joined has a substantial interest in the subject matter of the proceedings.

10.3. A Commissioner may make an order in terms of Clause 10(2) above

10.3.1 on the Commissioner's own accord or

10.3.2 on application by a Party or

10.3.3 if a person entitled to join the proceedings applies at any time during the proceedings to intervene as a Party.

10.4. An application to join any person as a Party to proceedings must be accompanied by copies of all documents previously delivered unless the person concerned or that person's representative is already in possession of the documents.

10.5. Subject to any order made in terms of Clause 10.2 above, a joiner in terms of this clause does not affect any steps already taken in the proceedings.

11. CORRECTING THE CITATION OF A PARTY

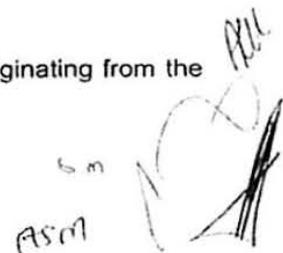
If a Party to any dispute proceedings has been incorrectly or defectively cited, SARPBAC may, on application by the Parties and on notice to the Parties concerned, correct the error or defect.

12. CONSOLIDATION OF DISPUTES

12.1. SARPBAC or Commissioner, of their own accord or on application, may consolidate more than one dispute so that the disputes may be dealt with at the same dispute proceedings.

12.2. Disputes will be consolidated if they are of a similar nature and/or originating from the same incident.

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13. DISCLOSURE OF DOCUMENTS

Any Party may request a Commissioner at a dispute hearing to make an order requiring any other Party to the dispute to disclose all relevant documents.

14. FAILURE TO ATTEND PROCEEDINGS

14.1. The Parties to a dispute must attend the conciliation, Conciliation/Arbitration or arbitration in person, irrespective of whether or not they are represented by third parties.

14.2. If a Party to a dispute fails to attend the dispute proceedings before SARPBAC, and that party.

14.2.1. has referred the dispute to SARPBAC, a Commissioner may dismiss the matter by issuing a written ruling or

14.2.2. has not referred the matter to SARPBAC, the Commissioner may:-

14.2.2.1. continue with the proceedings in the absence of that Party or

14.2.2.2. adjourn the proceedings to a later date not more than sixty (60) days from such adjourned proceedings

14.3. A Commissioner must be satisfied that all Parties have been properly notified of the date, time and venue of the proceedings, before making any decision in terms of Clause 14(2).

14.4. If a Party or Parties fail to appear at the time scheduled for commencement of the arbitration hearing the Commissioner will postpone the proceedings for thirty (30) minutes. If a Party or Parties, after expiry of thirty (30) minutes, still fail to appear, the Commissioner will make a decision in terms of Clause 14(2).

14.5. If a matter is dismissed, SARPBAC must send a copy of the ruling to the parties.

14.6. The Commissioner may award costs in accordance with the provisions of Section 138(10) of the LRA, and shall be obliged to award costs against the Party whose non-attendance results in the matter being postponed, in the absence of such party providing compelling reasons for non-attendance

15. UNREPRESENTED APPLICANTS WITHOUT CONTACT DETAILS

15.1 An unrepresented applicant who intends to refer a dispute to SARPBAC and who does not have a postal address or fax number or email must hand deliver the referral form to SARPBAC.

15.2 If a referral form as contemplated in clause 15.1 above is received SARPBAC must provide the applicant with a case number and written instructions to contact SARPBAC by telephone or in person, within seven days of the date of referral, in order for SARPBAC to notify the applicant of the details of the hearing.

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15.3 The administrator who notifies the applicant of the hearing in terms of clause 15(2) above must record on the case file and on the case management system that the applicant has been notified of the details of the hearing.

15.4 The record made in terms of clause 15.3 above will constitute proof that the applicant was notified of the hearing.

16. RECORDINGS OF DISPUTE PROCEEDINGS

16.1 The Commissioner must keep a record of:-

16.1.1 evidence given in an arbitration hearing

16.1.2 sworn testimony given in any proceedings before the Commissioner; and

16.1.3 any arbitration award or ruling made by the Commissioner.

16.2 The record may be kept by legible hand-written notes or by means of an electronic recording

16.3 A Party may request a copy of the transcript of a record or a portion of a record kept in terms of Clause 16(1) above, on payment of the costs of the transcription

16.4 After the person who makes the transcript of the record has certified that it is correct, the record must be returned to SARPAC

16.5 The transcript of a record certified as correct in terms of Clause 16(3) above is presumed to be correct, unless the Labour Court decides otherwise.

17. ISSUING OF A SUBPOENA

17.1 Any Party, who requires SARPAC or a Commissioner to subpoena a person in terms of section 142(1) of the Act, must file a completed subpoena form, requesting a subpoena together with a written motivation setting out why the evidence of the person to be subpoenaed is necessary

17.2 An application in terms of Clause 17(1) above must be lodged with SARPAC at least ten (10) days before the arbitration hearing, or as directed by the Commissioner hearing the arbitration

17.3 SARPAC or a Commissioner may refuse to issue a subpoena if:-

17.3.1. the Party does not establish why the evidence of the person is necessary or

17.3.2. the Party subpoenaed does not have a reasonable period in which to comply with the subpoena

17.3.3. SARPAC or a Commissioner is not satisfied that the Party has made arrangements to pay the reasonable travel costs of the person subpoenaed

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17.4. A subpoena must be served on the witness that is subpoenaed:-

- 17.4.1 by the person who has requested the subpoena or by the Sheriff at least seven (7) days before the scheduled date of the arbitration and
- 17.4.2 if so directed by SARPBAC, accompanied by payment of the prescribed witness fees for one day in accordance with the tariff of allowances published by notice in the Gazette in terms of section 142(7) of the Act and the witnesses' reasonable travel costs
- 17.4.3. Clauses 17.3.3 and 17.4.2 above do not apply if SARPBAC in terms of section 142(7)(c) of the Act has waived the requirement for the Party to pay witness fees.

18. CONCILIATION OF DISPUTES OF INTEREST

This section applies to Disputes of Interest referred to SARPBAC. SARPBAC's jurisdiction in Disputes of Interest is limited to conciliation. In regard to conciliation of such disputes the following shall apply:

18.1 Notice by SARPBAC of a conciliation meeting

- 18.1.1 After receiving a referral in terms of Clause 4, SARPBAC must give the Parties at least twenty-one (21) days' notice in writing of a conciliation hearing, unless the Parties agree to a shorter period of notice.
- 18.1.2 SARPBAC will give notice by fax, registered post or email, depending on the information provided by the Parties.

18.2 Failure to attend conciliation by a Party

- 18.2.1 The Parties to a dispute must attend the conciliation.
- 18.2.2. If a Party to a dispute fails to attend conciliation, the Commissioner may deal with it in terms of Clause 14.

18.3 If conciliation fails to resolve a Dispute of Interest that has been referred to SARPBAC in terms of Clause 4 of this appendix and a certificate has been issued by the Commissioner stating that the dispute has not been resolved then:-

- 18.3.1. after of a cooling-off period of thirty (30) days from the date of such certificate, or any extension of this period agreed to between the parties to the dispute.
- 18.3.2. every employee, involved in the dispute who has the right to strike in terms of Section 64 of the Act, may embark on such strike action subject to at least forty-eight (48) hours' written notice of the commencement of such strike action being given to the Employer that is party to the dispute or, where more than one

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Employer is party to the same dispute, to SARPBAC and to the Employers' Organisation to which such Employers are members.

18.3.3. every Employer, involved in the dispute who has the right to lock-out in terms of Section 64 of the Act, may commence with such lock-out action subject to at least forty-eight (48) hours' written notice of the commencement of such lock-out action being given to the Trade Union (s) that is party to the dispute or, if there is no such Trade Union, to the Employees concerned unless the issue in dispute relates to a Collective Agreement to be concluded in SARPBAC in which case notice must also be given to SARPBAC.

18.3.4 if the issue in dispute concerns a refusal to bargain, as contemplated in Section 64(2) of the Act, an advisory award must have been made in terms of Section 135(3)(c) of the Act before the notice as provided for in Clauses 18.3.2 and/or 18.3.3 above may be given

19. CONCILIATION/ARBITRATION OF DISPUTES OF RIGHT

All unresolved Disputes of Right, including disputes about the fairness of a dismissal or a dispute about an unfair labour practice, may be referred to SARPBAC. In regard to such referrals, the following shall apply:

19.1 All unresolved Disputes of Right that are referred to SARPBAC in terms of Clause 4 of this appendix will be scheduled for Conciliation/Arbitration subject to Clause 19.2 below

19.2 Where a Party objects to the Conciliation/Arbitration process, the matter will proceed directly to arbitration on the day that it is scheduled for the Conciliation/Arbitration proceedings

19.3 SARPBAC must give the Parties at least twenty-one (21) days' notice in writing that a matter has been scheduled for Conciliation/Arbitration, unless the Parties agree to a shorter period of notice.

19.4 The provisions of the Act and the provisions set out in this appendix that are applicable to conciliation and arbitration respectively apply, with the changes required by the context, to Conciliation/Arbitration Proceedings.

19.5 If the arbitration does not commence on the dates specified in terms of the notice in Clause 19(3) above, SARPBAC must, subject to clause 14 above, reschedule the matter.

20. PRE-ARBITRATION CONFERENCE

20.1 The Parties to an arbitration shall hold a pre-arbitration conference dealing with the relevant matters prior to the Conciliation/Arbitration or arbitration proceedings taking place.

20.2 The Parties should endeavour to hold a pre-arbitration conference at least seven (7) days before the scheduled date for the commencement of the conciliation/arbitration or arbitration proceedings.

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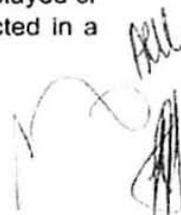
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21. POSTPONEMENT OF PROCEEDINGS

- 21.1 Any Party may apply for a postponement of conciliation, Conciliation/Arbitration or arbitration proceedings by serving an application for postponement on the other Parties to the dispute and lodging a copy with SARPBAC at least seven (7) days before the scheduled date of such proceedings.
- 21.2 SARPBAC must postpone proceedings without the Parties appearing if
- 21.2.1 all the Parties to the dispute agree in writing to the postponement and the written agreement for the postponement is received by SARPBAC at least seven (7) day's prior to the scheduled date of the such proceedings; or
- 21.2.2 there are compelling reasons to postpone.
- 21.3 Upon postponement of any proceedings, the Commissioner must reschedule such proceedings to a later date not more than sixty (60) days from such postponement.
- 21.4 Any Party who seeks or causes a postponement in circumstances other than those provided for in clauses 21.1 or 21.2 above shall bear the costs of the postponement regardless of the cause.

22. ARBITRATION OF DISPUTES

- 22.1 SARPBAC must give the Parties at least twenty-one (21) days notice in writing of an arbitration hearing, unless the Parties agree to a shorter period of notice.
- 22.2 The Commissioner shall conduct the arbitration proceedings as stipulated in Section 138 of the Act.
- 22.3 In arbitrating disputes referred to SARPBAC, a Commissioner will have the powers provided for in Section 142 of the Act read with the charges required by the context.
- 22.4 An Commissioner conducting an arbitration may make an appropriate award, including, but not limited to, an award:-
- 22.4.1 ordering any person to pay any amount owing in terms of a Collective Agreement.
- 22.4.2 confirming, varying or setting aside a compliance order issued by SARPBAC.
- 22.4.3 any award as contemplated in section 138(9) of the Act.
- 22.5 The Commissioner may make an order for the payment of costs against a Party or Parties if requested to do so and if the Commissioner deems the actions of the Party or Parties, against whom such costs award has been requested, to have unduly delayed or frustrated the resolution of the dispute or that such Party or Parties have acted in a frivolous or vexatious manner regarding the dispute.

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- 22.6 An arbitration award made by a Commissioner is final and binding and may be enforced as if it were an order of the Labour Court, unless it is an advisory arbitration award.
- 22.7 Arbitration awards are subject to Sections 143(2) and 143(4) (as amended), of the Act.
- 22.8 Arbitration awards may be varied or rescinded as contemplated in Section 144 of the Act.
- 22.9 Any Party to a dispute who alleges a defect in any arbitration proceedings may, in terms of Section 145 of the Act, apply to the Labour Court for an order setting aside the arbitration award.
- 22.10 The Commissioner must, within fourteen (14) days of the conclusion of the arbitration proceedings, issue a signed arbitration award with brief reasons for the award.
- 22.11 The Commissioner must provide a copy of the award to SARPBAC and each Party to the dispute.

23. COSTS

- 23.1 The *Council* must, subject to paragraph 23.2, pay the fees and costs of the *conciliators* and *arbitrators* in the proceedings. Each party to the *dispute* must pay its own costs with regard to travelling, meals, legal representation (if applicable), witness fees (if applicable) and other related expenses.
- 23.2 Costs may be awarded on application of a party, or of the panellist's own accord after hearing the parties. Costs may be awarded on the following grounds:
- (a) If the panellist is satisfied that the referral was made or defended vexatiously or without reasonable cause; or
 - (b) Any time during the proceedings, where a party has caused unreasonable delays; or
 - (c) If the panellist is satisfied that a party, or a person who represented that party in the proceedings acted in a manner seriously compromising the proceedings; or
 - (d) If a proceeding is adjourned or dismissed because a party to the dispute failed to attend or to be represented at the proceedings; or
 - (e) Enforcement cost as directed through Arbitration process.
 - (f) Any other grounds specified in the SARPBAC Rules for the Conduct of Proceedings
- 23.3 Costs awarded may include—
- (a) the costs of the hearing, including the panellist's' and interpreters fee;
 - (b) legal and professional costs of the parties;
 - (c) other expenses which a party has incurred in the conduct of the *dispute*; and
 - (d) expenses of witnesses.

23.4 If a party to a *dispute* withdraws a referral less than 5 workings days before the scheduled date of the conciliation or arbitration, that party must bear the cost of the *conciliator* or *arbitrator*, unless the withdrawal is the result of a settlement agreement.

24 PEACE OBLIGATION

The parties to this Constitution, and those bound in law to this Constitution, undertake not to strike, lockout or engage in any other form of industrial action that is in conflict with the dispute resolution procedures set out in this annexure and will, should such action take place, do everything within their power to normalize the situation and ensure continuation of services throughout the processing of the dispute.

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ANNEXURE "C"**EXEMPTION PROCEDURE**

1. Employers to whom the terms of a Collective Agreement are applicable may apply to SARPBAC for exemption from any term(s) of the Collective Agreement, provided that exemption applications shall comply with the following requirements:
 - 1.1. The application for exemption must be forwarded, in writing, to the General Secretary within thirty (30) days of:
 - (a) the conclusion of the Collective Agreement in respect of those Employers bound by the Collective Agreement in accordance with the provisions of Section 23(1)(c) of the LRA; or
 - (b) the date specified in accordance with the provisions of Section 32(2) of the LRA in respect of all other Employers ;as the case may be.
 - 1.2. The application must specify the clause(s) from which exemption is being sought.
 - 1.3. The application must clearly indicate the nature and extent of the relief being sought.
 - 1.4. The application must be fully motivated.
 - 1.5. The application must be accompanied by relevant supporting documentation and financial information.
 - 1.6. Applications that affect employees' conditions of service shall not be considered unless the employer submits proof that it has notified the affected employees and/or their representative Trade Union(s) of the fact that an application for exemption is being made and informing such employees and/or their representative Trade Union(s) that they are entitled to make written submissions, within fourteen (14) days of receipt of the notification, to the exemption panel through the General Secretary.
 - 1.7. The application shall, if the nature of the relief sought dictates, be accompanied by a plan reflecting the strategies to be adopted to rectify the situation giving rise to the application and indicating a time frame for the plan.
 - 1.8. Indicate the period for which exemption is required.
2. Implementation of the clause(s) from which exemption is being sought will be suspended by the specific employer pending the outcome of the exemption application.
3. On receipt of an application for exemption, the General Secretary must provide written acknowledgement of the receipt of the exemption application to the applicant employer and inform all the Parties to SARPBAC of such application as well as the nature of the relief being sought.

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4. The Parties to the exemption procedure shall be the applicant Employer and the representative Trade Union(s) representing eligible employees within the applicant Employer's organisation to whom the Collective Agreement is applicable, or in the absence of a representative Trade Union, such eligible employees.
5. Any application for exemption will be heard by an independent panel or a panellist appointed for this purpose by SARPBAC
6. The above panel, (which may consist of up to three persons,) or appointed panellist shall be known as the exemption authority.
7. The exemption authority appointed to consider exemptions shall be independent and have experience deemed by SARPBAC to be relevant, which may include, but not be limited to, experience of financial matters, the Road Passenger Transport Industry, labour relations and/or labour law.
8. The application shall be considered by the exemption authority as soon as practically possible but not later than 30 days after receipt of an application for an exemption.
9. The exemption authority shall consider the exemption application together with any submissions received from interested Parties, including third parties.
10. The exemption authority may, if it deems it expedient, request the Parties to the specific exemption application to attend the meeting at which the application is to be considered.
11. The exemption authority shall have the right to call any other party, such as an interested third party that it feels might be able to assist it in arriving at a decision.
12. The exemption authority must consider the exemption application, grant or reject the application and inform all interested Parties of its decision within a time period of no more than thirty (30) days from the date of receipt of the application by the General Secretary.
13. In considering an application, the exemption authority shall take into consideration all relevant factors which may include, but shall not be limited to, the following criteria:
 - 13.1 The applicant's past record (if applicable) of compliance with the provisions of Council's Collective Agreements and/or exemption certificates.
 - 13.2 Any special circumstances that exist or any precedent that might be set.
 - 13.3 The interests of the industry in relation to unfair competition, centralized collective bargaining as well as the economic stability of the industry.
 - 13.4 The interests of employees as regards exploitation, job preservation, sound conditions of employment, possible financial benefits, health and safety as well as the infringement of basic rights.
 - 13.5 The interests of the employer as regards its financial stability, the impact on productivity, its future relationship with employees and recognized Trade Union(s), operational requirements and the viability of the employer's business.

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14. If the application is granted, the exemption authority shall, within the time period stipulated in Clause 12 above, provide each of the Parties defined in Clause 4 above and the General Secretary, with written advice of its decision, the nature and extent of relief granted and any special conditions that might be applicable to such relief.
15. If the application is refused, the exemption authority shall, within the time period stipulated in Clause 12 above, submit a written report to each of the Parties as defined in Clause 4 above and the General Secretary, setting out its reasons for not granting the application in whole or part.
16. The General Secretary shall within seven (7) days of receipt of the advice referred to in Clause 14 above, or the report mentioned in Clause 15 above, inform all Parties to SARPBAC of the outcome of the specific exemption application.
17. SARPBAC shall, within fifteen (15) days of receiving the advice referred to in Clause 14 above, issue an exemption certificate, signed by the Chairperson, Vice-Chairperson and General Secretary, containing the following particulars:
 - (a) The full name of the Employer
 - (b) The trade name of the Employer
 - (c) The provisions of the Collective Agreement from which exemption has been granted
 - (d) The period for which the exemption shall operate
 - (e) The condition(s) of the exemption granted
 - (f) The date of issue of the exemption certificate
18. Conditions, to which reference is made in Clause 17(e) above, may include a condition requiring the employer to provide written reports at stated intervals to the General Secretary on the progress being made with the plan, referred to in Clause 1.7 above.
19. SARPBAC shall:
 - 19.1 Retain a copy of all exemption certificates issued and number each certificate consecutively.
 - 19.2 Forward a copy of the certificate to the Parties as defined in Clause 4 above.
 - 19.3 Forward a copy of the certificate to each of the Parties to SARPBAC.
20. An Employer to whom an exemption certificate has been issued shall at all times have the certificate available for inspection at his establishment.
21. All arrangements to be made by the exemption authority that have cost implications for which SARPBAC may be held responsible shall only be made with the prior written approval of SARPBAC.
22. Pending the outcome of an exemption application, and any appeal in terms of Clause 23 below, the Employer shall be exempt from implementing the clause(s) which are the subject of the exemption application or appeal until such time as a decision has been made by the exemption authority or the exemption appeal authority, as the case may be.

23. APPEALS AGAINST DECISIONS OF THE EXEMPTION AUTHORITY

- 23.1 An appeal shall be in writing and must be lodged with the General Secretary of the Council within a period of not more than fifteen (15) days after receipt by the applicant employer of the decision of the exemption authority against which the appeal is being lodged.
- 23.2 SARPBAC shall establish an independent body as envisaged in terms of Section 32(3)(e) of the Act, to hear and decide, as soon as possible, any appeal brought against a decision to refuse an application for exemption from the provisions of a Collective Agreement or the withdrawal of such an exemption by SARPBAC.
- 23.3 The above independent body, appointed by the council, shall be known as the exemption appeal authority.
- 23.4 The provisions of Clauses 6 to 21 above, shall apply mutatis mutandis to the composition of the appeal authority, the conduct of the appeal and the issuing of any exemption certificate consequent upon the appeal.
- 23.5 The decision of the exemption appeal authority shall be final.
- 23.6 The General Secretary shall provide a copy of the exemption appeal authority's decision to each of the Parties to SARPBAC.

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ANNEXURE "D"
APPROVED STUDY COURSES

1. Graduate, Certificate or Diploma Courses in:
 - a. Human Resources Management
 - b. Labour Relations Management
 - c. Financial Management
 - d. IT Management
 - e. Risk Management
 - f. Occupational Health and Safety Management
 - g. Procurement Management
 - h. Technical Management
 - i. Clerical / Administration
 - j. Public Relations Management

2. Apprentice or Learnership Courses
 - a. Mechanical
 - b. Auto Electrical
 - c. Body Building

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ANNEXURE "F"
PRIMARY HEALTH CARE

1. Parties agree that the issue of Primary Health Care for the sector shall be referred to the Central Committee of April 2021 for the appointment of a Sub-Committee under the direction of the General Secretary of the Council. The Central Committee will agree on the terms of reference for such Sub-Committee, which may include the issues contained below herein.
2. After the establishment of the Sub-Committee, it will meet twice in two day sessions before the SARPBAC July CC to engage on the matter and prepare a report for the SARPBAC July 2021 CC for consideration.
3. The July 2021 CC must consider the report of the sub-committee and give further direction.
4. The Sub-Committee will again meet and take the work forward in two further sessions of two days each to engage and prepare a report on work done to the November 2021 Central Committee meeting for consideration. The parties will thereafter make a firm decision on how this issue will be dealt with going forward, either through a process of consensus-seeking or through collective bargaining.
5. Other meetings may be organized by mutual consent between the parties through the SARPBAC CC subject to not tampering with key dates of reporting to the SARPBAC CC
6. The SARPBAC CC sub-committee meetings shall be facilitated by a SARPBAC panellist.

TERMS OF REFERENCE OF SUB-COMMITTEE

The investigation should include but not be limited to the following:

1. Implications on companies' costs structures due to the Government's plans with regard to the introduction of the National Health Insurance Scheme.
2. The funding model of an industry wellness scheme.
3. Administration, funding structure and reserve levels of the proposed wellness scheme.
4. Effect of an industry wellness scheme on employers who already have medical aid/wellness schemes or who have clinics in the workplaces.
 - a. Will exemptions be allowed to such Employers and their Employees?
5. The rules of an industry wellness scheme.
6. The current extent of health/medical schemes in the Road Bus Passenger sector and the financial implications thereof to the industry – SMME, charter and tourism, unsubsidized and scholar operators.
7. Establishment of an industry wellness scheme and benchmarking on other sectors that already have an established industry wellness scheme, including their funding models.
8. Any other matters that are relevant to the establishment of an industry wellness scheme.

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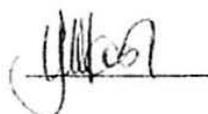

We the undersigned, as the official representatives of our respective organisations, do hereby, on behalf of the organisations, its members and all Employees, agree to the terms of this agreement and bind our organisations, members and all Employees thereto.

SIGNED BY	ON BEHALF OF	SIGNED AT	DATE
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	South African Bus Employers Association	- JHB	<u>22 April 2021</u>
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	Commuter Bus Employers Organisation	- JHB	<u>22/4/2021</u>
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	South African Transport & Allied Workers - Union	- JHB	<u>22/4/2021</u>
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	National Union of Metalworkers of South Africa	- JHB	<u>22/04/2021</u>
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	Transport and Allied Workers Union of South Africa-	JHB	<u>22/04/2021</u>
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NON-GOVERNMENTAL ORGANIZATION

NOTICE 367 OF 2021

BUFFALO CITY METROPOLITAN MUNICIPALITY**PROVINCIAL GAZETTE NOTICE****MUNICIPAL PROPOSAL: CLOSURE OF A PORTION OF PUBLIC STREET ADJACENT TO
ERVEN 2984, 3177 AND 3801 MDANTSANE UNIT 6:
SURVEYOR GENERAL REF NO: 6/1/5-E.L 1404 p 107**

Notice is hereby given in terms of section 137(1) of the Municipal Ordinance No. 20 of 1974 read with section 61(1) of Buffalo City Metropolitan Municipality Spatial Planning & Land Use Management By-laws (2016), that a portion of public street adjacent to erven 2984, 3177 and 3801 Mdantsane unit 6 is hereby closed permanently.

UMASIPALA OMBHAXA WESIXEKO SASEBUFFALO CITY**UPAPASHO LWEPHONDO****ISICWANGCISO SIKAMASIPALA: UKUVALWA KWESIQEPHU SENDLELA
KAWONKEWONKE ESIMELENE NEZIZA EZINGU 2984, 3177 KUNYE NO 3801
eMDANTSANE kwa-UNIT 6:
INOMBOLO YENCWADI KANOCANDA WEPHONDO ENGU 6/1/5-E.L 1404 p 107**

Kukhutshwa isaziso ngokwecandelo u-137(1) sommiselo woomasipala ongunombolo 20 ka 1974 ofundwa kunye necandelo u-61(1) lomthetho ka Masipala oMbhaxa weSixeko waseBuffalo Wocwangciso ka 2016 ofundeka nomthetho wocwangciso lophuhliso kwilizwe jikelele ongu 16 ka 2013 ukuba isiqephu sendlela kawonkewonke esimelene neziza u2984, 3177 kunye no 3801sivaliwa ngokusisigxina.

A. Sihlahla
Municipal Manager

NON-GOVERNMENTAL ORGANIZATION**NOTICE 368 OF 2021****AGENCY FOR FOOD SAFETY****INSPECTION FEES FOR POULTRY MEAT, EGGS AND PROCESSED MEAT PRODUCTS**

Agency for Food Safety has been designated as assignee in terms of section 2(3)(a) of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990), to apply sections 3(1)(a) and (b), 3A(1), 4A(1)(a), 7 and 8 of the said Act with respect to regulated animal products (i.e. poultry meat and eggs) and processed meat products. The designated mandate is executed by Agency for Food Safety and Quality (Pty) Ltd (AFSQ), a subsidiary and service provider of Agency for Food Safety.

In terms of section 3(1)(1A)(a) of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990), Agency for Food Safety hereby impose the following fees which will be valid from **1 April 2020**:

INSPECTION FEES FOR POULTRY MEAT AND EGGS

Product	Point of inspection	Fee
Poultry Meat	Abattoir	R0.010 per carcass per month
Eggs	Producer/ Packer	R0.0007 per egg per month

The above fees are applicable to inspection any facility that produces, packs or re-packs poultry meat and/or eggs.

**HOURLY AND KILOMETRE RATES:
INSPECTION AND/OR SAMPLING OF POULTRY MEAT, EGGS,
PROCESSED MEAT PRODUCTS AND IMPORTS**

Description	Point of inspection	Fee
Normal Time (08:00 – 16:00)	Distribution centre, retailer, outlet, food store and cold storage facility	R450.00 per hour
Normal Overtime (Mon – Sat)		R500.00 per hour
Sunday & Public Holidays		R600.00 per hour
Kilometre Rate		R5.50 per kilometre

The above rates are applicable to inspection and/or sampling at any distribution centre, retailer, outlet, food store and cold storage facility that sells, keeps and/or distributes locally produced and/or imported poultry meat, eggs and processed meat products.

- Where hourly rates are applicable, a minimum of one hour (R450.00) will be charged. Thereafter time will be charged in half hour segments of R225.00 per half hour or part thereof. The same principle will be applied to overtime and Sunday time.
- In all instances where it is found that the hourly and kilometre rates are insufficient to cover the costs of the inspections, Agency for Food Safety, at its own discretion, reserves the right to amend the rates.

LABORATORY FEES – PROCESSED MEAT PRODUCTS

Type of analysis	Fee
Fat Content	R788.00 per sample/test
Moisture Content	R170.00 per sample/test
Protein Content	R310.00 per sample/test
Calcium Determination (MRM only)	R499.00 per sample/test
DNA Sampling	R950.00 per DNA sample/test

OTHER FEES

Special Claims Protocol Verification - On a quotation basis

All fees exclude Value Added Tax (VAT)

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION**NOTICE 369 OF 2021****INTERNATIONAL TRADE ADMINISTRATION COMMISSION OF
SOUTH AFRICA****NOTICE OF INITIATION OF A SUNSET REVIEW OF THE ANTI-DUMPING
DUTIES ON POLYETHYLENE TEREPHTHALATE (“PET”) ORIGINATING
IN AND IMPORTED FROM CHINESE TAIPEI, INDIA AND THE REPUBLIC
OF KOREA (SOUTH KOREA)**

In accordance with the provisions in Article 53.1 of the Anti-Dumping Regulations, any definitive anti-dumping duty shall be terminated on a date not later than five years from the date of imposition, unless the authorities determine, in a review initiated before that date on their own initiative or upon a duly substantiated request made by or on behalf of the domestic industry, that the expiry of the duty would be likely to lead to continuation or recurrence of dumping and injury.

On 03 July 2020, the International Trade Administration Commission of South Africa (the Commission) notified interested parties through Notice No. 367 of 2020 in Government Gazette No. 43495, that unless a substantiated request is made indicating that the expiry of the anti-dumping duties against imports of polyethylene terephthalate originating in or imported from Chinese Taipei, India and South Korea would likely lead to the continuation or recurrence of dumping and injury, the anti-dumping duties on polyethylene terephthalate originating in or imported from Chinese Taipei, India and South Korea will expire on 07 July 2021.

THE APPLICANT

The application was lodged by Safripol (Pty) Ltd, the major producer of the subject product accounting for 97 percent of the total Southern African Customs Union (SACU) production.

The Applicant alleges that the expiry of the duties would likely lead to the continuation or recurrence of dumping and the recurrence of material injury. The Applicant submitted sufficient evidence and established a *prima facie* case to enable the Commission to arrive at a reasonable conclusion that a sunset review investigation of the anti-dumping duties on polyethylene terephthalate originating in or imported from Chinese Taipei, India and South Korea be initiated.

THE PRODUCT

The anti –dumping duties subject to review is polyethylene terephthalate (PET), in primary forms (excluding liquids and pastes) classifiable under tariff subheading 3907.60.9, originating in or imported from the India, South Korea and Chinese Taipei.

THE ALLEGATION OF THE CONTINUATION OR RECURRENCE OF DUMPING

The allegation of continuation or recurrence of dumping is based on the comparison between the normal value and the export price.

METHODOLOGY IN THIS INVESTIGATION FOR CHINESE TAIPEI, INDIA AND SOUTH KOREA

Normal value

The normal value for Chinese Taipei, india and South Korea was determined based on a quotation obtained from an international publication, PET Monthly Business Report published by PCI, PET Resin. The Applicant obtained delivered domestic prices based on the Far East Historical PET domestic delivered at USD/tonne Mid/Average prices provided by Wood Mackenzie Limited.

The Applicant provided an extract of the data from PCI report.

Export price

As there were no commercial quantities of imports of the subject product from the alleged dumping countries during the period of investigation (December 2019 - November 2020), the Applicant supplied F.O.B export prices for each of the alleged dumping countries based on information provided by ICIS.

The dumping margins were determined to be Chinese Taipei 2.63%, India 53.31% and South Korea 4.57%.

On this basis, the Commission found that there was *prima facie* proof of the likelihood of the continuation or recurrence of dumping of the subject product originating in or imported from Chinese Taipei, India and South Korea.

THE ALLEGATION OF RECURRENCE OF MATERIAL INJURY

The Applicant alleges and submitted sufficient evidence to show that it would experience a decline in sales, market share, capacity utilisation, profit, cash flow, ability to raise capital, productivity, output, return on investment, employment, and growth, if the duties expire.

Furthermore, the Applicant also submitted sufficient evidence to show that it would experience an increase in price undercutting, price depression, price suppression should the current anti-dumping duties expire.

On this basis, the Commission found that there was *prima facie* proof of the likelihood of recurrence of material injury.

PERIOD OF INVESTIGATION

The investigation period for dumping is from 01 December 2019 to 30 November 2020 and the injury investigation involves the evaluation of data for the period 01 December 2017 to 30 November 2020, and 2021 estimates in the event the duties expire.

PROCEDURAL FRAMEWORK

Having decided that there is sufficient evidence and a *prima facie* case to justify the initiation of an investigation, the Commission has begun an investigation in terms of section 16 of the International Trade Administration Act, 2002 (the ITA Act). The Commission will conduct its investigation in accordance with the relevant sections of the ITA Act, the World Trade Organisation Agreement on Implementation of Article VI of the GATT 1994 (the Anti-Dumping Agreement) and the Anti-Dumping Regulations of the International Trade Administration Commission of South Africa (ADR). Both the ITA Act and the ADR are available on the Commission's website (www.itac.org.za) or from the Trade Remedies section, on request.

In order to obtain the information it deems necessary for its investigation, the Commission will send non-confidential versions of the application and questionnaires to all known importers and exporters and known representative associations. The trade representative of the country of origin has also been notified. Importers and other interested parties are invited to contact the Commission as soon as possible in order to determine whether they have been listed and were furnished with the relevant documentation. If not, they should immediately ensure that they are sent copies. The questionnaire has to be completed and any other representations must be made within the time limit set out below.

CONFIDENTIAL INFORMATION

Please note that if any information is considered to be confidential then a non-confidential version of the information must be submitted for the public file, simultaneously with the confidential version.

In submitting a non-confidential version the following rules are strictly applicable and parties must indicate:

- X where confidential information has been omitted and the nature of such information;
- X reasons for such confidentiality;
- X a summary of the confidential information which permits a reasonable understanding of the substance of the confidential information; and
- X in exceptional cases, where information is not susceptible to summary, reasons must be submitted to this effect.

This rule applies to all parties and to all correspondence with and submissions to the Commission, which unless indicated to be confidential and filed together with a non-confidential version, will be placed on the public file and be made available to other interested parties.

If a party considers that any document of another party, on which that party is submitting representations, does not comply with the above rules and that such deficiency affects that party's ability to make meaningful representations, the details of the deficiency and the reasons why that party's rights are so affected must be submitted to the Commission in writing forthwith (and at the latest 14 days prior to the date on which that party's submission is due). Failure to do so timeously will seriously hamper the proper administration of the investigation, and such party will not be able to subsequently claim an inability to make meaningful representations on the basis of the failure of such other party to meet the requirements.

Subsection 33(1) of the ITA Act provides that any person claiming confidentiality of information should identify whether such information is *confidential by nature* or is *otherwise confidential* and, any such claims must be supported by a written statement,

in each case, setting out how the information satisfies the requirements of the claim to confidentiality. In the alternative, a sworn statement should be made setting out reasons why it is impossible to comply with these requirements.

Section 2.3 of the ADR provides as follows:

“The following list indicates “information that is by nature confidential” as per section 33(1)(a) of the Main Act, read with section 36 of the Promotion of Access to Information Act (Act 2 of 2000):

- (a) management accounts;*
- (b) financial accounts of a private company;*
- (c) actual and individual sales prices;*
- (d) actual costs, including cost of production and importation cost;*
- (e) actual sales volumes;*
- (f) individual sales prices;*
- (g) information, the release of which could have serious consequences for the person that provided such information; and*
- (h) information that would be of significant competitive advantage to a competitor;*

Provided that a party submitting such information indicates it to be confidential

ADDRESS

The response to the questionnaire and any information regarding this matter and any arguments concerning the allegation of dumping and the resulting material injury must be submitted in writing to the following address:

Physical address

The Senior Manager: Trade Remedies I
International Trade Administration Commission
Block E – The DTI Campus
77 Meintjies Street
SUNNYSIDE
PRETORIA
SOUTH AFRICA

Postal address

The Senior Manager:
Trade Remedies I
Private Bag X753
PRETORIA
0001
SOUTH AFRICA

PROCEDURES AND TIME LIMITS

The Senior Manager: Trade Remedies I, should receive all responses, including non-confidential copies of the responses, not later than 30 days from the date hereof, or from the date on which the letter accompanying the abovementioned questionnaire was received. The said letter shall be deemed to have been received seven days after the day of its dispatch.

Late submissions will not be accepted except with the prior written consent of the Commission. The Commission will give due consideration to written requests for an extension of not more than 14 days on good cause shown (properly motivated and substantiated), if received prior to the expiry of the original 30-day period. Merely citing insufficient time is not an acceptable reason for an extension. Please note that the Commission will not consider requests for extension by the Embassy on behalf of foreign producers.

The information submitted by any party may need to be verified by the Investigating Officers in order for the Commission to take such information into consideration. The Commission may verify the information at the premises of the party submitting the information, within a short period after the submission of the information to the Commission. Parties should therefore ensure that the information submitted would subsequently be available for verification. Specifically, it is planned to verify the information submitted by the foreign producers within three to five weeks subsequent to the submission of the information. This period will only be extended if it is not feasible for the Commission to do it within this time period or upon good cause shown, and with the prior written consent of the Commission, which should be requested at the time of the submission. It should be noted that unavailability of, or inconvenience to appointed representatives, will not be considered to be good cause.

Parties should also ensure when they engage representatives that they will be available at the requisite times, to ensure compliance with the above time frames.

Parties should also ensure that all the information requested in the applicable questionnaire is provided in the specified detail and format. The questionnaires are designed to ensure that the Commission is provided with all the information required to make a determination in accordance with the ITA Act and the ADR. The Commission may therefore refuse to verify information that is incomplete or does not comply with the format in the questionnaire, unless the Commission has agreed in writing to a deviation from the required format. A failure to submit a non-confidential version of the response that complies with the rules set out above under the heading *Confidential Information* will be regarded as an incomplete submission.

Parties, who experience difficulty in furnishing the information required, or submitting information in the format required, are urged to make written applications to the Commission at an early stage for permission to deviate from the questionnaire or provide the information in an alternative format that can satisfy the Commission's requirements. The Commission will give due consideration to such a request on good cause shown.

Any interested party may request an oral hearing at any stage of the investigation in accordance with Section 5 of the ADR, provided that the party indicates reasons for not relying on written submissions only. The Commission may refuse an oral hearing if granting such hearing will unduly delay the finalisation of a determination. Parties requesting an oral hearing must provide the Commission with a detailed agenda for, and a detailed version, including a non-confidential version, of the information to be discussed at the oral hearing at the time of the request.

If the required information is not received in a satisfactory form within the time limit specified above, or if verification of the information cannot take place, the Commission may disregard the information submitted and make a finding on the basis of the facts available to it.

Should you have any queries, please do not hesitate to contact investigating officers, Mr Busman Makakola at bmakakola@itac.org.za or Mr Emmanuel Manamela at emanamela@itac.org.za

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION**NOTICE 370 OF 2021****INTERNATIONAL TRADE ADMINISTRATION COMMISSION****CUSTOMS TARIFF APPLICATIONS****LIST 07/2021**

The International Trade Administration Commission (herein after referred to as ITAC or the Commission) has received the following application concerning the Customs Tariff. Any objection to or comment on this representation should be submitted to the Chief Commissioner, ITAC, Private Bag X753, Pretoria, 0001. Attention is drawn to the fact that the rate of duty mentioned in this application is that requested by the applicant and that the Commission may, depending on its findings, recommend a lower or higher rate of duty.

CONFIDENTIAL INFORMATION

The submission of confidential information to the Commission in connection with customs tariff applications is governed by section 3 of the Tariff Investigations Regulations, which regulations can be found on ITAC's website at <http://www.itac.org.za/documents/R.397.pdf>.

These regulations require that if any information is considered to be confidential, then a non-confidential version of the information must be submitted, simultaneously with the confidential version. In submitting a non-confidential version the regulations are strictly applicable and require parties to indicate:

- ❑ Each instance where confidential information has been omitted and the reasons for confidentiality;*
- ❑ A summary of the confidential information which permits other interested parties a reasonable understanding of the substance of the confidential information; and*
- ❑ In exceptional cases, where information is not susceptible to summary, reasons must be submitted to this effect.*

This rule applies to all parties and to all correspondence with and submissions to the Commission, which unless clearly indicated to be confidential, will be made available to other interested parties.

The Commission will disregard any information indicated to be confidential that is not accompanied by a proper non-confidential summary or the aforementioned reasons.

If a party considers that any document of another party, on which that party is submitting representations, does not comply with the above rules and that such deficiency affects that party's ability to make meaningful representations, the details of the deficiency and the reasons why that party's rights are so affected must be submitted to the commission in writing forthwith (and at the latest 14 days prior to the date on which that party's submission is due).

Failure to do so timeously will seriously hamper the proper administration of the investigation, and such party will not be able to subsequently claim an inability to make meaningful representations on the basis of the failure of such other party to meet the requirements.

INCREASE IN THE GENERAL RATE OF CUSTOMS DUTY ON:

"Shower doors, classified under tariff subheading 7610.10, by the creation of a separate 8-digit tariff subheading for the said goods", from 10% to 15% *ad valorem*; and

Shower doors, classified under tariff subheading 7020.00, by the creation of a separate 8-digit tariff subheading for "shower doors", from free to 15% *ad valorem* "

APPLICANT:

Finestra Shower Doors, a division of Casso Cabinets (Pty) Ltd
P.O. Box 2214
Edenvale
1610

Enquiries: ITAC Ref: **04/2021**. Enquires: Ms. D. Rathete and Mr. T. Sejamoholo Tel: 012 394 3683/1605 and/or e-mail: drathete@itac.org.za/tsejamoholo@itac.org.za.

REASONS FOR THE APPLICATION:

As motivation for the application, the applicant cited, *inter alia*, the following:

- The domestic industry manufacturing shower doors has made significant capital investment in the manufacture of the subject product;
- The industry is a labour-intensive and supports locally manufactured upstream products such as glass and aluminium extrusions;
- The domestic industry is currently in distress owing to rising inputs costs and strengthening exchange rate;
- There has been a significant increase in low-priced import volumes of shower doors, mainly originating from East Asian countries;
- The increase of low-priced import has resulted in pressure on profit margins and increased the likelihood further job losses; and
- An increase in the general rate of customs duty will assist the industry to be competitive against imports, curb further job losses, additional invest and create employment.

PUBLICATION PERIOD:

Written representations must be submitted within **four (4) weeks** of the date of this notice.

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NOTICE 371 OF 2021

**INTERNATIONAL TRADE ADMINISTRATION COMMISSION OF
SOUTH AFRICA****NOTICE OF INITIATION OF A SUNSET REVIEW OF THE ANTI-DUMPING DUTY ON
UNFRAMED GLASS MIRRORS ORIGINATING IN OR IMPORTED FROM THE
REPUBLIC OF INDIA**

In accordance with the provisions of section 53 of the Anti-Dumping Regulations and Article 11.3 of the World Trade Organization Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade, any definitive anti-dumping duty shall be terminated on a date not later than five years from its imposition, unless the authorities determine, in a review initiated before that date, on their own initiative or upon a duly substantiated request made by or on behalf of the domestic industry within a reasonable period of time prior to that date, that the expiry of the duties would likely lead to continuation or recurrence of dumping and injury.

On 03 July 2020 the International Trade Administration Commission of South Africa (the Commission) notified interested parties through Notice No. 367 of 2020 in *Government Gazette* No. 43495, that unless a substantiated request is made indicating that the expiry of the anti-dumping duty against imports of unframed glass mirrors originating in or imported from Republic of India would likely lead to the recurrence of dumping and injury, the anti-dumping duty on unframed glass mirrors originating in or imported from the Republic of India would expire on 04 August 2021.

THE APPLICANT

The Application was lodged by PFG Building Glass, a division of PG Group (Pty) Ltd (Applicant), being the only producer of the subject product in the Southern African Customs Union (SACU).

The Applicant alleges that the expiry of the duty would likely lead to recurrence of dumping and material injury. The Applicant submitted sufficient evidence and established a *prima facie* case to enable the Commission to arrive at a reasonable conclusion that a sunset review investigation of the anti-dumping duty on unframed glass mirrors originating in or imported from the Republic of India, should be initiated.

THE PRODUCT

The anti-dumping duty subject to this sunset review is applicable to unframed glass mirrors originating in or imported from the Republic of India, classifiable under tariff subheading 7009.91

THE ALLEGATION OF THE RECURRENCE OF DUMPING

The allegation of recurrence of dumping is based on the comparison between the normal values and the export prices.

In calculating the normal value for India, an independent consultant, on behalf of the Applicant, obtained a quotation for the domestic selling prices of the subject product in India.

In calculating the export price for India, an independent trader in India was used by the Applicant to obtain a quotation for an ex-factory export price of the subject product from India to SACU.

The dumping margin was determined to be 25.76%.

On this basis, the Commission found that there was *prima facie* proof of the likelihood of the recurrence of dumping.

THE ALLEGATION OF RECURRENCE OF MATERIAL INJURY

The Applicant alleges and submitted sufficient evidence to show that it would experience an increase in imports, decline in sales, decline in profit, output, productivity, market share, capacity utilization, inventories, and employment, if the duty expires.

On this basis the Commission found that there was *prima facie* proof of the recurrence of material injury if the duty expires.

PERIOD OF INVESTIGATION

The investigation period for likely recurrence of dumping is from 1 October 2020 to 30 September 2021 and the recurrence of material injury is from 1 October 2020 to 30 September 2021, if the Anti-Dumping duty expires.

PROCEDURAL FRAMEWORK

Having decided that there is sufficient evidence and a *prima facie* case to justify the initiation of an investigation, the Commission has begun an investigation in terms of section 16 of the International Trade Administration Act, 2002 (the ITA Act). The Commission will conduct its investigation in accordance with the relevant sections of the ITA Act, the World Trade Organisation Agreement on Implementation of Article VI of the GATT 1994 (the Anti-Dumping Agreement) and the Anti-Dumping Regulations of the International Trade Administration Commission of South Africa (ADR).

Both the ITA Act and the ADR are available on the Commission's website (www.itac.org.za) or from the Trade Remedies section, on request.

In order to obtain the information it deems necessary for its investigation, the Commission will send non-confidential versions of the application and questionnaires to all known importers and exporters and known representative associations. The trade representative of the country of origin has also been notified. Importers and other interested parties are invited to contact the Commission as soon as possible in order to determine whether they have been listed and were furnished with the relevant documentation. If not, they should immediately ensure that they are sent copies. The questionnaire has to be completed and any other representations must be made within the time limit set out below.

CONFIDENTIAL INFORMATION

Please note that if any information is considered to be confidential then a non-confidential version of the information must be submitted for the public file, simultaneously with the confidential version. In submitting a non-confidential version the following rules are strictly applicable and parties must indicate:

- X where confidential information has been omitted and the nature of such information;
- X reasons for such confidentiality;
- X a summary of the confidential information which permits a reasonable understanding of the substance of the confidential information; and
- X in exceptional cases, where information is not susceptible to summary, reasons must be submitted to this effect.

This rule applies to all parties and to all correspondence with and submissions to the Commission, which unless indicated to be confidential and filed together with a non-confidential version, will be placed on the public file and be made available to other interested parties.

If a party considers that any document of another party, on which that party is submitting representations, does not comply with the above rules and that such deficiency affects that party's ability to make meaningful representations, the details of the deficiency and the reasons why that party's rights are so affected must be submitted to the Commission in writing forthwith (and at the latest 14 days prior to the date on which that party's submission is due). Failure to do so timeously will seriously hamper the proper administration of the investigation, and such party will not be able to subsequently claim an inability to make meaningful representations on the basis of the failure of such other party to meet the requirements.

Subsection 33(1) of the ITA Act provides that any person claiming confidentiality of information should identify whether such information is *confidential by nature* or is *otherwise confidential* and, any such claims must be supported by a written statement, in each case, setting out how the information satisfies the requirements of the claim to confidentiality. In the alternative, a sworn statement should be made setting out reasons why it is impossible to comply with these requirements.

Section 2.3 of the ADR provides as follows:

"The following list indicates "information that is by nature confidential" as per section 33(1)(a) of the Main Act, read with section 36 of the Promotion of Access to Information Act (Act 2 of 2000):

- (a) management accounts;*
- (b) financial accounts of a private company;*
- (c) actual and individual sales prices;*
- (d) actual costs, including cost of production and importation cost;*
- (e) actual sales volumes;*
- (f) individual sales prices;*
- (g) information, the release of which could have serious consequences for the person that provided such information; and*
- (h) information that would be of significant competitive advantage to a competitor;*

Provided that a party submitting such information indicates it to be confidential

ADDRESS

The response to the questionnaire and any information regarding this matter and any arguments concerning the allegation of dumping and the resulting material injury must be submitted in writing to the following address or on the emails below:

Physical address

The Senior Manager: Trade Remedies I
International Trade Administration Commission
Block E – The DTI Campus
77 Meintjies Street
SUNNYSIDE
PRETORIA
SOUTH AFRICA

Postal address

The Senior Manager:
Trade Remedies I
Private Bag X753
PRETORIA
0001
SOUTH AFRICA

PROCEDURES AND TIME LIMITS

The Senior Manager: Trade Remedies I, should receive all responses, including non-confidential copies of the responses, not later than 30 days from the date hereof, or from the date on which the letter accompanying the abovementioned questionnaire was received. The said letter shall be deemed to have been received seven days after the day of its dispatch.

Late submissions will not be accepted except with the prior written consent of the Commission. The Commission will give due consideration to written requests for an extension of not more than 14 days on good cause shown (properly motivated and substantiated), if received prior to the expiry of the original 30-day period. Merely citing insufficient time is not an acceptable reason for an extension. Please note that the Commission will not consider requests for extension by the Embassy on behalf of foreign producers.

The information submitted by any party may need to be verified by the Investigating Officers in order for the Commission to take such information into consideration. The Commission may verify the information at the premises of the party submitting the information, within a short period after the submission of the information to the Commission. Parties should therefore ensure that the information submitted would subsequently be available for verification. Specifically, it is planned to verify the information submitted by the foreign producers within three to five weeks subsequent to the submission of the information. This period will only be extended if it is not feasible for the Commission to do it within this time period or upon good cause shown, and with the prior written consent of the Commission, which should be requested at the time of the submission. It should be noted that unavailability of, or inconvenience to appointed representatives, will not be considered to be good cause.

Parties should also ensure when they engage representatives that they will be available at the requisite times, to ensure compliance with the above time frames. Parties should also ensure that all the information requested in the applicable questionnaire is provided in the specified detail and format. The questionnaires are designed to ensure that the Commission is provided with all the information required to make a determination in accordance with the ITA Act and the ADR. The Commission may therefore refuse to verify information that is incomplete or does not comply with the format in the questionnaire, unless the Commission has agreed in writing to a deviation from the required format. A failure to submit a non-confidential version of the response that complies with the rules set out above under the heading *Confidential Information* will be regarded as an incomplete submission.

Parties, who experience difficulty in furnishing the information required, or submitting information in the format required, are urged to make written applications to the Commission at an early stage for permission to deviate from the questionnaire or provide the information in an alternative format that can satisfy the Commission's requirements.

The Commission will give due consideration to such a request on good cause shown.

Any interested party may request an oral hearing at any stage of the investigation in accordance with Section 5 of the ADR, provided that the party indicates reasons for not relying on written submissions only. The Commission may refuse an oral hearing if granting such hearing will unduly delay the finalisation of a determination.

Parties requesting an oral hearing must provide the Commission with a detailed agenda for, and a detailed version, including a non-confidential version, of the information to be discussed at the oral hearing at the time of the request.

If the required information is not received in a satisfactory form within the time limit specified above, or if verification of the information cannot take place, the Commission may disregard the information submitted and make a finding on the basis of the facts available to it.

Should you have any queries, please do not hesitate to contact us at the following e-mail addresses; Mr Zuko Ntsangani at zntsangani@itac.org.za or Mr Thabelo Tshikomba at TTshikomba@itac.org.za.

DEPARTMENT OF TRANSPORT

NOTICE 372 OF 2021

**AIR SERVICE LICENSING ACT, 1990 (ACT NO.115 OF 1990)
APPLICATION FOR THE GRANT OR AMENDMENT OF DOMESTIC AIR
SERVICE LICENCE**

Pursuant to the provisions of section 15 (1) (b) of Act No. 115 of 1990 and Regulation 8 of the Domestic Air Regulations, 1991, it is hereby notified for general information that the application detail of which appear in the appendix, will be considered by the Air Service Licensing Council. Representation in accordance with section 15 (3) of the Act No.115 of 1990 in support of, or in position, an application, should reach the Air Service Licensing Council. Private Box X 193, Pretoria, 0001, within 21 days of date of the publication thereof.

APPENDIX II

(A) Full Name and trade name of the applicant. (B) Full business or residential address of the applicant. (C) The Class and number of license in respect of which the amendment is sought (D) Type of air service and the amendment thereto which is being applied for (E) Category of aircraft and the amendment thereto which is being applied for.

(A) Vortex Aviation CC. (B) Hangar 13, Ballito Airfield, Collision Estate, XI Eshembe Road, Comasation, 868. (C) Class II & III; N909D & G908D. (D) Type N1, N2, G2, G3, G5, G10, G11 & G15. (E) Category H2. **Changes to the MP:** B Roux replaces R. Groome as the RP: Aircraft.

(A) S. A. Airways (SOC) Ltd; South African Airways. (B) Airways Park Jones Road, OR Tambo International Airport, 1627. (C) Class I, II & III; S552D, N553D & G554D. (D) Type S1, S2, N1, N2 & G2. (E) Category A1, A2 & A3. **Changes to the MP:** Ms Linda Evelyn Jordaan is appointed as the RP: Flight Operations, Mr Prince MacDonald Mereotlhe as the RP: Aircraft, Mr Kiran Arun Vassen Paima as the Air Service Safety Officer & Mr Thomas Kgokolo as the Chief Executive Officer.

This publication rectifies errors and omissions contained in the publication that was published in the General Notice 339 of 2021 in the Government Gazette No 44674 of June 04, 2021.

DEPARTMENT OF TRANSPORT

NOTICE 373 OF 2021

**INTERNATIONAL AIR SERVICE ACT, (ACT NO.60 OF 1993)
GRANT /AMENDMENT OF INTERNATIONAL AIR SERVICE LICENSE**

Pursuant to the provisions of section 17 (12) of Act No.60 of 1993 and Regulation 15 (1) and 15 (2) of the International Air Regulations,1994, it is hereby notified for general information that the applications, detail of which appear in the Schedules hereto, will be considered by the International Air Services Council (Council) Representation in accordance with section 16(3) of the Act No. 60 of 1993 and regulation 25(1) of International Air Services Regulation, 1994, against or in favour of an application, should reach the Chairman of the International Air Services Council at Department of Transport, Private Bag X 193, Pretoria, 0001, within 28 days of the application hereof. It must be stated whether the party or parties making such representation is / are prepared to be represent or represented at the possible hearing of the application.

APPENDIX II

(A) Full name, surname and trade name of the applicant. (B) Full business or residential address of the applicant. (C) Class and number of licence in which the amendment is made. (D) Type of International Air Service in respect which amendment was made. (E) Category or kind of aircraft in respect of which license was made. (F) Airport in respect of which the amendment was made. (G) Area to be served. (H) Frequency of flight of which the amendment was made. (I) Condition under which amendment was made.

(A) Vortx Aviation CC. (B) Hangar 13, Ballito Airfield, Collision Estate, XI Eshembe Road, Compasation, 868. (C) Class II & III; I/N184 & I/G185. (D) Type N1, N4, G2, G3, G5, G10, G11 & G15. (E) Category H2. **Changes to the MP:** B Roux replaces R. Groome as the RP: Aircraft.

(A) S. A. Airways (SOC) Ltd; South African Airways. (B) Airways Park Jones Road, OR Tambo International Airport, 1627. (C) Class I, II; I/S094 & I/N095. (D) Type S1, S2, N1, N2, N3 & N4. (E) Category A1 & A2. (F) OR Tambo International Airport. **Changes to the MP:** Ms Linda Evelyn Jordaan is appointed as the RP: Flight Operations, Mr Prince MacDonald Mereotlhe as the RP: Aircraft, Mr Kiran Arun Vassen Paima as the Air Service Safety Officer & Mr Thomas Kgokolo as the Chief Executive Officer.

This publication rectifies errors and omissions contained in the publication that was published in the General Notice 339 of 2021 in the Government Gazette No 44674 of June 04, 2021.

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT**NO. 533****18 June 2021****NATIONAL ENVIRONMENTAL MANAGEMENT: INTEGRATED COASTAL MANAGEMENT****ACT, 2008 (ACT NO. 24 OF 2008)****THE NATIONAL ESTUARINE MANAGEMENT PROTOCOL**

I, Barbara Dallas Creecy, the Minister of Forestry, Fisheries and the Environment, hereby publish the National Estuarine Management Protocol in terms of section 33(2) of the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008), as set out in the Schedule hereto, for implementation.



BARBARA DALLAS CREECY
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

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GLOSSARY OF TERMS

the Department	national Department responsible for environmental affairs, forestry and fisheries
EMP	Estuarine Management Plan
EFZ	Estuarine Functional Zone
ICM Act	National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008)
IDP	Integrated Development Plan
municipality	municipality has the same meaning assigned to it in section 1 of the ICM Act, unless the context indicates otherwise
MCC	Municipal Coastal Committee
MLRA	Marine Living Resources Act, 1998 (Act No. 18 of 1998)
NBA	National Biodiversity Assessment
NEMBA	National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004)
NEMPAA	National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003)
the Protocol	National Estuarine Management Protocol
NPA	National Ports Authority
PCC	Provincial Coastal Committee
SAHRA	South African Heritage Resources Agency
SAR	Situation Assessment Report
SDF	Spatial Development Framework

1. INTRODUCTION

South Africa has about 300 functional estuaries¹ that are distributed throughout a ± 3200 km coastline. Estuaries are characterised by high biodiversity and productivity and provide a range of environmental and socio-economic benefits. Examples include flood control, providing raw material for subsistence (building material) and nursery areas for juvenile fish. In South Africa, estuaries

¹As defined in the ICM Act.

also provide shelter along an otherwise exposed coastline that has few natural embayments, therefore they often serve as nodes for habitation and development. Most South African estuaries have been altered from their pristine state due to human disturbances.

According to the NBA (of 2018), South Africa has 290 estuaries and 42 micro-estuaries that have been classified into 22 estuarine ecosystem types and 3 micro-estuary types. The estuarine realm in South Africa was found to be most modified of all the realms, both for the number of ecosystem types (86% threatened) and for area (99% threatened). More than 63% of South Africa's estuarine area is heavily modified with important ecological processes under severe pressure which reduces productivity, food security, fisheries livelihoods, property values and recreational enjoyment. Estuaries are under-protected in South Africa with only 18% of ecosystem types and 1% of estuarine area Well Protected.

The estuarine ecosystem threat status and under-protection emphasises the need for strategic interventions across multiple sectors to restore estuarine health and protect benefits to people. It is recommended in the NBA that in order to "... avoid further compromising of the benefits of these ecosystems, Strategic Estuarine Management Plans – including freshwater allocation, fish resource use, water quality management and land-use planning – should be developed and implemented in a coordinated, cross-sectoral manner."

Estuarine management is complex because estuaries are subjected to influences from marine, riverine and terrestrial ecosystems. Therefore, estuaries require integrated cross-sectorial planning and management as they include stakeholders that are involved in land use planning, management of freshwater and marine resources. Estuarine management is thus a dynamic process that requires careful planning and implementation of management decisions, through development and implementation of a National Estuarine Management Protocol ("**the Protocol**"), as set out below.

2. PURPOSE OF THE PROTOCOL

The National Environmental Management: Integrated Coastal Management Act (Act No. 24 of 2008) (“the ICM Act”) which was promulgated in December 2009, requires estuaries of the Republic to be managed in a co-ordinated and efficient manner, in accordance with a National Estuarine Management Protocol (“the Protocol”). Section 33(2) of the ICM Act empowers the Minister responsible for Environmental Affairs with the concurrence of the Minister responsible for Water Affairs to publish a Protocol that will provide guidance for the management of estuaries through the development and implementation of estuarine management plans (EMPs). The EMPs seek to achieve greater harmony between ecological processes and human activities while accommodating orderly and balanced estuarine resource utilisation.

More specifically, in terms of section 33 of the ICM Act the purpose of the national estuarine management protocol is to:

- (a) Determine a strategic vision and objectives for achieving effective integrated management of estuaries;
- (b) Set standards for the management of estuaries;
- (c) Establish procedures or provide guidance regarding how estuaries must be managed and how the management responsibilities are to be exercised by different organs of state and other parties;
- (d) Establish minimum requirements for estuarine management plans;
- (e) Identify who must prepare estuarine management plans and the process to be followed in doing so; and
- (f) Specify the process for reviewing estuarine management plans to ensure that they comply with the requirements of the ICM Act.

3. STRATEGIC VISION AND OBJECTIVES

3.1 VISION

The national vision for estuarine management is as follows:

The estuaries of South Africa are managed in a sustainable way that benefits the current and future generations.

3.2 OBJECTIVES

In order to recognise and effectively manage the unique environmental, economic, and social aspects of each estuary, it is important to establish strategic objectives. The strategic objectives for effective integrated management of estuaries include:

- 3.2.1 To conserve, manage and enhance sustainable economic and social use without compromising the ecological integrity and functioning of estuarine ecosystems;
- 3.2.2 To maintain and/or restore the ecological integrity of South African estuaries by ensuring that the ecological interactions between adjacent estuaries; between estuaries and their catchments; and between estuaries and other ecosystems, are maintained;
- 3.2.3 To manage estuaries co-operatively through all spheres of government; and to engage the private sector/ entities and civil society in estuarine management;
- 3.2.4 To protect a representative sample of estuaries (such protection could range from partial protection to full protection) in order to achieve overall estuarine biodiversity targets as determined by the 2018 National Biodiversity Assessment and the subsequent updates;
- 3.2.5 To promote awareness, education and training that relate to the importance, value and management of South African estuaries; and
- 3.2.6 To minimise the potential detrimental impacts of predicted climate change through a precautionary approach to development in and around estuaries and with regard to the utilisation of estuarine habitat and resources.

4. STANDARDS FOR ESTUARINE MANAGEMENT

To ensure the effective implementation of a strategic vision and objectives, it is important that these translate into meaningful management standards. The following management standards are applicable:

- 4.1 Estuarine management must aim at best practice in terms of use, management and protection of estuaries based on principles of ecological sustainability and co-operative governance;
- 4.2 Estuary management planning must consider the predicted impacts of climate change and management of potential disasters including pollution events;
- 4.3 Integration of land use planning and natural resource management outcomes with estuarine management outcomes must be promoted;
- 4.4 Management actions should be based on sound scientific evidence and where lacking, the precautionary approach should prevail;
- 4.5 An estuary must be managed to avoid, minimise or mitigate significant negative impacts that include but are not limited to reduced water flows and loss of habitat or species;
- 4.6 An estuary must be maintained in its ecological category as determined in the most recent NBA and subsequent updates in order to meet biodiversity targets, and to take into account the recommended extent of protection and recommended ecological health category; and
- 4.7 The classification and setting of the Ecological Reserve and Resource Quality Objectives (RQO) of an estuary must take into account the current ecological health status, recommended extent of protection and recommended ecological category in order to meet the biodiversity targets as set in the most recent NBA and the subsequent updates.

5. RESPONSIBLE MANAGEMENT AUTHORITY FOR DEVELOPING ESTUARINE MANAGEMENT PLANS

Generally, most estuarine systems occur within the boundaries of a single municipality², and some occur totally or partly within areas that are currently protected or are likely to be protected in future. Local government generally has closer involvement with activities happening within and around estuaries than the other spheres of government, and it is the local people that usually benefit most from the goods and services that estuaries provide. The Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) requires all municipalities to develop and implement IDPs that promote participation of communities and liaison with other spheres of government.

Considering the above and taking into account sections 33, 34, 45, 47 and 49 of the ICM Act (dealing with the Estuarine Management Protocol, Estuarine Management Plans and Coastal Management Programmes), the following authorities are responsible for the development of EMPs and coordination of the implementation process:

- 5.1 Where an estuary falls within the boundary of a municipality, the provincial environmental department must develop an EMP in consultation with affected municipalities and the relevant national government departments.
- 5.2 Where an estuary crosses the boundaries between provinces, the Department must develop an EMP in consultation with the Provincial Lead Agencies for the ICM Act and other relevant organs of state.
- 5.3 Where an estuary is within a protected area or is identified as part of a protected area expansion strategy, the management authority responsible for the protected area must develop an EMP in consultation with relevant government departments. Where there is an estuary which crossed the boundary of a protected area, the protected area management authority must work together with other relevant government departments or agencies to develop a co-ordinated estuarine management plan.
- 5.4 Where an estuary falls wholly or partially within a harbour, the Department must develop an EMP in consultation with the NPA or other managing organs of state for a harbour and relevant municipalities.
- 5.5 Where an estuary crosses a state boundary, the Department in collaboration with the responsible authority of the affected state/s must develop the EMP in consultation with relevant government departments of the affected states.

To promote the successful development and implementation of estuarine management plans:

- (a) The Provincial Lead Agencies for the ICM Act must, as part of the provincial coastal management programme, and national protected areas management authorities must, identify a priority list of estuaries, which would inform a phased approach for the development of EMPs over a period of years. This list should focus on those estuaries that

² As defined in the ICM Act.

need conservation and effective management and be informed by the national priority list identified in the 2018 National Biodiversity Assessment and subsequent updates. Consideration should be given, in appropriate circumstances, as to whether certain estuaries can be clustered or grouped together for the purpose of developing one EMP as opposed to an EMP for every single estuary. Factors which may be considered in assessing the feasibility of this could include, location, size, ecosystem similarities, similar user profiles and challenges and similar role players and stakeholders.

- (b) If a Provincial Lead Agency for the ICM Act enters into an agreement with a municipality in terms of section 156(4) of the Constitution, 1996, to give the function for developing an EMP to that municipality, they must inform the Department where such agreements have been entered into.
- (c) The Department may, within available resources, provide technical and management support to capacitate a municipality, where there has been agreement between the province and a municipality to develop an EMP, if and when such need arises. This will depend on the importance of that particular estuary in meeting biodiversity targets and the strategic objectives of the Department.
- (d) In order to develop sound EMPs, scientific information generated through robust research is critical. The departments responsible for science, technology and innovation, as well as agriculture, forestry, water affairs, environmental affairs and other relevant departments will play a crucial role in supporting research to address issues of uncertainties in estuaries, like Climate Change, and providing guidance in the development of appropriate policies for better management of estuaries.
- (e) The identified responsible management authority to develop the EMP needs to budget accordingly for the development of these plans.
- (f) Private entities and non-government organisations can play a supporting role in the development of an EMP by supporting the responsible management authority.

6. MINIMUM REQUIREMENTS FOR AN ESTUARINE MANAGEMENT PLAN

Although each EMP will have specific and differing targets and indicators, the following components shall be included in all EMPs:

- 6.1 An executive summary of the Situation Assessment Report (SAR) that highlights the key information that would inform and/or influence the management decisions within the estuary;

- 6.2 A geographical description and a map of the estuary based on the Estuarine Functional Zone (EFZ) clearly identifying the boundaries of the system. Any deviation from the EFZ should be motivated for;
- 6.3 The local vision and objectives that give effect to the strategic vision and objectives of the protocol;
- 6.4 A list of management objectives and activities, that at minimum addresses the following: conservation and utilisation of living and non-living resources (taking into account the priority biodiversity list in the 2018 National Biodiversity Assessment and subsequent updates), social issues, land-use and infrastructure planning and development, water quality and quantity, climate change, education and awareness; compliance and enforcement, and any other activities that will be required to maintain and or improve the condition of the estuary;
- 6.5 Details of intended spatial zonation of the estuary specifying activities that may or may not take place in different sections of the estuary, and indicating:
 - (a) which organs of state will need to be consulted given the type of zonation that is proposed; and
 - (b) which organs of state will need to enact the relevant laws to implement the proposed zonation (for example, if a no-fishing zone is proposed then either the relevant department or departments responsible for fisheries and protected areas will be required to consider declaring a closed area or a protected area, respectively);
- 6.6 A detailed integrated monitoring plan with a list of performance indicators for gauging the progress with respect to achieving the objectives of the EMP; and
- 6.7 Details of the institutional capacity and arrangements required for managing different elements of the EMP, taking into account different departmental mandates.

An EMP must be in line with the National Coastal Management Programme, and where applicable, the Provincial Coastal Management Programme and the Municipal Coastal Management Programme. Where the estuary is located in a protected area, the estuarine management plan must be developed in line with the requirements for the protected area's management plan.

7. PROCEDURE FOR DEVELOPING AN ESTUARINE MANAGEMENT PLAN

The development of an estuarine management plan should follow a three-step process that involves a scoping phase, an objective setting phase and the development of the implementation plan.

7.1 SCOPING PHASE

This phase involves collating and evaluating available information about the estuary that can assist with establishing the status of the estuary and inform management planning. Generally, such information is available in the form of maps and reports from various government agencies and

research institutions. It is imperative that local knowledge is considered during this phase. The information should be collated in the form of a Situation Assessment Report (SAR). The SAR should also highlight any major information gaps and the recommendation to address these. At minimum, the SAR must:

- 7.1.1 Describe legislative instruments that are currently applicable to the effective management of the estuary, including existing and planned management strategies/plans (i.e. catchment management strategies, IDP, SDF, Coastal Management Programmes, etc.) and their relevance to the proposed management of the estuary;
- 7.1.2 Provide a detailed understanding of the structure (abiotic and biotic components), functioning and state of the estuary, including the underlying processes and drivers. This should also include the Reserve for the estuary if it has been determined (or identify the need for determining a reserve) and estimate the present ecological state of the estuary where possible. This should be done by using the Estuarine Health Index as applied in Ecological Water Requirement Methods – Department of Water Affairs and Forestry, 2008 or subsequent versions of Estuarine Health Index that are approved by the department responsible for water affairs. This is a standardised approach for estimating the degree of modification of an estuary from its reference state to present;
- 7.1.3 Describe in a socio-economic context (demographic, economic profile, etc.) and the level/s of dependence of local communities on the estuary. This will include assessment of the opportunities and constraints within the ecological system (including potential carrying capacity for activities), taking into account its current and recommended ecological state and limits of acceptable change where available; and
- 7.1.4 Identify the goods and services or human use activities and their impacts or potential impacts on the present ecological state of the estuary.

7.2 OBJECTIVE SETTING PHASE

The SAR provides a good basis for setting a realistic and achievable vision and list of objectives for a particular estuarine system; based on limits of acceptable change and carrying capacity, current/potential goods and services provided by the estuary, current/potential threats, opportunities and constraints that the socio-ecological system provides. Effective governance arrangements must be proposed, within the ambit of existing legislation and mandates that are in line with the strategic vision and objectives stipulated in the Protocol. The objectives should generally be qualitative statements of the values defined in the local vision. The objectives should consider among others:

- (i) the conservation and utilisation of living resources (taking into account the priority conservation list of estuaries identified in the 2018 National Biodiversity Assessment and subsequent updates.) and non-living resources;
- (ii) social issues;
- (iii) management of water quality and quantity;
- (iv) land use and infrastructure planning and development;
- (v) climate change;
- (vi) education and awareness; and
- (vii) compliance and enforcement.

The local vision and objectives must be aligned with the strategic vision and objectives of the Protocol. This must be demonstrated by stating the relevant strategic objectives of the Protocol that are relevant to the estuary, together with the related local objective/s that will give effect to them.

8. PUBLIC PARTICIPATION PROCESS

- (1) The responsible management authority developing an EMP must actively engage all the relevant stakeholders including government department, non-government organizations and civil society in the development and implementation of the EMP.
- (2) An estuarine management plan must be subjected to a public participation process as required by section 53 of the ICM Act.

9. APPROVAL AND INTEGRATION OF AN ESTUARINE MANAGEMENT PLAN

9.1 Approval of an EMP

- (1) Once the responsible management authority has given due consideration to any comments received during the public participation process, it must obtain formal approval for the EMP as follows:
 - (a) Where an EMP has been developed by a Provincial Lead Agency for the ICM Act, a provincial conservation agency, a provincial environmental department, municipality by agreement with the province, the EMP must be submitted to the

MEC responsible for environmental affairs in the relevant Province for approval;
and

- (b) Where an EMP has been developed by the Department or a National Conservation Agency, the EMP must be submitted to the Minister responsible for environmental affairs for approval.

9.2 Integration of an EMP

Once approved by the relevant approval authority, the EMP shall, to ensure effective implementation of the EMP, be integrated as follows:

- (1) Where an EMP has been developed by a municipality as a result of an agreement with the province, it must be incorporated into the broader Municipal Coastal Management programme as required in section 49 of the ICM Act or as part of IDPs as required by the Local Government: Municipal Systems Act, 2000.
- (2) Where an EMP has been developed by the Provincial Lead Agent, provincial environmental department or provincial conservation agency, the EMP must be incorporated into the Provincial Coastal Management Programme.
- (3) Where an EMP has been developed by a protected area's management authority, the EMP must be integrated into that protected area's management plan as contemplated in section 39 of NEMPAA.
- (4) Where an EMP has been developed by the Department, the EMP must be incorporated into the National Coastal Management Programme.

10. REVIEW OF ESTUARINE MANAGEMENT PLANS

It is also necessary to review monitoring data to assess effectiveness of the EMP in meeting its management targets. EMPs must be reviewed by the responsible management authority that developed the plan at least every 5 years from the date it was adopted (if possible in line with IDP, Coastal Management Programme and SDF cycle), but may also be reviewed at any other time. Such review shall include assessment of:

- (a) The effectiveness of the EMP and success with meeting its objectives, taking into consideration information from monitoring during the preceding years;
- (b) Environmental changes (if any) at a local or a wider scale that could affect the estuarine resources or the implementation of the EMP; or

- (c) Changes (if any) to legislation, land-use planning, goals or policies that may require the EMP to be amended.

Based on these findings, it may be necessary to amend an EMP, even to the extent of revising its objectives. Following such review, the responsible management authority shall either modify or re-endorse the EMP and shall engage in public participation in terms of section 8 of the Protocol, before the amended EMP can be approved in terms of the approval and adoption process outlined above in section 9 of the Protocol.

11. INSTITUTIONAL STRUCTURES AND ARRANGEMENTS

Effective institutional structures and arrangements are crucial support elements for the successful implementation and co-ordination of actions in terms of the Protocol and the subsequent estuary management plans. Chapter 5 of the ICM Act details the institutional arrangements that would, once implemented, contribute to co-operative coastal governance in South Africa. These arrangements are made at national, provincial and municipal levels and the embodiment of co-operative coastal governance is vested in coastal committees. No new institutional arrangements are proposed by the Protocol. The Provincial and Municipal coastal committees shall serve as the forums for monitoring the implementation of EMPs and reporting of progress and achievements related to estuarine management. Any existing and/or planned individual estuary forums can be regarded as informal additional advisory bodies for facilitating the implementation of the project plans identified in the EMPs and to foster continuous stakeholder engagement.

DEPARTMENT OF ECONOMIC DEVELOPMENT

NO. 534

18 June 2021

THE COMPETITION COMMISSION OF SOUTH AFRICA

NOTICE IN TERMS OF SECTION 10(7) OF THE COMPETITION ACT NO. 89 OF 1998 (AS AMENDED) BY VARIOUS INDEPENDENT CHROME ORE PRODUCERS – EXEMPTION REFUSED

1. On 21 September 2020, various **Independent Chrome Ore Producers** (“**ICOP**”) hereinafter referred to as (“**Applicants**”) filed an exemption application (the “**Application**”) in terms of section 10(1)(b) of the Competition Act as amended (the “**Act**”). The Applicants seek an exemption for a period of two (2) years.
2. The Applicants are not members of any association and include the following entities:
 - 2.1. Rustenburg Platinum Mines Limited and Atomatic Trading Proprietary Limited;¹
 - 2.2. Assore Limited and its subsidiaries, including but not limited to: Dwarsrivier Chrome Mine Proprietary Limited and Ore & Metal Company (collectively, “Assore”);
 - 2.3. Bauba Resources Limited and the firms controlled thereby whether directly or indirectly;
 - 2.4. Chrometco Limited and the firms controlled thereby whether directly or indirectly;
 - 2.5. Impala Platinum Holdings Limited and the firms controlled thereby whether directly or indirectly;²
 - 2.6. Northam Platinum Limited and the firms controlled thereby whether directly or indirectly;
 - 2.7. Sibanye-Stillwater Limited and the firms controlled thereby whether directly or indirectly;
 - 2.8. Siyanda Resources Proprietary Limited and the firms controlled thereby whether directly or indirectly; and
 - 2.9. Tharisa plc, including its subsidiaries: Tharisa Minerals Proprietary Limited, Arxo Resources Limited and Arxo Metals Proprietary Limited.
3. The Applicants are non-integrated firms involved in the mining and production of chrome ore for both local and international market. The exemption application was filed against the background of government’s intention to impose an export tax (in the form of a levy or duty) on the outbound chrome ore to be exported from South Africa. The proposed export

¹ With both such entities being subsidiaries, alternatively, affiliates of Anglo-American Platinum Limited.

² Impala was initially part of the Application when it was filed but pulled out in March 2021.

tax is meant to stabilise and support the declining ferrochrome market in South Africa by ensuring that adequate chrome ore is utilised by local downstream ferrochrome producers.

4. The Applicants submitted that the proposed export tax on chrome ore producers might have dire consequences on the chrome ore industry and sought to find alternative mechanisms to support the ferrochrome industry. . In this regard, the Applicants sought an exemption to ensure that the chrome ore producers can coordinate and engage with each other and consolidate their responses and make proposals to the government on mechanisms to assist the ferrochrome industry.
5. The Applicants requested to undertake engagements with government and industry participants to facilitate research on viable interventions to support the deteriorating ferrochrome industry in South Africa. For this purpose, the Applicants identified the following potential broad areas of coordination in a bid to find alternative interventions to the proposed export tax:
 - 5.1. Palatable and non-destructive form of chrome ore export tax;
 - 5.2. Appropriate off-take arrangements in terms of which the chrome ore sector obtains assurance that it will not be left with unsold volumes of, or reduced prices for chrome ore, as a result of any export tax; and
 - 5.3. Appropriate energy production or purchasing arrangements to improve the cost-effectiveness for the production of both chrome ore and ferrochrome.
6. The Commission considered the exemption request and concluded that the broad areas envisaged for coordination may still be achieved without an exemption. Accordingly, the Commission has decided to refuse granting the exemption. The Commission understands that there are ongoing engagements with government to find viable interventions and/or mechanisms in support of the declining ferrochrome market.
7. During its investigation, the Commission became aware that there are on-going and parallel processes led by government to support the ferrochrome industry. The Commission understands that Cabinet and the Portfolio Committee on Trade and Industry took decisions on some viable mechanisms to be considered to support the ferrochrome industry.³ Among the proposed interventions include (i) security of competitively price electricity through the short-term and long-term electricity pricing framework for energy intensive users, (ii) a form of chrome export tax that will balance the viability of the chrome

³ Portfolio Committee meeting dated 28 October 2020.

and ferrochrome industry. In addition, other industry commitments included (i) preserving upstream and downstream jobs and smelting capacity (iii) restarting idle capacity and encourage investment into new mines and smelters to increase production.

8. The Department of Trade, Industry and Competition (DTIC) further indicated that there are on-going engagements with the industry across the value chain to discuss the proposed support measures that can balance the interest of chrome miners and ferrochrome.⁴ The Applicants indicated that they have ongoing engagements with government (Department of Mineral Resources and Energy and Department of Trade Industry and Competition) regarding the proposed export tax. In this regard, the Commission believe that this is an appropriate forum to facilitate discussions to explore other possible interventions that government can take to support both the chrome ore and ferrochrome sectors. In addition, the Commission believes that the exploration process can be achieved utilising this forum without the need for an exemption.
9. The Commission is of the view that the on-going engagements should continue within the context of these government engagements. However, when an agreement or arrangement is reached, the Applicants can then file an exemption with the Commission for consideration.
10. In this regard, Notice is hereby given in terms of Section 10(7) of the Competition Act regarding the Commission's decision to refuse this exemption. The Applicants and any other person with a substantial material interest affected by this decision may appeal to the Competition Tribunal in the prescribed manner in terms of Section 10(8) of the Competition Act.
11. Further queries should be directed to:
Ms Balisa Mhambi, Market Conduct Division
Tel: 012 763 8613 Email: BalisaM@compcom.co.za
12. Kindly refer to the following case number: **2020Sep0032** when sending correspondences in relation to this Notice.

⁴ Submission by the DTIC dated 14 January 2021.

DEPARTMENT OF ECONOMIC DEVELOPMENT

NO. 535

18 June 2021

NOTICE IN TERMS OF SECTION 10(7) OF THE COMPETITION ACT NO. 89 OF 1998 (AS AMENDED): MARANG AFRICA HEALTHCARE PROPRIETARY LIMITED GRANTED CONDITIONAL EXEMPTION

1. On 5 October 2020, Marang Healthcare Proprietary Limited (“Marang Health”) filed an application for exemption (“the application”) in terms of section 10(1) of the Competition Act 89 of 1998, as amended (“the Act”) to be exempted from certain provisions of chapter 2 of the Act for a period of 10(ten) years.
2. Marang Health is a wholly owned subsidiary of Marang Global Capital Proprietary Limited (Marang Global) that was established in 2015 as a financial advisory firm focusing on healthcare investments, healthcare finance and healthcare asset finance. Marang Health is a private company registered in accordance with the laws of South Africa.
3. The application for the exemption relates to the agreements and/or practices between Marang Health and Mediclinic Southern Africa Proprietary Limited (Mediclinic) under the establishment of an operating company (“OpCo”) which will include the determination and negotiation of tariffs by Mediclinic on behalf of Marang Health and each of the Marang Health Hospitals.
4. Marang Health requested permission to:
 - 4.1. Enter into a partnership agreement where Mediclinic obtains a 25% equity stake in the OpCo; and
 - 4.2. Have Mediclinic manage and operate the OpCo which includes negotiating and setting tariffs on behalf of Marang Health and each of Marang Health’s hospitals. The exemption sought was for a period of 10 years.
5. In its application, Marang Health relied on the objectives set out in section 10 (3)(b)(ii) of the Act which allows the exemption of agreements and/or practices that promote effective entry into, participation in or expansion within a market by small and medium businesses or firms controlled or owned by HDPs.
6. The Commission’s investigation revealed the following:
 - 6.1. The envisaged conduct of Marang Health and Mediclinic would result in a contravention

of section 4(1)(b)(i) of the Act.

- 6.2. There are funding challenges facing Marang Health as a potential new entrant into the private healthcare sector. Furthermore, the Commission considered the importance of access to private healthcare in the township communities and the stringent conditions placed by investors as prerequisites to providing funding.
- 6.3. The Commission considered the impact of not granting the exemption would have regarding access to quality private health care in the four townships (KwaMashu Durban, Kagiso Johannesburg, Motherwell Port Elizabeth and Khayelitsha Cape Town).
- 6.4. The Commission remain concerned about some unintended consequences that could occur by granting a long term exemption without any due consideration of actual agreements at our disposal. Given the history of acquisitions of smaller hospital players by large hospital groups, the Commission remains concerned about incumbent entities taking over running the hospitals for extended period of time. This practice is detrimental to new entrants and limited skills transfer may occur which reverses the grounds on which this exemption is anchored on. Equally, the Commission remain concerned about other practises by established hospital groups such as acquiring hospital licences from new entrants which may not lead to transformation in the private healthcare industry.
- 6.5. The proposed period of 10 (ten) years is therefore problematic because a) there is no firm agreement between Marang Health and Mediclinic b) currently there is no clear plan that will facilitate Mediclinic's exit after the exemption period and, c) a skills transfer strategy still has to be developed to facilitate Marang Health to take over the hospital operations when the exemption expires. It is therefore appropriate that the Commission takes caution by not granting this exemption for a period of 10 years without assessing the agreements. In addition, the Commission requires thorough assessment of any agreements that are entered into with any of the established hospital groups given the concentrated private health care market in South Africa and the history of acquisitions.
7. In light of the above, the Commission has decided to grant Marang Health a conditional exemption for **18 months** commencing on 1 June 2021 and ending on 1 December 2022. The exemption is granted based on the information submitted to the Commission by Marang

Health and other stakeholders. Therefore, this exemption does not prevent Marang Health from being investigated and prosecuted under the Competition Act for any conduct outside the scope of the application.

8. Accordingly, notice is hereby given in terms of Section 10(7) of the Competition Act regarding the Commission's decision to grant this exemption. The Applicant and any other person with a substantial material interest affected by this decision may appeal it to the Competition Tribunal in the prescribed manner in terms of Section 10(8) of the Competition Act.
9. Further queries should be directed to:
Ms Nomalungelo Mthiyane
Market Conduct Division
Email: [Nomalungelo M@compcom.co.za](mailto:Nomalungelo.M@compcom.co.za)
10. Kindly refer to the following case number: **2020Oct0008** when sending correspondences in relation to this Notice.

DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

NO. 536

18 June 2021

**NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT, 2004
(ACT NO. 39 OF 2004)****REPEAL OF THE REGULATIONS RELATING TO THE INSPECTION OF PREMISES IN A DUST CONTROL AREA MADE IN TERMS OF SECTION 33(1)(b) OF THE ATMOSPHERIC POLLUTION PREVENTION ACT, 1965 AND THE DUST CONTROL AREAS DECLARED IN TERMS OF SECTION 27(1) AND 27(2) OF THE ATMOSPHERIC POLLUTION PREVENTION ACT, 1965**

I, Barbara Dallas Creecy, Minister of Forestry, Fisheries and the Environment, hereby, in terms of sections 32 and 53(p) of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004) repeal the Regulations relating to the Inspection of Premises in Dust Control Areas made in terms of section 33(1)(b) and Dust Control Areas made in terms of section 27(1) and 27(2) of the Atmospheric Pollution Prevention Act, 1965 (Act No. 45 of 1965) as contained in the Schedule hereto.

The reason for the repeal is that the Atmospheric Pollution Prevention Act, 1965 (Act No. 45 of 1965) has been repealed and the Regulations and Notices have become redundant.

Furthermore, the National Dust Control Regulations, 2013, made in terms of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004), are currently in force and prescribe general measures for the control of dust in all areas in the Republic of South Africa.



**BARBARA DALLAS CREECY
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT**

SCHEDULE

The following Regulations relating to the Inspection of Premises in a Dust Control Area, made in terms of section 33(1)(b) of the Atmospheric Pollution Prevention Act, 1965 (Act No. 45 of 1965) are hereby repealed:

No. and year of Regulations	Title	Extent of Repeal
Government Notice No. R1922 in Government Gazette No. 9905 of 30 August 1985	Regulations relating to the Inspection of Premises in a Dust Control Area	The whole

The following Dust Control Areas declarations made in terms of sections 27(1) and 27(2) of the Atmospheric Pollution Prevention Act, 1965 (Act No. 45 of 1965) are hereby repealed:

No. and year of Regulations	Title	Extent of Repeal
Government Notice No. R542 in Government Gazette No. 9135 of 23 March 1984	Dust Control Areas	The whole
Government Notice No. R997 in Government Gazette No. 9728 of 3 May 1985	Dust Control Areas	The whole
Government Notice R2232 in Government Gazette 9953 of 4 October 1985	Dust Control Areas	The whole
Government Notice No. R182 in Government Gazette No. 10081 of 31 January 1986	Dust Control Areas	The whole
Government Notice No. R2709 in Government Gazette No. 11063 of 11 December 1987	Dust Control Areas Declaration of Dust Control Area - Dundee	The whole
Government Notice No. R2766 in Government Gazette No. 13638 of 22 November 1991	Dust Control Areas Declaration of Dust Control Area in terms of section 27 of the Atmospheric Pollution Prevention Act, 1965: Town Council of Brits	The whole
Government Notice No. R317 in Government Gazette No. 17809 of 28 February 1997	Dust Control Areas Declaration of Dust Control Area in terms of section 27 of the Atmospheric Pollution Prevention Act, 1965: Town Council of Middelburg (Mpumalanga)	The whole

DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

NO. 537

18 June 2021

**NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT, 2004
(ACT NO. 39 OF 2004)****REPEAL OF THE REGULATIONS REGARDING FUEL BURNING APPLIANCES IN DWELLING HOUSES MADE IN TERMS OF SECTION 44(1)(dA) OF THE ATMOSPHERIC POLLUTION PREVENTION ACT, 1965**

I, Barbara Dallas Creecy, Minister of Forestry, Fisheries and the Environment, hereby, in terms of section 53(p) of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004) repeal the Regulations regarding Fuel Burning Appliances in Dwelling Houses, made in terms of section 44(1)(dA) of the Atmospheric Pollution Prevention Act, 1965 (Act No. 45 of 1965), as contained in the Schedule hereto.

The reason for the repeal is that the Atmospheric Pollution Prevention Act, 1965 (Act No. 45 of 1965) has been repealed and the Regulations have become redundant.



BARBARA DALLAS CREECY
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

SCHEDULE

The following Regulations regarding fuel burning appliances in dwelling houses, made in terms of section 44(1)(dA) of the Atmospheric Pollution Prevention Act, 1965 (Act No. 45 of 1965) are hereby repealed:

No. and year of Regulations	Title	Extent of Repeal
Government Notice No. R1083 in Government <i>Gazette</i> No. 9242 of 30 May 1984 (amended by Government Notice No. R1448 in Government <i>Gazette</i> No. 9316 of 13 July 1984)	Regulations regarding Fuel Burning Appliances in Dwelling Houses	The whole

DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

NO. 538

18 June 2021

**NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT, 2004
(ACT NO. 39 OF 2004)****REPEAL OF THE SMOKE CONTROL REGULATIONS MADE IN TERMS OF SECTION 18(5) OF THE
ATMOSPHERIC POLLUTION PREVENTION ACT, 1965 AND THE SMOKE CONTROL ZONE
ORDERS MADE IN TERMS OF SECTION 20(1) OF THE ATMOSPHERIC POLLUTION PREVENTION
ACT, 1965**

I, Barbara Dallas Creecy, Minister of Forestry, Fisheries and the Environment, hereby, in terms of section 53(p) of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004), repeal the Smoke Control Regulations made in terms of section 18(5) and Smoke Control Zone Orders made in terms of section 20(1) of the Atmospheric Pollution Prevention Act, 1965 (Act No. 45 of 1965) as contained in the Schedule hereto.

The reason for the repeal is that the Atmospheric Pollution Prevention Act, 1965 (Act No. 45 of 1965) has been repealed and the Regulations and Orders have become redundant.



**BARBARA DALLAS CREECY
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT**

SCHEDULE

The following Smoke Control Regulations made in terms of section 18(5) of the Atmospheric Pollution Prevention Act, 1965 (Act No. 45 of 1965) are hereby repealed:

No. and year of Regulations	Title	Extent of Repeal
Government Notice No. R2057 in Government Gazette No. 6665 of 21 September 1979	Municipality of Alberton, Smoke Control Regulations	The whole
Government Notice No. R249 in Government Gazette No. 4985 of 13 February 1976	Municipality of Amanzimtoti, Smoke Control Regulations	The whole
Government Notice No. R1044 in Government Gazette No. 6449 of 18 May 1979	Municipality of Bedfordview, Smoke Control Regulations	The whole
Government Notice No. R2148 in Government Gazette No. 4898 of 14 November 1975	Municipality of Bethlehem, Smoke Control Regulations	The whole
Government Notice No. R1007 in Government Gazette No. 10732 of 8 May 1987	Municipality of Brackenfell, Smoke Control Regulations	The whole
Government Notice No. R2317 in Government Gazette No. 4099 of 7 December 1973	Municipality of Carletonville, Smoke Control Regulations	The whole
Government Notice No. R755 in Government Gazette No. 4269 of 3 May 1974	Municipality of Dundee, Smoke Control Regulations	The whole
Government Notice No. R1005 in Government Gazette No. 10732 of 8 May 1987	Municipality of George, Smoke Control Regulations	The whole
Government Notice No. R1370 in Government Gazette No. 3994 of 10 August 1973	Municipality of Germiston, Smoke Control Regulations	The whole
Government Notice No. R132 in Government Gazette No. 9043 of 27 January 1984	Municipality of Glencoe, Smoke Control Regulations	The whole
Government Notice No. R2212 in Government Gazette No. 4086 of 23 November 1973	Municipality of King William's Town, Smoke Control Regulations	The whole
Government Notice No. R2552 in Government Gazette No. 11037 of 20 November 1987	Municipality of Klerksdorp, Smoke Control Regulations	The whole
Government Notice No. R711 in Government Gazette No. 5982 of 14 April 1978	Municipality of Knysna, Smoke Control Regulations	The whole
Government Notice No. R1456 in Government Gazette 3999 of 17 August 1973	Municipality of Kroonstad, Smoke Control Regulations	The whole
Government Notice No. R1633 in Government Gazette No. 4019 of 7 September 1973	Municipality of Ladysmith, Smoke Control Regulations	The whole

Government Notice No. R1212 in Government <i>Gazette</i> No. 9775 of 7 June 1985	Municipality of Lydenburg, Smoke Control Regulations	The whole
Government Notice No. R709 in Government <i>Gazette</i> No. 5982 of 14 April 1978	Municipality of Marble Hall, Smoke Control Regulations	The whole
Government Notice No. R1965 in Government <i>Gazette</i> No. 4874 of 17 October 1975	Municipality of Meyerton, Smoke Control Regulations	The whole
Government Notice No. R699 in Government <i>Gazette</i> No. 4653 of 11 April 1975	Municipality of Middleburg, Transvaal, Smoke Control Regulations	The whole
Government Notice No. R71 in Government <i>Gazette</i> No. 4558 of 10 January 1975	Municipality of Nelspruit, Smoke Control Regulations	The whole
Government Notice No. R1962 in Government <i>Gazette</i> No. 4874 of 17 October 1975	Municipality of Newcastle, Smoke Control Regulations	The whole
Government Notice No. R484 in Government <i>Gazette</i> No. 4614 of 14 March 1975	Municipality of Nigel, Smoke Control Regulations	The whole
Government Notice No. R1792 in Government <i>Gazette</i> No.5733 of 9 September 1977	Municipality of Paarl, Smoke Control Regulations	The whole
Government Notice No. R928 in Government <i>Gazette</i> No. 4293 of 7 June 1974	Municipality of Port Elizabeth, Smoke Control Regulations	The whole
Government Notice No. R2089 in Government <i>Gazette</i> No. 5768 of 14 October 1977	Municipality of Potchefstroom, Smoke Control Regulations	The whole
Government Notice No. R1221 in Government <i>Gazette</i> No. 4768 of 27 June 1975	Municipality of Pretoria, Smoke Control Regulations	The whole
Government Notice No. R437 in Government <i>Gazette</i> No. 7467 of 6 March 1981	Municipality of Randburg, Smoke Control Regulations	The whole
Government Notice No. R2213 in Government <i>Gazette</i> No. 7275 of 31 October 1980	Town Board of Richards Bay, Smoke Control Regulations	The whole
Government Notice No. R1807 in Government <i>Gazette</i> No. 4041 of 5 October 1973.	Municipality of Rustenburg, Smoke Control Regulations	The whole
Government Notice No. R1469 in Government <i>Gazette</i> No. 4366 of 23 August 1974	Municipality of Sandton, Smoke Control Regulations	The whole
Government Notice No. R562 in Government <i>Gazette</i> No. 4638 of 27 March 1975	Municipality of Sasolburg, Smoke Control Regulations	The whole
Government Notice No. R1010 in Government <i>Gazette</i> No. 3927 of 15 June 1973	Municipality of Springs, Smoke Control Regulations	The whole

Government Notice No. R1729 in Government Gazette No. 4031 of 28 September 1973	Municipality of Standerton, Smoke Control Regulations	The whole
Government Notice No. R255 in Government Gazette No. 5406 of 18 February 1977	Municipality of Stellenbosch, Smoke Control Regulations	The whole
Government Notice No. R754 in Government Gazette No. 4269 of 3 May 1974	Municipality of Uitenhage, Smoke Control Regulations	The whole
Government Notice No. R1045 in Government Gazette No. 6449 of 18 May 1979	Municipality of Upington, Smoke Control Regulations	The whole
Government Notice No. R250 in Government Gazette No. 4985 of 13 February 1976	Municipality of Vanderbijlpark, Smoke Control Regulations	The whole
Government Notice No. R1162 in Government Gazette No. 4325 of 5 July 1974	Municipality of Vereeniging, Smoke Control Regulations	The whole
Government Notice No. R1476 in Government Gazette No. 4366 of 23 August 1974	Municipality of Verwoerdburg, Smoke Control Regulations	The whole
Government Notice No. R1232 in Government Gazette No. 3981 of 20 July 1973	Municipality of Vryheid, Smoke Control Regulations	The whole
Government Notice No. R1156 in Government Gazette No. 4325 of 5 July 1974	Municipality of Welkom, Smoke Control Regulations	The whole
Government Notice No. R442 in Government Gazette No. 16321 of 24 March 1995	Town Council of White River, Smoke Control Regulations	The whole
Government Notice No. R2624 in Government Gazette No. 7947 of 4 December 1981	Municipality of Witbank, Smoke Control Regulations	The whole

The following Smoke Control Zone Orders made in terms of section 20(1) of the Atmospheric Pollution Prevention Act, 1965 (Act No. 45 of 1965) are hereby repealed:

No. and year of Regulations	Title	Extent of Repeal
Government Notice No. R1008 in Government Gazette No. 3927 of 15 June 1973	Municipality of Alberton, First Smoke Control Zone Order	The whole
Government Notice No. R1485 in Government Gazette No. 4806 of 1 August 1975	Municipality of Alberton, Second Smoke Control Zone Order	The whole
Government Notice No. R706 in Government Gazette No. 9175 of 13 April 1984	Municipality of Alberton, Third Smoke Control Zone Order	The whole
Government Notice No. R697 in Government Gazette 4653 No. of 11 April 1975	Municipality of Bedfordview, Smoke Control Zone Order	The whole

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Government Notice No. R1570 in Government Gazette No. 5276 of 3 September 1976	Municipality of Bellville, First Smoke Control Zone Order	The whole
Government Notice No. R2210 in Government Gazette No.4086 of 23 November 1973	Municipality of Benoni, First Smoke Control Zone Order	The whole
Government Notice No. R73 in Government Gazette No. 4558 of 10 January 1975	Municipality of Benoni, Second Smoke Control Zone Order	The whole
Government Notice No. R1459 in Government Gazette No. 5256 of 20 August 1976	Municipality of Benoni, Third Smoke Control Zone Order	The whole
Government Notice No. R2649 in Government Gazette No. 8474 of 10 December 1982	Municipality of Bethlehem, First, Second and Third Smoke Control Zone Order	The whole
Government Notice No. R443 in Government Gazette No. 4232 of 22 March 1974 (amended by Government Notice No. R1928 in Government Gazette No. 4460 of 25 October 1974)	Municipality of Bloemfontein, First Smoke Control Zone Order	The whole
Government Notice No. R1952 in Government Gazette No. 6169 of 29 September 1978	Municipality of Bloemfontein, Second to Sixth Smoke Control Zone Order	The whole
Government Notice No. R444 in Government Gazette No. 4232 of 22 March 1974	Municipality of Boksburg, First Smoke Control Zone Order	The whole
Government Notice No. R1486 in Government Gazette No. 4806 of 1 August 1975	Municipality of Boksburg, Second Smoke Control Zone Order	The whole
Government Notice No. R247 in Government Gazette No. 4985 of 13 February 1976	Municipality of Boksburg, Third Smoke Control Zone Order	The whole
Published under Government Notice No. R268 in Government Gazette No. 6304 of 16 February 1979 (amended by Government Notice No. R630 in Government Gazette No. 8131 of 2 April 1982 and Government Notice No. R96 in Government Gazette No. 8520 of 21 January 1983)	Municipality of Boksburg, Fourth Smoke Control Zone Order	The whole
Government Notice No. R1008 in Government Gazette No. 10732 of 8 May 1987	Municipality of Brackenfell, First Smoke Control Zone Order	The whole
Government Notice No. R1233 in Government Gazette No. 3981 of 20 July 1973	Municipality of Brakpan, Second Smoke Control Zone Order	The whole
Government Notice No. R1805 in Government Gazette No. 4041 of 5 October 1973	Municipality of Brakpan, Third Smoke Control Zone Order	The whole
Government Notice No. R1647 in Government Gazette No. 4023 of 14 September 1973	Municipality of Brits, First Smoke Control Zone Order	The whole

Government Notice No. R394 in Government Gazette No. 5003 of 12 March 1976	Divisional Council of the Cape, First Smoke Control zone Order	The whole
Government Notice No. R1101 in Government Gazette No. 4733 of 6 June 1975	Municipality of Cape Town, First Smoke Control Zone Order	The whole
Government Notice No. R732 in Government Gazette No. 5100 of 30 April 1976	Municipality of Cape Town, Second Smoke Control Zone Order	The whole
Government Notice No. R2053 in Government Gazette No. 5329 of 5 November 1976	Municipality of Cape Town, Third Smoke Control Zone Order	The whole
Government Notice No. R772 in Government Gazette No. 5537 of 6 May 1977	Municipality of Cape Town, Fourth Smoke Control Zone Order	The whole
Government Notice No. R704 in Government Gazette No. 5982 of 14 April 1978	Municipality of Cape Town, Fifth Smoke Control Zone Order	The whole
Government Notice No. R1490 in Government Gazette No. 6117 of 21 July 1978	Municipality of Cape Town, Sixth Smoke Control Zone Order	The whole
Government Notice No. R1657 in Government Gazette No. 6608 of 3 August 1979	Municipality of Cape Town, Seventh Smoke Control Zone Order	The whole
Government Notice No. R1504 in Government Gazette No. 7140 of 25 July 1980	Municipality of Cape Town, Eight Smoke Control Zone Order	The whole
Government Notice No. R306 in Government Gazette No. 7415 of 20 February 1981	Municipality of Carletonville, First Smoke Control Zone Order	The whole
Government Notice No. R1353 in Government Gazette No. 4790 of 18 July 1975	Municipality of Duiwelskloof, First Smoke Control Zone Order	The whole
Government Notice No. R2176 in Government Gazette No. 5339 of 19 November 1976	Municipality of Durbanville, First Smoke Control Zone Order	The whole
Published under Government Notice No. R1770 in Government Gazette No.5733 of 9 September 1977 (amended by Government Notice No. R126 in Government Gazette No. 8531 of 28 January 1983)	Municipality of Edenvale, Final Smoke Control Zone Order	The whole
Government Notice No. R1431 in Government Gazette No. 5256 of 20 August 1976	Municipality of Fish Hoek, First Smoke Control Zone Order	The whole
Government Notice No. R368 in Government Gazette No. 10621 of 27 February 1987	Municipality of Germiston, Fifteenth (Final) Smoke Control Zone Order	The whole
Government Notice No. R133 in Government Gazette No. 9043 of 27 January 1984	Municipality of Glencoe, First Smoke Control Zone Order	The whole

Government Notice No. R1433 in Government Gazette No. 5256 of 20 August 1976	Municipality of Goodwood, First Smoke Control Zone Order	The whole
Government Notice No. R369 in Government Gazette No. 7440 of 27 February 1981	Municipality of Groblersdal, First Smoke Control Zone Order	The whole
Government Notice No. R489 in Government Gazette No. 4614 of 14 March 1975 (amended by Government Notice No. R754 in Government Gazette No. 4668 of 18 April 1975)	Municipality of Johannesburg, First, Second, Third and Fourth Smoke Control Zone Orders	The whole
Government Notice No. R1372 in Government Gazette No. 3994 of 10 August 1973	Municipality of Johannesburg, Fifth Smoke Control Zone Order	The whole
Government Notice No. R1806 in Government Gazette No. 4041 of 5 October 1973	Municipality of Johannesburg, Sixth Smoke Control Zone Order	The whole
Government Notice No. R8 in Government Gazette No. 4136 of 4 January 1974	Municipality of Johannesburg, Seventh Smoke Control Zone Order	The whole
Government Notice No. R1198 in Government Gazette No. 4334 of 12 July 1974	Municipality of Johannesburg, Eight Smoke Control Zone Order	The whole
Government Notice No. R1979 in Government Gazette No. 4478 of 1 November 1974	Municipality of Johannesburg, Ninth Smoke Control Zone Order	The whole
Government Notice No. R490 in Government Gazette No. 4614 of 14 March 1975	Municipality of Johannesburg, Ten – Fifteenth Smoke Control Zone Orders	The whole
Government Notice No. R808 in Government Gazette No. 3887 of 18 May 1973	Municipality of Kempton Park, First Smoke Control Zone Order	The whole
Government Notice No. R2123 in Government Gazette No. 4081 of 16 November 1973	Municipality of Kempton Park, Second Smoke Control Zone Order	The whole
Government Notice No. R1157 in Government Gazette No. 4325 of 5 July 1974	Municipality of Kempton Park, Third Smoke Control Zone Order	The whole
Government Notice No. R695 in Government Gazette No. 4653 of 11 April 1975	Municipality of Kempton Park, Fourth Smoke Control Zone Order	The whole
Government Notice No. R1964 in Government Gazette No. 4874 of 17 October 1975	Municipality of Kempton Park, Fifth Smoke Control Zone Order	The whole
Government Notice No. R696 in Government Gazette No. 4653 of 11 April 1975	Municipality of Kimberley, First Smoke Control Zone Order	The whole
Government Notice No. R239 in Government Gazette No. 4985 of 13 February 1976	Municipality of Kimberley, Second Smoke Control Zone Order	The whole
Government Notice No. R2052 in Government Gazette No. 5329 of 5 November 1976 (amended by Government	Municipality of Kimberley, Third Smoke Control Zone Order	The whole

Notice No. R2 in Government Gazette No. 5372 of 7 January 1977)		
Government Notice No. R269 in Government Gazette No. 6304 of 16 February 1979	Municipality of Kimberley, Fourth Smoke Control Zone Order	The whole
Government Notice No. R1561 in Government Gazette No. 7159 of 1 August 1980	Municipality of Klerskdorp, First Smoke Control Zone Order	The whole
Government Notice No. R885 in Government Gazette No. 9715 of 26 April 1985	Municipality of Knysna, First Smoke Control Zone Order	The whole
Government Notice No. R1344 in Government Gazette No. 13981 of 15 May 1992 (amended by Government Notice No. R3004 of Government Gazette No. 14361 of 30 October 1992)	Municipality of Knysna, Second Smoke Control Zone Order	The whole
Government Notice No. R251 in Government Gazette No. 4985 of 13 February 1976	Municipality of Kroonstad, First Smoke Control Zone Order	The whole
Government Notice No. R2054 in Government Gazette No. 5329 of 5 November 1976	Municipality of Kroonstad, Second Smoke Control Zone Order	The whole
Government Notice No. R1295 in Government Gazette No. 5654 of 15 July 1977	Municipality of Kroonstad, Third Smoke Control Zone Order	The whole
Government Notice No. R706 in Government Gazette No. 5982 of 14 April 1978	Municipality of Kroonstad, Fourth Smoke Control Zone Order	The whole
Government Notice No. R1371 in Government Gazette No. 3994 of 10 August 1973 (amended by Government Notice No. R2413 in Government Gazette No. 4112 of 21 December 1973)	Municipality of Krugersdorp, First Smoke Control Zone Order	The whole
Government Notice No. R1363 in Government Gazette No. 4354 of 9 August 1974	Municipality of Krugersdorp, Second Smoke Control Zone Order	The whole
Government Notice No. R1294 in Government Gazette No. 5654 of 15 July 1977	Municipality of Krugersdorp, Third Smoke Control Zone Order	The whole
Government Notice No. R1425 in Government Gazette No. 5689 of 29 July 1977	Municipality of Krugersdorp, Fourth Smoke Control Zone Order	The whole
Government Notice No. R1921 in Government Gazette No. 7225 of 19 September 1980	Municipality of Lydenburg, First Smoke Control Zone Order	The whole
Government Notice No. R1434 in Government Gazette No. 5256 of 20 August 1976 (amended by Government Notice No. R707 in Government Gazette No. 5982 of 14 April 1978)	Municipality of Marble Hall – First Smoke Control Zone Order	The whole

Government Notice No. R74 in Government Gazette No. 4558 of 10 January 1975	Municipality of Meyerton, First Smoke Control Zone Order	The whole
Government Notice No. R700 in Government Gazette No. 4653 of 11 April 1975	Town Council of Middelburg, Transvaal, First Smoke Control Zone Order	The whole
Government Notice No. R649 in Government Gazette No. 5088 of 15 April 1976	Town Council of Middleburg, Transvaal, Second Smoke Control Zone Order	The whole
Government Notice No. R1430 in Government Gazette No. 5256 of 20 August 1976.	Municipality of Milnerton, First Smoke Control Zone Order	The whole
Government Notice No. R442 in Government Gazette No. 4232 of 22 March 1974	Municipality of Nelspruit, First Smoke Control Zone Order	The whole
Government Notice No. R70 in Government Gazette No. 4558 of 10 January 1975	Municipality of Nelspruit, Second Smoke Control Zone Order	The whole
Government Notice No. R354 in Government Gazette No. 4996 of 5 March 1976	Municipality of Nelspruit Third Smoke Control Zone Order	The whole
Government Notice No. R246 in Government Gazette No. 4985 of 13 February 1976	Municipality of Newcastle, First Smoke Control Zone Order	The whole
Government Notice No. R1435 in Government Gazette No. 5256 of 20 August 1976	Municipality of Newcastle, Second Smoke Control Zone Order	The whole
Government Notice No. R3 in Government Gazette of 7 January 1977	Municipality of Newcastle, Third Smoke Control Zone Order	The whole
Government Notice No. R979 in Government Gazette No. 6025 of 19 May 1978	Municipality of Newcastle, Fourth Smoke Control Zone Order	The whole
Government Notice No. R449 in Government Gazette No. 6880 of 14 March 1980	Municipality of Newcastle, Fifth Smoke Control Zone Order	The whole
Government Notice No. R2353 in Government Gazette No. 5804 of 18 November 1977	Municipality of Nigel, Third Smoke Control Zone Order	The whole
Government Notice No. R709 in Government Gazette No. 7525 of 3 April 1981	Municipality of Orkney, First Smoke Control Zone Order	The whole
Government Notice No. R1770 in Government Gazette No. 5733 of 9 September 1977	Municipality of Parow, First Smoke Control Zone Order	The whole
Government Notice No. R753 in Government Gazette No. 4269 of 3 May 1974	Municipality of Pietermaritzburg, First Smoke Control Zone Order	The whole
Government Notice No. R1047 in Government Gazette No. 6449 of 18 May 1979	Municipality of Pietermaritzburg, Second Smoke Control Zone Order	The whole

Government Notice No. R2123 in Government Gazette No. 8407 of 8 October 1982	Municipality of Pietermaritzburg, Third Smoke Control Zone Order	The whole
Government Notice No. R1197 in Government Gazette No. 4334 of 12 July 1974	Municipality of Pietersburg, First Smoke Control Zone Order	The whole
Government Notice No. R72 in Government Gazette No. 4558 of 10 January 1975	Municipality of Pietersburg, Second Smoke Control Zone Order	The whole
Government Notice No. R1432 in Government Gazette No. 5256 of 20 August 1976	Municipality of Pinelands, First Smoke Control Zone Order	The whole
Government Notice No. R751 in Government Gazette No. 4269 of 3 May 1974	Municipality of Port Elizabeth, First Smoke Control Zone Order	The whole
Government Notice No. R1809 in Government Gazette No. 4856 of 26 September 1975	Municipality of Port Elizabeth, Second Smoke Control Zone Order	The whole
Government Notice No. R1686 in Government Gazette No. 4833 of 5 September 1975	Municipality of Port Elizabeth, Third Smoke Control Zone Order	The whole
Government Notice No. R994 in Government Gazette No. 5584 of 10 June 1977	Municipality of Port Elizabeth, Fourth Smoke Control Zone Order	The whole
Government Notice No. R995 in Government Gazette No. 5584 of 10 June 1977	Municipality of Port Elizabeth, Fifth Smoke Control Zone Order	The whole
Government Notice No. R996 in Government Gazette No. 5584 of 10 June 1977	Municipality of Port Elizabeth, Sixth Smoke Control Zone Order	The whole
Government Notice No. R544 in Government Gazette No. 6364 of 23 March 1979	Municipality of Port Elizabeth, Seventh and Eight Smoke Control Zone Orders	The whole
Government Notice No. R245 in Government Gazette No. 4985 of 13 February 1976	Municipality of Potchefstroom, First Smoke Control Zone Order	The whole
Government Notice No. R972 in Government Gazette No. 6999 of 16 May 1980	Municipality of Potchefstroom, Second Smoke Control Zone Order	The whole
Government Notice No. R707 in Government Gazette No. 9175 of 13 April 1984	Municipality of Potchefstroom, Third Smoke Control Zone Order	The whole
Government Notice No. R887 in Government Gazette No. 9715 of 26 April 1985	Municipality of Potchefstroom, Fourth Smoke Control Zone Order	The whole
Government Notice No. R2089 in Government Gazette No. 9928 of 13 September 1985	Municipality of Potchefstroom, Fifth Smoke Control Zone Order	The whole
Government Notice No. R420 in Government Gazette No. 10114 of 7 March 1986	Municipality of Potchefstroom, Sixth Smoke Control Zone Order	The whole

Government Notice No. R491 in Government Gazette No. 4614 of 14 March 1975	Municipality of Pretoria, Smoke Control Zone Order	The whole
Government Notice No. R698 in Government Gazette No. 4653 of 11 April 1975	Municipality of Randburg, Smoke Control Zone Order	The whole
Government Notice No. R107 in Government Gazette No. 4563 of 17 January 1975	Municipality of Randfontein, First Smoke Control Zone Order	The whole
Government Notice No. R244 in Government Gazette No. 4985 of 13 February 1976	Municipality of Randfontein, Second Smoke Control Zone Order	The whole
Government Notice No. R631 in Government Gazette No. 8131 of 2 April 1982	Town Council of Richardsbay, First Smoke Control Zone Order	The whole
Government Notice No. R1369 in Government Gazette No. 3994 of 10 August 1973	Municipality of Roodepoort, First Smoke Control Zone Order	The whole
Government Notice No. R441 in Government Gazette No. 4232 of 22 March 1974	Municipality of Roodepoort, Second Smoke Control Zone Order	The whole
Government Notice No. R2129 in Government Gazette No. 4512 of 22 November 1974	Municipality of Roodepoort, Third Smoke Control Zone Order	The whole
Government Notice No. R701 in Government Gazette No. 4653 of 11 April 1975	Municipality of Roodepoort, Fourth Smoke Control Zone Order	The whole
Government Notice No. R1963 in Government Gazette No. 4874 of 17 October 1975	Municipality of Roodepoort, Fifth Smoke Control Zone Order	The whole
Government Notice No. R629 in Government Gazette No. 5516 of 22 April 1977	Municipality of Roodepoort, Sixth Smoke Control Zone Order	The whole
Government Notice No. R1050 in Government Gazette No. 6029 of 26 May 1978	Municipality of Rustenburg, First Smoke Control Zone Order	The whole
Government Notice No. R1470 in Government Gazette No. 4366 of 23 August 1974 (amended by Government Notice No. R1897 in Government Gazette No. 5740 of 16 September 1977)	Municipality of Sandton, Smoke Control Zone Order	The whole
Government Notice No. R564 in Government Gazette No. 4638 of 27 March 1975	Municipality of Sasolburg, First Smoke Control Zone Order	The whole
Government Notice No. R2055 in Government Gazette No. 5329 of 5 November 1976	Municipality of Simonstown, First Smoke Control Zone Order	The whole
Government Notice No. R1009 in Government Gazette No. 3927 of 15 June 1973	Municipality of Springs, First Smoke Control Zone Order	The whole

Government Notice No. R1844 in Government Gazette No. 4428 of 11 October 1974	Municipality of Springs, Second Smoke Control Zone Order	The whole
Government Notice No. R1103 in Government Gazette No. 4733 of 6 June 1975	Municipality of Springs, Third Smoke Control Zone Order	The whole
Government Notice No. R1487 in Government Gazette No. 4806 of 1 August 1975	Municipality of Springs, Fourth Smoke Control Zone Order	The whole
Government Notice No. R1772 in Government Gazette No. 5733 of 9 September 1977	Municipality of Springs, Fifth Smoke Control zone Order	The whole
Government Notice No. R223 in Government Gazette No. 5879 of 10 February 1978	Municipality of Springs, Sixth Smoke Control Zone Order	The whole
Government Notice No. R2150 in Government Gazette No. 4898 of 14 November 1975	Municipality of Standerton, First Smoke Control Zone Order	The whole
Government Notice No. R176 in Government Gazette No. 5402 of 11 February 1977	Municipality of Standerton, Second Smoke Control Zone Order	The whole
Government Notice No. R1953 in Government Gazette No. 6169 of 29 September 1978	Municipality of Standerton, Third Smoke Control Zone Order	The whole
Government Notice No. R2625 in Government Gazette No. 7947 of 4 December 1981	Municipality of Thabazimbi, First Smoke Control Zone Order	The whole
Government Notice No. R2175 in Government Gazette No. 5339 of 19 November 1976	Municipality of Uitenhage, First Smoke Control Zone Order	The whole
Government Notice No. R2575 in Government Gazette No. 6733 of 16 November 1979	Municipality of Uitenhage, Second and Third Smoke Control Zone Orders	The whole
Government Notice No. R699 in Government Gazette No. 7525 of 3 April 1981	Municipality of Vanderbijlpark, Fourth (Final) Smoke Control Zone Order	The whole
Government Notice No. R369 in Government Gazette No. 10621 of 27 February 1987	Municipality of Vereeniging, Second Smoke Control Zone Order	The whole
Government Notice No. R2618 in Government Gazette No. 11045 of 27 November 1987	Municipality of Vereeniging Third Smoke Control Zone Order	The whole
Government Notice No. R1345 in Government Gazette No. 13981 of 15 May 1992	Municipality of Vereeniging, Fourth Smoke Control Zone Order	The whole
Government Notice No. R1471 in Government Gazette No. 4366 of 23 August 1974	Municipality of Verwoerdburg, First Smoke Control Zone Order	The whole
Government Notice No. R1762 in Government Gazette No. 7728 of 21 August 1981	Municipality of Virginia, First Smoke Control Zone Order	The whole

Government Notice No. R1562 in Government Gazette No. 7159 of 1 August 1980	Municipality of Vryheid, First Smoke Control Zone Order	The whole
Government Notice No. R1959 in Government Gazette No. 4059 of 26 October 1973	Municipality of Westonaria, First Smoke Control Zone Order	The whole
Government Notice No. R1006 in Government Gazette No. 3927 of 15 June 1973	Municipality of Witbank, First Smoke Control Zone Order	The whole
Government Notice No. R563 in Government Gazette No. 4638 of 27 March 1975	Municipality of Witbank, Second Smoke Control Zone Order	The whole
Government Notice No. R1102 in Government Gazette No. 4733 of 6 June 1975	Municipality of Witbank, Third Smoke Control Zone Order	The whole
Government Notice No. R2149 in Government Gazette No. 4898 of 14 November 1975	Municipality of Witbank, Fourth Smoke Control Zone Order	The whole
Government Notice No. R733 in Government Gazette No. 5100 of 30 April 1976	Municipality of Witbank, Fifth Smoke Control Zone Order	The whole
Government Notice No. R708 in Government Gazette No. 7525 of 3 April 1981	Municipality of Witbank Sixth Smoke Control Zone Order	The whole

DEPARTMENT OF HIGHER EDUCATION AND TRAINING

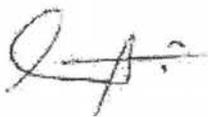
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18 June 2021

HIGHER EDUCATION ACT, 1997 (ACT NO. 101 OF 1997)**NOTICE PUBLISHED IN TERMS OF REGULATION 18(1) OF THE REGULATIONS FOR THE REGISTRATION OF PRIVATE HIGHER EDUCATION INSTITUTIONS, 2016 READ WITH SECTIONS 62(1) AND 63(a) AND (b) OF THE HIGHER EDUCATION ACT, 1997: PUBLICATION OF CANCELLATION OF THE REGISTRATION OF PRESTIGE ACADEMY (PTY) LTD AND SOUTHERN BUSINESS SCHOOL (PTY) LTD AS PRIVATE HIGHER EDUCATION INSTITUTIONS**

I, Mr Gwebinkundla Fellix Qonde, Director-General of Higher Education and Training and the Registrar of Private Higher Education Institutions, in terms of Regulation 18 (1) of the Regulations for the Registration of Private Higher Education Institutions, 2016 read with sections 62(1) and 63(a) and (b) of the Higher Education Act, 1997 (Act No. 101 of 1997, as amended)(the Act), hereby cancel the registration of *Prestige Academy (Pty) Ltd* and *Southern Business School (Pty) Ltd* as private higher education institutions, since they have ceased to exist as separate and independent higher education providers as contemplated in the Act read with the Regulations.

Yours sincerely



Mr GF Qonde
Director-General
Date: 02 December 2020

DEPARTMENT OF SOCIAL DEVELOPMENT

NO. 540

18 June 2021



**DEPARTMENT OF SOCIAL DEVELOPMENT REPUBLIC OF SOUTH
AFRICA**

REVISED WHITE PAPER ON FAMILIES IN SOUTH AFRICA

2021 (31 MARCH)

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GLOSSARY OF TERMS

Caregiving: The word caregiving is used to refer to several aspects of caring for family members. This process includes 'caring about' which refers to paying attention to feelings of affection and concern about another, 'caring for' which refers to taking responsibility for the wellbeing of another, and 'caregiving' which refers to the competent engagement in physical care work such as feeding or washing. Caregiving in this document refers to all three of these aspects of care.

Cash transfers A form of social protection in which the state transfers cash in the form of a grant to an eligible individual or household. In South Africa cash transfers are means-tested and therefore only available to beneficiaries who qualify. Cash transfers can be conditional or non-conditional.

Child-headed household: A household without an adult caregiver, which is headed by the eldest or most responsible child who assumes parental responsibility.

Civil Society organisations (CSOs): Non-State, not-for-profit, voluntary entities formed by people in the social sphere that are separate from the State and the market. CSOs represent a wide range of interests and ties. They can include community-based organisations (CBOs) as well as non-governmental organisations (NGOs) and faith-based organisations (FBOs) (Shift & Mazars, 2015)

Cohabitation: A union in which two or more consenting adults stay together without any contractual agreements, with or without children.

Extended family: A multigenerational family that may or may not share the same household.

Family policy: Any direct and indirect policy that influences the well-being of families.

Family preservation services: Services to families that focus on family resilience in order to strengthen families, so as to keep families together if feasible and desirable.

Family Resilience: The ability of families to withstand and recover or bounce back from disruptive life challenges" (Walsh, 2003).

Family strengthening: The deliberate process of giving families access to the necessary opportunities, relationships, networks, and support to become functional and self-reliant. The strengthening of families is driven by certain core areas, namely: family economic success, family support systems, and thriving and nurturing communities.

Family support: The term 'family support' refers to the provision of timely and continuous psychosocial support, guidance and social protection services to mothers, fathers and other caregivers by service providers through health, early childhood and social protection programmes, along with professionals and workers from other sectors. (UNICEF, no date).

Family violence: Family violence refers to an act perpetrated by a member of a family that may result in injury to members of other members of a family, or someone with whom they have an intimate relationship (Ryan & Roman, 2016). It may include acts of physical, emotional and/or verbal aggression, control, coercion or intimidation to incite fear or intent to commit violent acts and may take on various forms, such as domestic violence, child abuse, and elder abuse (Blagg, 2000; Tolan & Gorman-Smith, 2006).

Family: A societal group that is related by blood (kinship), adoption, foster care or the ties of marriage (civil, customary or religious), civil union or cohabitation, and goes beyond a particular physical residence.

Faith-based organisation (FBO): A form of CSO whose values and mission are underpinned by faith or religious beliefs.

Green Paper: A consultation document setting out government's policy position. As a discussion document, it affords government an opportunity to test its ideas on important matters among the public and to benefit from inputs and comments from the ensuing public discussion on national strategic planning (South African Government Information, 2009).

Homelessness: This concept is a complex term that extends beyond not having a place to stay. Homelessness may be defined by the patterns of time that individuals or families spend being without, or outside of, conventional shelters or housing and may be temporary, episodic (over a short period), or chronic

(permanent). In addition to these aspects, it includes no/limited access to socio-economic opportunities, health services and education, among others (Rule-Groenewald, Timol, Khalema & Desmond, 2015; Mlauzi, 2018).

Healthy family: A family characterized by good interpersonal relations and a state of physical, mental, and social well-being among all members.

Intergenerational solidarity: Reciprocal care, support and exchange of material and non-material resources between family members, most often between younger and older generations.

Nuclear family: A family group consisting of parents with their biological or adoptive children.

Skip-generation households: A family type where grandparents raise their grandchildren without the grandchildren's parents present in the household.

Social capital: Resources embedded within a person's social network that influence decisions and outcomes by shaping a personal identity while delineating opportunities and obstacles within a person's social world (Belcher et al., 2011).

Social cohesion: A process of building shared values and communities of interpretation, reducing disparities in wealth and income, and generally enabling people to have a sense that they are engaged in a common enterprise, facing shared challenges, and that they are members of the same community.

Social fatherhood: "A social father is a person that takes on the responsibility and role of being a father to a child, but who is not the biological or adoptive male parent of the child. The status of fatherhood is therefore a social status rather than a biological or adoptive or legal one, and may be actively sought by and/or ascribed to the person by their family or community. One person could be a biological father to one child and a social father to another" (Van den Berg & Makusha, 2018, pg 11).

Social insurance: A form of social protection that is contributory in nature. Social benefits accrue to individuals through the contributions they make to either private or public funds e.g. the Unemployment Insurance Fund.

Social protection: Policies and programmes that protect people against risk and vulnerability, mitigate the impact of shocks, and support people with chronic incapacities to secure basic livelihoods (Adato & Hoddinott, 2008).

Structural unemployment: This term refers to unemployment originating from a mismatch between the jobs available and the skill levels of the unemployed. It occurs due to underlying features of the economy which makes it difficult for some people to find jobs. It is different to cyclical unemployment which is caused by features of the business cycle. Structural unemployment is more difficult to correct and can drive high unemployment levels over a long period of time (Amadeo, 2020).

Vulnerable families: This term refers to families that are in need of particular support and services (Bauer & Wiezorek, 2016).

White Paper: A document used as a means of presenting government policy preferences prior to the introduction of legislation. Its publication serves to test the climate of public opinion regarding a policy issue and enables the government to gauge its probable impact (Chapin & Deneau, 1978).⁵

Work-family balance: This term refers to the realisation of role-related expectations that are negotiated and shared between a person and her/his partners/colleagues in the family and work domains (Carlson & Grzywacz, 2008).

Work-family conflict: A form of inter-role conflict in which the roles and related pressures from work and family domains are mutually incompatible (Greenhaus & Beutell, 1985).

SECTION 1: INTRODUCTION

1.1. Background

1.1.1. Families in society

Along with the economy, polity and education, the family is universally viewed as one of the essential sectors without which no society can function (Ziehl, 2003). As the setting for demographic reproduction, primary socialisation, and the source of emotional, material, and instrumental support for its members (Belsey, 2005), families influence the way society is structured, organised, and is able to function. During a family's life course, individuals within the family transition between different life stages. Each stage presents new challenges and new opportunities for growth and development. It is essentially through families that each generation is replaced by the next; that children are born, socialised and cared for until they attain their independence; and that each generation fulfils its care responsibilities to minors, older persons, the sick, and those who have severe disabilities (Waite, 2000). However, for a range of reasons, many families are less equipped and face significant stressors as they seek to respond to the needs of family members. Such circumstances may include (but are not limited to) poverty and a lack of economic opportunities, poor infrastructure and service delivery, substance abuse, crime, and violence (Roman et al., 2016). In addition, pandemics, and other social and environmental shocks, such as HIV and AIDS and Covid-19, profoundly affect the well-being of South African families through shifts in the burden of care, health challenges, and loss. Families are best placed to fulfil their role in society when they function in an enabling and supportive environment.

The responsibility to care for individuals is not limited to families. After families, the state is the most recognised caretaker of individuals and hence it is assigned to support families in their caregiving tasks. If families are unable, unfit, or absent, the state has to take an even more active role in caring for individuals (Hochfeld, 2007; Van der Berg & Makusha, 2018). However, in practice, neither the state nor families is solely responsible for care of individual members as local communities and civil society organisations (CSOs) as well as markets (or the private sector through payment of caretakers) are involved in caretaking of individuals. Caretaking thus consists of the interconnections between these crucial four sectors, dubbed the care diamond (Razavi, 2014). The importance of the different sectors varies between countries as determined by their specific circumstances (Ochiai, 2009; Rabe, 2017). The state is uniquely placed to give shape to the interconnections between these sectors through family policies.

Stable and supportive families are associated with several positive outcomes for individual members and wider society. These include higher levels of self-esteem; lower levels of antisocial behaviour such as crime, violence, and substance abuse; higher levels of work productivity; lower levels of stress; and more self-efficacy to deal with socio-economic hardships (Amoateng et. al., 2004). To this end, stable families demonstrate high levels of social capital and resilience, and contribute to smooth functioning of society and, hence, to social cohesion (Ziehl, 2003). As the Centre for Social Justice in the United Kingdom succinctly summarises this point:

Stable, healthy families are at the heart of strong societies. It is within the family environment that an individual's physical, emotional and psychological development occurs. It is from our family that we learn unconditional love, we understand right from wrong, and we gain empathy, respect and self-regulation. These qualities enable us to engage positively at school, at work and in society in general. The absence of a stable, nurturing family environment has a profoundly damaging impact on the individual, often leading to behaviour which is profoundly damaging to society (Centre for Social Justice, 2010).

The family therefore has an integral role to play in the promotion of positive societal outcomes. For example,

a significant body of research evidence has shown that through family health promotion – defined as the process undertaken by the family to sustain or enhance the emotional, social, and physical well-being of the family group and its members (Ford-Gilboe, 2000) – family support is effective in promoting adherence to medical regimes, uptake of positive lifestyle changes, and providing comfort and support for sick family members (National Institute of Health, 1992; Ford-Gilboe, 2000).

With regard to education “we could begin by saying that the family is indispensable for education. We could also say the family is the most important source of education” (Hardon, 1998:1). In essence, when parents and other familial caregivers are involved in children’s education in meaningful ways, there is a positive influence on academic performance. Students whose families are actively involved are more likely to achieve higher grades, to have better school attendance, to be better motivated, and are less likely to be cited for disciplinary action (Ferhmann et al., 1987; Desforges & Abouchaar, 2003). In a different vein, parents, caregivers, and other adult family members generally exert considerable influence as teachers and role models for children through skill building, limit setting or discipline, and as models of healthy and competent behaviour (Perrino et al., 2000).

Overall, the family, through its instrumental and affective roles, has the potential to enhance the socio-economic well-being of individuals and society at large. Instrumental roles are concerned with the provision of physical resources such as food, clothing and shelter, while affective roles promote emotional support and encouragement of family members (Peterson, 2009). The table below shows how these roles fulfil important functions for their members and for society, such as family formation and membership; economic support; nurturance and socialisation; and protection of vulnerable members.

Table 1: Family functions and benefits

Family function	Ways each function benefits	
	Individual family members	Society
Membership & family formation	Provides a sense of belonging Provides personal and social identity Provides meaning and direction in life	Controls reproductive function Assures continuation of the species
Economic support	Provides for basic needs of food, shelter, and clothing and other resources to enhance human Development	Contributes to healthy development of members who contribute to society (and who need fewer public resources)
Nurturance, support and socialisation	Provides for the physical, psychological, social and spiritual development of children and adults Instils social values and norms	Prepares and socialises children for productive adult roles. Supports adults in being productive members of society Controls antisocial behaviour and protects society from harm
Protection of vulnerable members	Provides care and support for young, ill, disabled or otherwise vulnerable members	Minimizes public responsibility for care of vulnerable, dependent individuals

Source: Adapted from Patterson, JM. (2002).

The table above places an emphasis on the functions that the family plays in society and for its members. However, there is also a strong link and interplay between the family and other institutions in society, best understood from an ecological systems perspective (Bronfennbrenner, 1979). This perspective acknowledges the complex system of multiple relationships and interactions that impact on the development of the individual and/or family. These systems include the microsystem, the mesosystem, the exosystem,

the macrosystem and the chronosystem (Bronfennbrenner, 1979). Families exist within and are influenced by the neighbourhood, the community, its social networks, as well as the broader economic, historical, political, geographical, cultural, and social context of society, including social and gender inequalities and related power dynamics. Each of these systems can be enabling or constraining for family life as is demonstrated in the figure below.

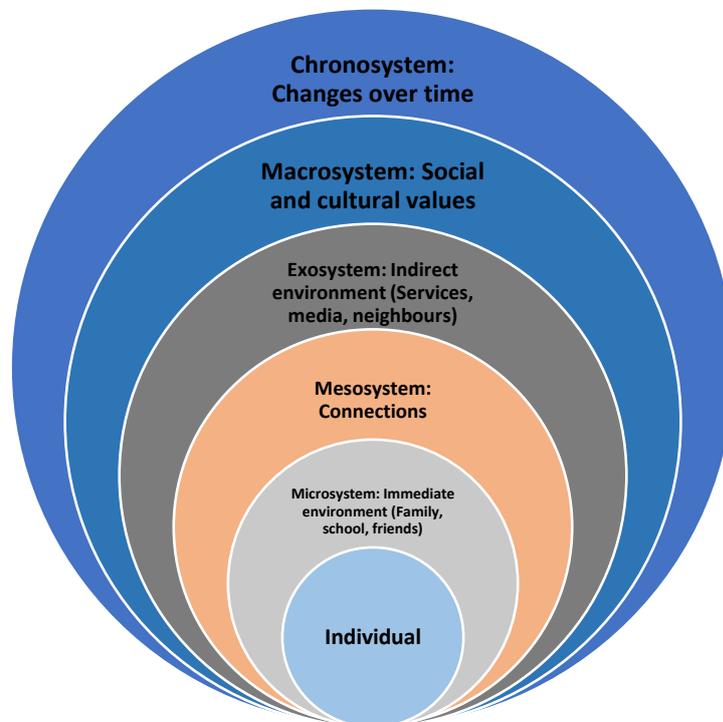


Figure 1: Ecological Systems Framework (adapted from Bronfennbrenner, 1979)

For example, the structure of a country's economy will not only influence the extent to which members of a family are able to enter and participate in the labour market, but it will also determine, to a large extent, whether family members are able to derive livelihoods from decent work opportunities, earn a living wage, and have benefits which enable them to have acceptable standards of living and provide for family members. The way a society is structured will also have a bearing on the ability of family members to access quality health care, and education and training opportunities. The social and political context will shape what services and benefits families can draw on to ensure they are able to fulfil their roles and responsibilities. The social context will shape expectations in relation to roles as well as how families are able to manage caregiving responsibilities alongside those of economic provision. At the local level, the nature of communities and neighbourhoods will determine the risks and freedoms that families face. Well-functioning, socially cohesive communities provide a context of relative safety and security and trust that families can rely on in fulfilling their responsibilities. On the other hand, where communities are characterised by crime and violence, families face significant additional stressors. Families also operate in relation to school, religious, organisational, and work settings, each of which will shape family life. Workplaces can enable or constrain family life depending on their family and leave benefits and policies. Religious organisations can profoundly shape views on roles and responsibilities, particularly gendered relationships; and can play an enabling or constraining role in the promotion of family life and addressing family challenges such as domestic violence or substance abuse. As we see in the section below (section 1.1.2) family life is also shaped by environmental changes that occur over time, including historical events like colonialism and apartheid as well as major events, like a global pandemic.

The family must therefore be understood as part of a wider system; and family policy must speak to how to support and strengthen families through mechanisms that operate across these different systems. The state is uniquely placed to give shape to the interconnections between these sectors through family policy. A family policy can and should:

- Highlight the crucial role that families play as critical building blocks of societies,
- Create a system of monitoring the well-being of families,
- Provide a framework for the provision of services that benefit families in ways that are comprehensive and synergistic,
- Create the conditions for families to better carry out the many functions they perform for their members and for society, and
- Ensure that families are able to overcome and manage stressful conditions (Bogenschneider & Corbett, 2010)

1.1.2. The historical context of families and family policy in South Africa

It is noteworthy that family structures and functions as well as intra-family roles and relationships are in a constant state of flux (Belsey, 2005). This flux is due to two basic factors: (1) long-term historical shifts in technology, modalities of production, population migration, the population structure and urbanization; and (2) the short- and medium-term consequences of natural and man-made disasters and conflicts, and of economic and social disruption and opportunities (Belsey, 2005:16). In this regard, South Africa's entrenched circular labour migration intensified the phenomenon of family structures and roles being in flux. These disruptions meant that biological parents, especially fathers, were not living with dependent children in the same household on a daily basis. This entrenched migration can be attributed to a history of forced labour migration. But it endures due to urban economic and educational opportunities, urban residential limitations, and cultural and familial ties to rural homesteads (Knijn & Patel, 2018; Rabe, 2017c). However, it is not only breadwinners who are moving between households. The movement of children between households and caregivers has long been recognised as characteristic of South African families (Hall & Richter, 2018). In addition, many young people move from rural to urban areas seeking employment, but instead of upward social mobility, they get stuck in urban peripheries without familial support (Hall et al., 2015), and often with children and new families of their own that are then at risk.

In contemporary South Africa, many families continue to face a range of challenges. While access to basic services has improved considerably since 1994, the majority of families in South Africa are confronted with the dual challenges of unemployment and poverty, making economic provision in the household that much more difficult. While poverty does not necessarily mean that a family will be vulnerable and at-risk, it does make economic provision for family members stressful. Many communities continue to be spaces of crime, violence and substance abuse, and gender-based violence continues at untenable levels. Over time HIV and AIDS, and more recently the Covid-19 pandemic, have placed families under significant strain with loss of caregivers and economic providers. Most families must thus function under incredibly difficult circumstances. Yet families in South Africa are characterised by significant resilience. Despite these challenges, the majority of families function well and provide the care and support required by all family members. Nowhere has this resilience been clearer than in the past year where families have had to handle the health and loss consequences of Covid-19, keep family life going under strict public health lockdown measures, and fulfil their responsibilities for care and economic provision whilst facing increased poverty, hunger, and unemployment.

In this historical and contemporary context, family policy is crucial to enhance and support families to meet the abovementioned functions and responsibilities. The core functions of the family can, at any given stage,

be facilitated or enhanced through a family policy which, broadly construed, encompasses any direct and indirect policy that influences the well-being of families (Randolph & Hassan, 1996). Direct policies offer particular kinds of support to families or specific family members, whereas indirect policies are generally more important determinants of families' overall access to resources, including goods, services, and community supports (Randolph & Hassan, 1996).

Using the above definition as the basis, the development of family policy in South Africa can be traced back to the institutional segregation of population categories that prevailed during the apartheid era (Amoateng & Richter, 2007). The system essentially gave rise to a dualistic family policy whereby a strong differentiation was made between White families and those of Africans, Coloureds, and Indians (Harvey, 1994). Overall, Whites were treated as superior to other racial categories, and given the government of the day's view that "the interests of the black group lay in the reserves, that the Indian group was an exogenous group and that the Coloureds should fend for themselves", the Western core family was adopted as the model of family life in the country (Harvey, 1994:29). In addition, grant provision for families was racialised. Older people were able to access a pension from 1928, but Black South Africans were excluded. A decade later a disability grant was introduced, which again excluded Black South Africans. Later Child Support Grants were made available. These included Black South Africans but on a differentiated basis with white families able to claim higher amounts than black families (Samson et al., 2005). Family interventions ran along colonial welfare models with the state intervening where children needed to be removed from families and placed in children's homes (now Child and Youth Care Centres) run by the state or civil society (Patel, 2015). These interventions were largely for white families with little to no consideration of the needs of black families.

Following the establishment of a new democratic dispensation in 1994, the post-apartheid government instituted various policy and legislative reforms aimed at, among other things, the realignment of the country's institutions, in order to transform the South African society. In the early 2000s the grant system was significantly expanded with Child Support Grants, Disability Grants, and Old Age Grants being made widely available at the same rates for all qualifying people. Importantly the design of the Child Support Grant ensured that the primary caregiver, regardless of biological relation or gender, was able to access this support. This design accurately responded to the nature of families in the South African context and implicitly promoted the role of men in children's lives. However, families were not explicitly addressed in any of the early policies post 1994. Instead, it was addressed indirectly. Policies tended to concentrate on households and overlooked intra-family dynamics. In consequence, most socio-economic benefits indirectly filter down to the family. For example, the five major social assistance policies in the country focus only on specific individuals, namely: older persons (Older Person's Grant), people with disabilities (the Disability Grant), and children (the Child Support Grant, the Foster Care Grant, and the Care Dependency Grant). It is noteworthy, however that the needs of such individuals may not necessarily be congruent with those of the family unit. Past and present poverty analyses and strategies of intervention have also primarily concentrated on households, as opposed to families, thereby causing policies to overlook intra-family dynamics in the country.

The White Paper for Social Welfare (1997) was the first welfare policy paper to promote a model of welfare provision that drew on the strengths, resilience, and models that were already operating in many communities. While it was not a family policy per se, it did provide a policy approach to how families could be viewed and supported. The Paper reaffirmed the country's commitment to securing basic welfare and human rights, and focused on the family and its life course: children, youth and the aged. It outlines strategies to promote family life, as well as to strengthen families; and guides, through its developmental paradigm, the implementation of pro-family policies and services in the country. It sought to strengthen kinship and community support for vulnerable groups, including vulnerable families; to promote the strengthening of families and communities; and to propose keeping families together rather than removing children wherever possible. The White Paper has since been updated but the principles remain.

It is against the above background that the absence of an explicit policy framework on the family in South

Africa was identified by policymakers, academics, civil society, and concerned citizens as a critical shortcoming that needed to be urgently addressed (Department of Social Development, 2012). In particular, the detrimental effects of the policies of colonisation and apartheid on families (for example, land dispossessions, and the migrant labour and homeland systems) are considered to have a connection with the multiplicity of social ills that continue to confront contemporary South Africa. As a result, in 2001 a draft *National Policy Framework for Families* was developed by the Department of Social Development. Its 'final draft version', was issued in 2005 with goals that included the protection and support of families through effective and efficient service delivery; the creation of an enabling environment geared towards the self-reliance of families; and the promotion of inter-sectoral collaboration amongst stakeholders in the provision of services. In the pursuit to finalise this 'final draft version' the South Africa Cabinet, in September 2011, approved the Green Paper on Families which has the stated aim to "promote family life and strengthen families in South Africa". The Green paper was released for public comment in October 2011. The first White Paper on Families emanated from the Green Paper. Since then, various activist and academic criticisms and concerns were launched against the moralistic undertones and narrow expressions of family life in South Africa in sections of the first White Paper on Families and a review of the implementation of the White paper on families was conducted (Patel, Hochfeld & Englert, 2018).



Figure 2: Summary of historical development of the White Paper on Families

This Revised White Paper for families draws on the strengths of foregoing policy documents, aims to address these criticisms and concerns, makes revisions based on reviews of the previous iterations, updates the policy paper to account for the contemporary situation of families in South Africa, and integrates feedback from state and civil society stakeholders that engaged in consultations during the revising of the White Paper.

1.1.3. The nature of families and family functions in South Africa

South Africa celebrates a diversity of family forms. People's ideas of the family differ based on who they identify to be their family. Family therefore goes beyond ties of blood, marriage, kinship, and legal arrangements, but originates from other social connections and identity ties. While marriage rates in South Africa are amongst the lowest globally, many people choose to cohabit and engage in long-term committed relationships. South Africa has legalised same-sex marriage and celebrates families formed on the basis of same-sex marriages and long-term relationships. Nuclear families are amongst the least common family

forms in South Africa. Many families are headed by single parents – both men and women, although we do have high rates of female-headed households. Polygamous marriages are also recognised in South Africa and form the basis of many families. Many families include multiple generations and extended kinship networks. Skip-generation households in which children are cared for by grandparents are also prevalent in South Africa. Of concern is child-headed households, the prevalence of which grew during the peak of the HIV and AIDS pandemic. Against this backdrop, Mokomane, Roberts, Struwig and Gordon (2019:3-4) describe South African families as involving “heterogeneous living and caretaking arrangements, as well as complex evolving marital patterns and gender roles”.

The family has several primary functions and will have to fulfil some or all of these functions for family members over a family life course. The first is to provide financially for family members’ needs. Second is child-rearing and socialisation of the next generation. Third is caregiving – providing emotional, mental, spiritual and physical care for all family members and particularly for children, older people, those who are ill and those with severe disabilities (Ooms, 1990). Fourth is instilling values, whatever these may be, in the lives of its members. All of the abovementioned family types have the potential to fulfil these functions. All also have the potential to be under stress and face difficulties fulfilling their responsibilities.

Troubled families—in which conflict, neglect, or abuse occur continually or regularly—have the ability to foster and legitimize oppression of certain family members, especially women and children. In cases where there are irreconcilable differences between family members, or where the presence of specific family members may be detrimental to the functioning of the family (such as an abusive partner or parent), families should be supported to dissolve in an amicable way to ensure future limited or even supervised contact between family members if desired, for example, contact between parents and minor children. However, in cases where the family members are at risk, contact between family members should be prevented through court order and state protection.

The above approach to understanding the nature of families in South Africa informs a policy approach that prioritises the creation of the conditions for families to better carry out the functions they perform for their members and for society in and ensuring that families are able to overcome and manage stressful conditions.

1.2. The White Paper Revision Process

Since 2013 the WPF has undergone multiple reviews both by the government and by independent academics. The revisions to the White Paper were made based on an analysis of these reviews as well as a stakeholders consultation process. To the extent that services to families are rendered by different government departments and non-governmental organisations and, hence are multi-sectoral in nature, the White Paper on Families was revised through a consultative process which involved provincial and national stakeholder workshops attended by a range of participants including representatives from the national, provincial and district Departments of Social Development; representatives from other government departments; and civil society representatives. The consultations needed to take place during 2020 and early 2021 – times at which the Covid-19 pandemic had disrupted family and community life. The public health measures that were put in place during the State of Emergency that lasted from late March 2020 through to the time of revising the White Paper made it impossible to engage in in-person consultations. As a result, the consultative workshops were run virtually. This mode meant that some stakeholders who did not have access to data or the devices required could not participate in the workshops. The workshop team offered opportunities to receive written inputs and engaged some stakeholders in telephonic discussions to widen the range of inputs. It is anticipated that this revision will be subject to ongoing consultations in the next financial year.

1.3. Vision and mission

The vision and mission of the White Paper on Families are as follows:

Vision: To promote Safe, supportive, nurturing, and resilient families as a core unit of society.

Mission: To foster a policy approach and collaborative efforts to promote family well-being, and strengthen and support families so that they are empowered to provide physical, emotional, psychological, financial, spiritual, and intellectual support and care for their members.

Objectives

The Revised White Paper on Families views the family as a key development imperative and seeks to mainstream family issues into government-wide, policy-making initiatives to foster positive family well-being and overall socio-economic development in the country. The specific objectives are to:

- Ensure that families have access to the basic resources, assets, and services they require to promote family well-being.
- Empower families to access socio-economic opportunities, resources and services and to leverage social networks and resources to improve their well-being.
- Promote strong and equitable intra-family relationships within safe, supportive and nurturing communities.
- Support families in need or characterised by severe conflict or neglect of vulnerable family members, to regain their dignity and dissolve in an amicable way.

1.4. Guiding Principles

The White Paper is informed by the following principles:

Human rights

Human rights are first learnt in functional families. Through socialisation, the foundation is laid for children to be tolerant of views other than their own and become active and responsible citizens in the future. Non-discrimination, mutual obligation and respect for diversity will guide Government and other stakeholders in the manner in which they interact with families.

Family diversity

There are different types of families in South Africa which are products of various cultures and social contexts. Therefore, the need exists to recognise the diverse nature of South Africa's families in all initiatives that address their plight. This principle will guide Government and all stakeholders in their engagement with families.

Family resilience

Families have inherent capacities and strengths that sustain them in times of prosperity, as well as adversity. It is important to recognise these qualities, so that any intervention at family level will enhance these attributes.

Gender Equity

Recognition is given to the fact that women face the largest burden of care in households due to patriarchal norms and traditions. This burden of care has significant implications for their ability to pursue educational and economic opportunities. Government and other actors should promote interventions that ensure gender equitable care arrangements, including promoting the role of fathers and other men in family care; and ensuring that families have access to care support, such as ECD facilities that can enable them to manage their care responsibilities.

Community participation

The family remains an integral part of South African society and its continued existence is dependent on

vibrant and well-functioning communities. To this end, government and other actors will foster an approach of collaboration with multiple stakeholders including the active participation of the community in actions that safeguard and support the family by for example, promoting access to resources and assets to promote family well-being, and providing services that promote and strengthen the family.

Strengthening marriages and other partnerships

Stable marital unions and partnerships have been found to contribute to the stability of families and ultimately society's well-being, when they are functioning well (Thomas, Liu & Umberson, 2017). Where partnerships are flourishing, efforts will be made to promote them and where they are under threat there will be a focus on strengthening them or assisting in dissolving such unions in an amicable way.

Strengthening responsible parenting and caregiving

Family stability hinges on responsible parenting and caregiving. Parents or caregivers will be encouraged and supported to play their expected roles in the upbringing of their children. Where there is a case of parental breakdown or its absence, alternative arrangements will be sought within wider family, community networks and child and youth care centres.

Strategic partnerships

The delivery of services by Government and other role-players, such as NGOs and the private sector will be defined by mutual partnerships with the family. The family will play an active role in matters that concern it.

SECTION 2: SETTING THE CONTEXT

2.1. Defining the family

Despite being widely viewed as one of the foundational social institutions in all societies, the concept of the family is difficult to define (Waite, 2000; Belsey, 2005). As the United Nations (1990) pointed out, “the concept may differ in some respects from State to State, and even from region to region within a State and ... it is therefore not possible to give the concept a standard definition”. This difficulty is indeed evident from the different disciplinary definitions of the family. Sociologically for example, the family is often defined as a group of interacting persons who recognise a relationship with each other, based on a common parentage, marriage and/or adoption. Demographers and economists, on the other hand, often use the “residential family” definition: “a group of two people or more (one of whom is the householder) related by birth, marriage, or adoption and residing together” (Belsey, 2005). Others such as Levine (1990) have asserted that “family members are individuals who by birth, adoption, marriage, or declared commitment share deep, personal connections and are mutually entitled to receive and obligated to provide support of various kinds to the extent possible, especially in times of need”. All in all, however, behavioural and social sciences acknowledge that “families never fit nicely into any single model” (Bruce et al., 1995). However, as Amoateng and Richter (2007) point out, “there appears to be broad consensus that families are societal groups that are related by blood (kinship), marriage, adoption, or affiliation with close emotional attachments to each other that endure over time and go beyond a particular physical residence”. It is noteworthy, however that family members do not necessarily have ‘close emotional attachments’ to each other. Therefore, the family will, for the purpose of this Revised White Paper, be defined as:

a societal group that is related by blood (kinship), adoption, foster care or the ties of marriage (civil, customary or religious), civil union or cohabitation, and go beyond a particular physical residence.

2.1.1. Family versus household

In many studies and analyses related to the family a household is typically used as the unit of analysis. It is important however to note that household and family are not necessarily synonymous (Belsey, 2005). According to the United Nations (1989), a household comprises of either: (i) a single person who makes provision for their food and other essentials for living or (ii) a group of at least two people living together who make common provision for foods and other essentials. “This means that a household can contain a family, but that household members do not necessarily have to be a family...The household performs the functions of providing a place of dwelling and of sharing resources, these functions can be performed among people who are related by blood and people without any such relationship” (Department of Social Development, 2008).

2.2. Situational analysis of families in South Africa

To contextualise the rest of this Revised WPF, this section draws data from several statistical studies including the Demographic and Health Survey, the Community Survey, the General Household Survey, the National Income Dynamics Study (NIDS) and the NIDS Coronavirus Rapid Mobile Survey (NIDS-CRAM) to report on the situation of families in South Africa.

The following section maps out trends in the structure of South African families. Note should be made here of the reference, in some instances, to ‘households’ as opposed to ‘families’. This terminology is in line with internationally accepted concepts and, as stated above, the common use of household as the unit of analysis in many studies. The intellectual contestations of what constitutes a family or a household has not been embarked upon in this section, but rather pragmatic definitions of families and households have been adopted. Families in this section have been analysed based on available data which confine mapping of relationships within households. Further, the data used do not always allow us to understand whether a

household includes people in same-sex marriages or relationships. This data omission should not be taken to mean that same-sex relationships are not celebrated or recognised.

2.2.1. The nature of families in South Africa

There is no doubt that the data estimates shown below have been influenced by the variations in the quality of data from various sources used; nevertheless, we hope such variations will result in minor margins of error in the estimates. Most of what has been analysed in South African literature relates to the structure of households and very little about families per se. While most of the analyses in this section map out the current structure of South African households, further analysis has been made related to families. It is noted that the ultimate interest of family studies and family policy formulations is not to influence its structure, but to promote family well-being. That said, a cursory perusal of existing literature does confirm that family well-being can at times be influenced by its structure, and understanding the nature of families can assist in informing programming. Family life in South Africa is characterised by continuity and change. Two features of families have been noted to be resilient, which are the continued predominance of family households and intergenerational arrangements.

Continued predominance of family households

The recently released 2018 Household Survey found that approximately only about one-quarter (23,4%) of households consisted of a single person which is comparable to the 2014 estimate of 22.4%. The overwhelming majority of households in South Africa are classified as composed of families, with only 2.4% classified as complex (composed entirely of non-family members). North West had the highest incidence of single person households (28,3%) while households that contained more than six members were more common in provinces with large rural areas such as is the case in KwaZulu-Natal (18,9%) and Mpumalanga (18,3%). Single households in North West are linked to migrant labour in the province that sustain the burgeoning mining industry.

Table 2: Generational types of South African families

Type of Family	WC	EC	NC	FS	KZN	NW	GP	MP	LP	RSA
Unclear	2,5	4,3	3,5	2,2	3,8	3,0	3,5	4,2	2,4	3,4
Skip Generation	1,8	8,5	5,7	6,6	5,4	4,7	2,3	4,8	6,8	4,5
Triple Generation	10,6	18,4	17,7	15,2	18,4	15,0	10,6	17,5	19,0	14,7
Double Generation	48,1	34,5	41,0	42,4	35,2	36,9	42,3	40,0	39,3	40,1
Single Generation	18,1	12,3	12,0	11,9	13,1	12,0	16,4	12,0	9,4	13,9
Single Person	19,0	22,1	20,1	21,6	24,2	28,3	25,1	21,6	23,1	23,4

Table 2 above, shows that double generation households are the most common in South Africa (40,1%), although they are not the majority. About 13,9% of households are single generation (partners or siblings living together). Approximately 14,7% of households contain three generations, while 4,5% were skip generational. Eastern Cape has the highest number of skip-generational households (8,5%). Triple

generation households were most common in provinces with large rural communities namely Limpopo (19.0%), KwaZulu-Natal and Eastern Cape (18.4%). The estimated percentages of adoptive and blended families in 2001 and 2011 are small and indicated no big differences in the 10 years documented above.

The decline in nuclear families

Currently, an estimated 39,9% of households were classified as nuclear (couples, or one or more parent(s) with children) while 34,2% of households were classified broadly as extended households (a nuclear core combined with other family members such as parents or siblings). Nuclear households are most common in metropolitan areas, most notably in the Western Cape (51,3%) and Gauteng (45,7%). Extended households are mostly found in Eastern Cape (43,7%), Limpopo (42,0%) and KwaZulu-Natal (39,6%). The nuclear family has been declining in South Africa over time. Holborn and Eddy (2011:3), for example, showed that “the proportion of households that were made up of nuclear families decreased between 1996 and 2001, from 46% to 40%”. The rate reported above of 39.9% seems to suggest that the number of nuclear families have been holding constant since 2001. However, as will be shown below, we have seen a decline in other factors usually associated with the traditional notion of the nuclear family and a growth in other family formations. The most noteworthy trend is that the biggest rise is that of single people who reside in extended families.

Decline in Registered Marriages in South Africa

Registered marriages have been declining over a period of ten years 2008-2017, except for a slight increase of 0.6% between 2016 and 2017. Thus, the lowest number of marriages were reported in 2017 (135 458) from a high in 2008 (186 522). In 2017, 2 588 customary marriages were registered at the Department of Home Affairs, indicating a decrease of 34,9% from 3 978 customary marriages registered in 2016. The highest number of registered customary marriages was recorded in 2008 (16 003) whilst the lowest number was recorded in 2017 (2 588). The observed crude customary marriage rate was 0,05 per 1 000 estimated resident population in 2017. This trend is in line with the noticed declining trend in the couple headed families during this period. The data used to understand these trends are drawn from the Marriages and Divorces data that Statistics SA releases periodically. Statistics South Africa draws these data from marriage records, which in South Africa, under the Civil Union Act, do not identify the sex of the spouses. This lack of information does not allow us therefore to understand how many are same-sex unions, nor whether the trends reported above are the same for different-sex and same-sex couples. The same pertains to divorce rates, which are discussed below.

Increase in Divorce Rates

The 2017 divorce data reported in this statistical release are based on 25 390 completed divorce forms that Stats SA received and processed by the end of December 2018. The number (25 390) indicates an increase of 64 (0,3%) divorces from the 25 326 cases processed in 2016. The total number of divorces fluctuated over the period 2008 to 2011 followed by a consistent increase from 2012 to 2017, with the highest number observed in 2009 (30 763) and the lowest in 2011 (20 980). In 2017, about 155 divorces were granted for same-sex couples of which 115 were female couples and 40 were male couples. The observed crude divorce rate was 0,4 divorces per 1 000 estimated resident population in 2017.

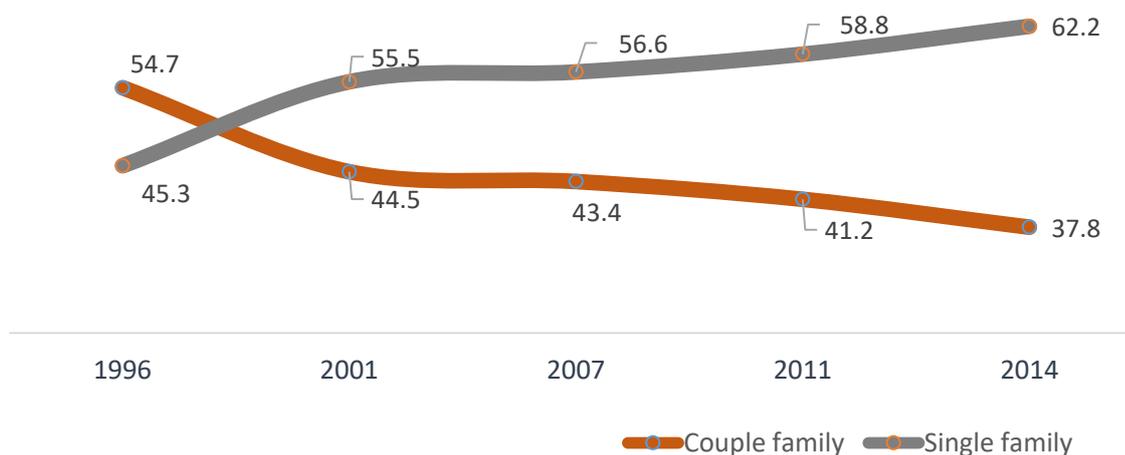
The decline in couple-household headship

Figure 3: The distribution of couple and single households, 1996-2018

A sustained decline in couple headed households has been experienced for some time in South Africa. By the year 1996, couple headed families were already low compared to the rest of the world, at 45.3%, and single headed families constituted 54.7%. During the short period of 18 years a “crossover” happened, with couple headed families dipping lower than single headed families.

Decline in household size and an increase in the number of households

The data from the 2018 Household Survey confirm most of the familiar trend in South African households, namely, that of an accelerated growth in the number of households, outstripping population growth; as documented during 2002–2019 period (2,4% per annum compared to 1,3% per annum). Similarly, the number of households were estimated at 15.6 million in 2014, a large overall increase of 44% from the estimated number of households in 2002. The number of households increased from 11.2 million in 2002 to 17.2 million in 2019.

The growth of the number of households is sustained by natural population growth, the decline in the sizes of households and international, national, and circular migration where a number of persons maintain dual households located in both rural and urban areas. It should be noted that the urban-rural disaggregation of households in South Africa is not symmetric, as is shown in the 2018 Household Survey data which reveal that urban households are smaller in size and more likely to be headed by younger males in contrast to rural households which are generally bigger and more likely to be headed by older women.

The decline in household sizes as a factor in the increase of the number of households is confirmed by the data from the 2018 Household Survey, which show that households with four people or less per household are more prevalent in urban areas (64%) than rural areas (53,5%). In addition, households that comprised six persons or more were much more commonplace in rural areas (20,6% compared to 11,3% for urban areas). Larger households were more common in provinces with large rural populations like KwaZulu-Natal (18,9%) and Limpopo (18,0%). Although the mean household size was estimated at 3,31 persons per

household for the country, the estimate ranges from 3,11 in urban areas to 3,73 in rural areas.

One of the results of disaggregation of households is the lag in service delivery, as households are the access point of public services. For instance, about 81.9% of households resided in formal dwellings in South Africa, and 12.7% lived in informal dwellings. This situation is the case despite the increase in housing subsidy from 5.6% in 2002 to 13.7% in 2019. This finding could be attributable to high population mobility and the reported increase of households.

Predominance of female headed households

The survey shows that 41.8% of households in South Africa were headed by females in 2018. Single household headship is linked with marriage patterns. At lower ages there are more males who are single (53,2% compared to 47% of females) as women get married or cohabit earlier than males. At a later stage, females are more likely to be single as they are likely to be widowed (husbands in this age group were far more likely to never been married, to be widowed (12,8% compared to 3,1%) or divorced or separated (3,7% compared to 2,3%) and the fact that remarriage among females is less common. As a result of these factors, being in marriage or in a cohabitation were far more common amongst males (71,3%) than females (35,4%) in the age groups 60-74 years. By contrast, 82.5% of women in the age group 75 years and older remained single compared to 34.9% of males in this age group.

Changes in the living arrangement of children

The number of orphans declined after a rapid increase experienced at the height of AIDS related deaths between the years 2002 and 2009. At that time, the total number of orphans rose to be over a million, after which there was a notable decline. By 2017, the number of orphans had fallen to below 2002 levels. As has been found in previous periods, there is a higher prevalence of paternal orphans than maternal orphans, due to higher male mortality and higher age at which males become parents. The 2018 household survey data show that 14,4% of South African children were broadly classified as orphans. Of the 14,4% orphans, 3,1% of children lost their mothers, 9% of children had lost their fathers, and 2,4% of children lost both parents. The percentage of orphaned children was highest in KwaZulu-Natal and Eastern Cape (both 18,7%), Free State (16,0%) and Mpumalanga (15,5%), and lowest in Western Cape (8,3%).

Table 3: Children living with their biological parents, by province, 2015.

	EC	FS	GT	KZN	LP	MP	NW	NC	WC	SA
Both parents	21.6%	33.6%	51.0%	22.2%	26.9%	31.7%	33.5%	34.0%	54.6%	34.4%
Mother only	42.3%	42.3%	33.9%	47.1%	46.3%	43.5%	43.4%	43.2%	32.1%	41.4%
Father only	2.8%	2.5%	3.4%	4.5%	2.0%	3.2%	3.3%	2.9%	3.1%	3.3%
Neither parent	33.3%	21.6%	10.7%	26.1%	24.7%	21.5%	19.9%	19.9%	10.2%	20.9%

Source: StatsSA (2018).

As shown in Table 3 above, about one-fifth (20.9%) of all children did not live with their parents in 2018. By comparison, one-third (34.4%) lived with both parents. Most children, however, lived with their mothers only (41.4%) while a far smaller percentage (3.3%) of children lived only with their fathers. This situation has not changed much from what was recorded in 2007, when children who stayed with both parents were recorded to be 39,3%, mothers only 39,3%; fathers only were 2,8 and neither parents were 23,0.

Not living with either parent was most common in Eastern Cape (33.3%), KwaZulu-Natal (26.1%) and Limpopo (24.7%) and least common in Western Cape (10.2%) and Gauteng (10.7%). As noted by Hall and Sambu (2017) children in the poorest 20 per cent of households are least likely to live with both parents as only 16 per cent have both parents living with them, compared with 76 per cent of children in the wealthiest 20 per cent of households. The data also show that more African children live without both parents.

South Africa family structure as an outlier in the world

Figure 4 shows the prevalence of marriage among women in reproductive ages in countries in different parts of the world. The figure shows that South Africa is an outlier in having low levels of marriage, which is higher only to Namibia, a country which is historically part of the South African political economy.

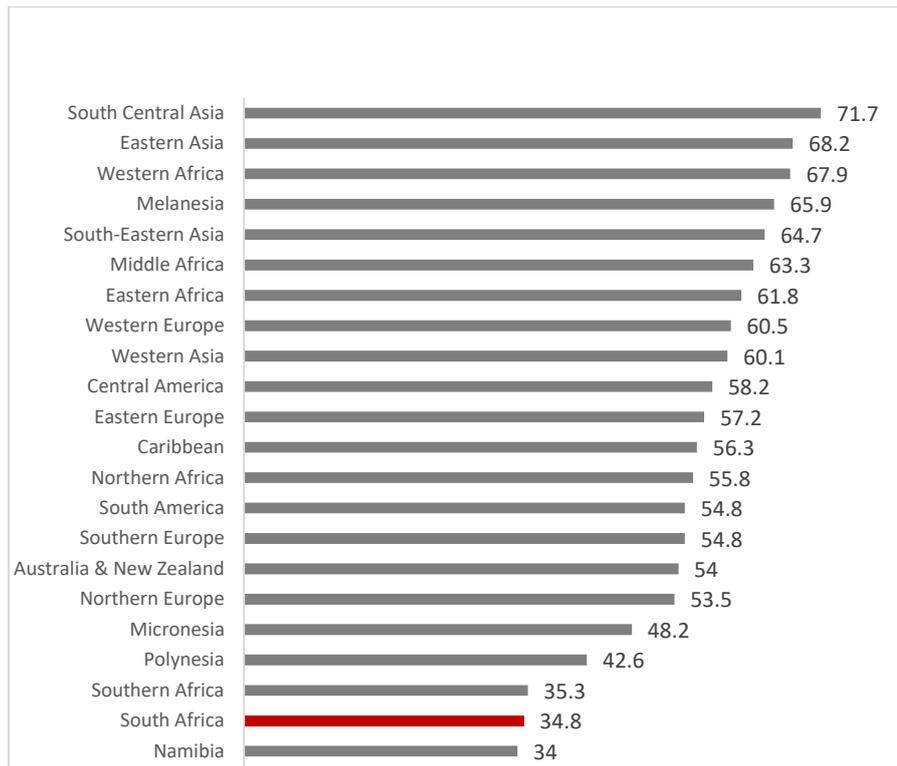


Figure 4: Prevalence of marriage (%) among women in reproductive ages in world region, (2008-10)

Demographic correlates to family patterns experienced in South Africa

Fertility Decline

South Africa is currently experiencing a Total Fertility Rate of 2.4; which is a considerable decline from 6 which was experienced in the 1950s. The current projections suggest a modest decline that will take a considerable time. The decline in fertility over time is one of the drivers of smaller households in South Africa.

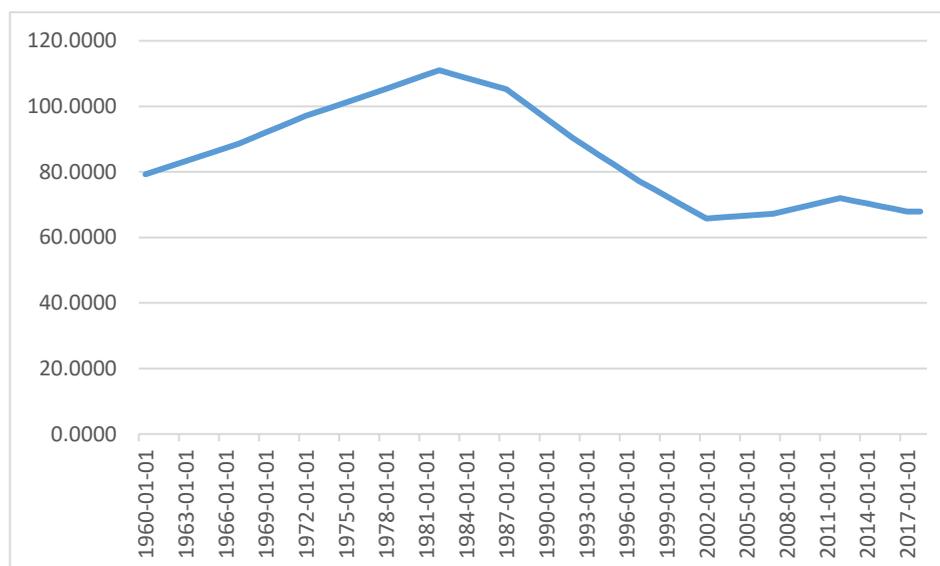


Figure 5: Teenage Fertility Rate 1960-2017

However, as is shown in Figure 3, South Africa has historically experienced a relatively high rate of teenage childbearing. After a sustained increase from the 1960s to the early 1980s, there was a considerable decline until the end of the last millennium, followed by another stall. Teenage childbearing has an impact on family formations in South Africa. Teenage pregnancy also has major social and health implications for the young mothers and their children, including dropping out of school, curtailed personal development and increased vulnerability to exploitative sexual relationships, higher rates of maternal mortality and greater risks of clandestine abortion (Dickson, 2003). High levels of teenage pregnancy further reflect a pattern of sexual activity that puts teenagers at risk of HIV and other sexually transmitted infections (Swartz, 2003; Cooper et al., 2004). Furthermore, gang activity, coercion, substance abuse, and other social pressures are some of contributory factors. The situation of pregnant teenagers or teenage mothers is exacerbated by lack of support from partners, as the men responsible for the pregnancies often refuse any responsibility in terms of emotional, financial and practical support during pregnancy and childrearing, a factor that contributes to the number of absentee fathers discussed earlier (Swartz, 2003).

Mortality Trends

South Africa experienced a mortality increase from 1997 to 2006, as a result of the HIV pandemic. After the introduction of antiretroviral drugs, mortality rates started to decline in 2007, although they have not declined to levels below that experienced in 1997. As a result of high adult mortality South Africa has experienced high numbers of orphans, particularly between 2002 and 2009, and shifts in the care arrangements for children including foster and social parenting.

Population Mobility

South Africa has high circular migration, which dates back to colonial and apartheid times as discussed above. While the nature of population movements over time has changed, movements remain selective by age, gender, class and ableism. Thus, there is a consistent difference in the character of families in urban and rural areas.

2.2.2. Current socio-economic conditions affecting South African families

This sub-section focuses, in no particular order of priority, on some of the most crucial issues affecting families in South Africa. These issues include poverty and inequality, unemployment, housing, health concerns, including HIV and AIDS and the Covid-19 pandemic, the gendered nature of care, absentee

fathers, crime, substance abuse, gender-based violence and teenage pregnancy.

Poverty and inequality

Poverty and inequality continue to place enormous stress upon families as they seek to fulfil their various roles in society. Poverty makes it difficult for families to ensure that the basic needs of its members are met and there is increasing evidence of how poverty and hunger affect the mental health of caregivers, placing them under significant strain (Van der Berg, Patel & Bridgman, 2021). Poverty still reflects apartheid settlement patterns and virtually all poor households are found in the former Bantustan regions, informal settlements, and townships. Inequality in income distribution is also large and persistent (Van der berg, 2010) largely because of the reproduction of disparities in ownership, income, resources, skills and other determinants of people's capacity to take advantage of opportunities.

Poverty rates in South Africa remain unacceptably high for a middle-income country. Although poverty levels improved between 2005 and 2011, they have since then stagnated and worsened. Statistics South Africa reported an improvement between 2006 and 2011 when poverty levels (measured by the lower-bound poverty line) reduced from 66.6 percent to 53.2 percent of the South African population. However, by 2015 the poverty rate had started to increase again up to 55.5% (Zizzamia et al., 2019; StatsSA, 2017). This increase in poverty rates also affects the depth of poverty which improved between 2006 and 2015 but worsened again post 2015. Although major gains have been made in improving multi-dimensional poverty, primarily through access to basic services such as water, electricity, and sanitation; income poverty remains a major challenge. This challenge is demonstrated in the high levels of hunger in the country. Progress on reducing hunger levels since 2011 has been almost stagnant and in 2016, the number of people vulnerable to hunger was measured at 13.4% of the population (StatsSA, 2017). Latest figures emerging from the NIDS-CRAM study indicate that 20% of households experienced hunger in the last quarter of 2020 (Van der Berg, Patel & Bridgman, 2021).

Despite the National Development Plan setting a goal of reducing inequality by 2030 from a Gini coefficient of 0.69 to 0.6 (NDP, date), South Africa still holds the unenviable position of being one of the most unequal countries in the world (Alvaredo et al., 2018). Estimates of the Gini coefficient for income inequality range between 0.65 (StatsSA, 2019) and 0.68 (StatsSA, 2017) in 2015. To a large degree, access to grants has improved income inequality. However, wage and wealth inequality remain significant challenges. Wealth inequality sits at 0.93 in 2015, and is an important source of intergenerational inequality (Mbewe & Woolard, 2016; World Bank, 2018). Wage inequality also remains high and is increasing. The number of workers with highly skilled jobs is low, while a large proportion of the working population is employed in very low paid jobs. For instance, top end jobs earn nearly five times the average wage for low-skill jobs yet represent less than 20 percent of the total working population. Wage inequality increased significantly between 1995 and 2014. The wage Gini coefficient rose from 0.58 to 0.69 between 1995 and 2014.

Gender and race inequality continue to shape South Africa's landscape. According to Statistics South Africa (2019) black Africans are most likely to earn the lowest wages, that is to be employed in the lowest paying jobs. Female workers earn approximately 30% less, on average, than male workers. Reasons for this discrepancy are that males are more likely to be employed and when they are employed tend to be employed in better-paying jobs (ibid.). Although no reasons are given for this finding in the abovementioned report, the burden of care that women face in families is a major reason why women are less likely to be employed and, when they are employed, to be employed in jobs that are part-time or allow flexibility to care for children and other family members. The gender-and-care wage gap is a clear barrier to women's economic empowerment and contributes to the income vulnerability of female-headed households.

Among the major causes of poverty and inequality in the country is a lack of, or low earned income. Essentially, unemployment remains a structural feature of the South African economy and employment creation has not transpired at the anticipated rate. The nature of the labour market is that where there is

growth in jobs, these are typically in fields requiring higher skills levels (Bhorat, 2014; 2016;). Failures in the basic education system and limited access to further education opportunities ensure that many people remain at the lower end of the skills spectrum, struggling to find work (Spaull, 2015). Latest unemployment figures show that unemployment has deepened further to 42.6% in the final quarter of 2020 (StatsSA, 2021). Although these figures are affected by Covid-19 and the related economic effects, structural unemployment has been a longstanding issue in the country, affecting millions of families.

This situation continues to place a huge dependency burden on families. The care burden, carried predominantly by women, has significant effects on women's ability to engage in paid work on a full-time basis. Globally and in South Africa, it was women who bore the brunt of job losses during the Covid-19 pandemic, not only because they are often in more vulnerable jobs, but also because many had to exit the labour market to care for ill family members and children who were home when schools closed (Spaul et al., 2021). This finding is a clear indication of the ways in which care burdens impact on women's economic empowerment, and the need to ensure that appropriate care and livelihood support is available to families.

Unemployment and poverty also affect different groups of people differently. People with disabilities are less likely to be in the labour market and more likely to face lower wages when they are in the labour market (Graham, 2020). Geography also plays a role with those in urban areas more likely to be employed than those in rural areas (although those in informal settlements in urban areas are amongst the most vulnerable to poverty) (Spaull et al., 2021).

Feminisation of poverty

Women endure a disproportionate burden of the outcomes of past policies, as far as poverty is concerned. Whereas men were working in various industries during the apartheid era, many women remained in the rural areas to look after family members. Historically, women received income primarily in the form of remittances from their spouses. Cultural practices, such as patriarchy, also reinforced the exclusion of women from many economic activities and they continue to shape normative expectations of who carries the responsibility for care in the household.

The gender division of labour continues to influence how families function. Women typically assume more household responsibilities, spend a larger portion of their time on unpaid care work than men, and form a greater proportion of those who are not economically active. Indeed, data from the 2000 Time Use Survey showed that each day South African women spent less time than men on learning, social and cultural activities, and using mass media, but spent more than double the time men spent on household maintenance and care of persons (Budlender et al., 2001). This situation is further exacerbated by the inadequate provision of childcare facilities and other forms of care support, causing the amount of time women spend on wage work to be reduced. Consequently, their vulnerability to poverty increases. There is, therefore, a gender dimension to poverty within families, as women continue to be marginalised in relation to men in terms of socio-economic opportunities, such as employment as is demonstrated by the figures reported above.

Child poverty

Child poverty is another particularly worrisome trend in South Africa linked to the poverty and unemployment trends described above. In 2018, 59% of children lived in households that were classified as poor (using the upper-bound poverty line) (Hall, 2020). Although this figure has declined from 78% in 2003 (largely due to the expansion of Child Support Grants), it is still unacceptably high and is indicative of the stress that families face as they seek to provide for and care for their children. Racial disparities persist in relation to child poverty. Almost two-thirds (65%) of African children live in poor households as compared to only 3% of White children (ibid).

A key factor in protecting children from the worst effects of poverty is social grants. The largest – the Child

Support Grant – reached 12,784,000 children as of March 2020. The Care Dependency Grant and the Foster Care Grant are other important social grants that provide a minimal level of support to families to meet the needs of children.

Food insecurity and child malnutrition

Despite the reach of social grants and evidence demonstrating that they are used to meet the basic needs of children (DSD, SASSA and UNICEF 2012), food insecurity and hunger are daily challenges for many South African families. Prior to Covid-19 and the related economic effects, food insecurity affected 20% of households (Statistics South Africa 2019). Child hunger is also an ongoing challenge. In 2018 just over 10% of children lived in households with reported child hunger (Sambu, 2019). The Covid-19 pandemic has deepened child hunger. Latest figures demonstrate that child hunger almost doubled in the early phases of the lockdown response strategy, and that although there was some recovery by August of 2020, the figures had again returned to the early lockdown levels by October of 2020 (Van den Berg et al., 2021). Related to food insecurity is the fact that many South African children are malnourished. 27% of South Africa's children are stunted – an indicator of chronic malnutrition (Sanders et al., 2019). This factor has long-term effects for children's health and cognitive development. The strain of feeding family members is a major stressor for families in South Africa.

Gendered relations of care

Due to the historical social and economic trends and demographic patterns described above, as well as deep-seated patriarchal norms that cut across population and cultural groups, women continue to be primarily responsible for care in the family. As is noted by Mkhwanazi et al. (2020):

The assumption that the biological mother will be – and should be – the primary caregiver of her infants and young children is embedded in understandings of gender that are common across different populations in South Africa. The willingness, capability and capacity of mothers to provide care to infants and small children is generally taken for granted, with an assumption that new mothers will also be supported by older and experienced kin or by the woman's partner.

This burden of care is exacerbated in situations where biological fathers are absent, which has been a worrying phenomenon in South Africa for some time. It should be noted that in 2018, 11% of children (roughly 2 million children) did not have a living father (Hall, 2019).

Table 4: Children with absent parents (Mkhwanazi et al., 2020)

Age	Total number of children	Mother absent		Father absent		Both parents absent	
		%	Number	%	Number	%	Number
0 – 5 years	6,978,000	15	1,070,000	61	4,223,000	13	909,000
6 – 11 years	6,815,000	26	1,781,000	62	4,275,000	23	1,548,000
12 – 17 years	5,786,000	32	1,869,000	64	3,724,000	28	1,631,000
Total	19,579,000	24	4,721,000	62	12,223,000	21	4,089,000

Source: Statistics South Africa (2018) *General Household Survey 2017*. Pretoria: Stats SA. Analysis by Katharine Hall, Children's Institute, UCT.
Note: Absent parents may be dead, unknown or living elsewhere.

Reasons for fathers being absent include high rates of unemployment and financial constraints, which feed into dominant perceptions of fathers' roles being primarily to provide financially for families (Mavungu et al., 2015), and which may in turn lead to fathers feeling that they are failing to take responsibility for their children. Fathers also report being barred from seeing children when they cannot provide financially or where cultural practices of paying damages have not been undertaken (Mavungu et al., 2015; Mkhwanazi et al., 2020).

Gendered expectations of care may also limit men's involvement in the day-to-day care of their children, even when they are involved (Khan, 2019). These trends are a cause for concern given the significant body of evidence showing the positive effect of the presence and active involvement of a father on a child's life chances; academic performance; and social, emotional and cognitive functioning (Engle et al., 2006; Richter, 2006; Kang & Weber, 2009). Having noted this trend, it is also important to acknowledge that where biological fathers are unable to or do not play a role in their children's lives, many adult male members of families are involved in parenting and the term social fatherhood is repeatedly highlighted. This term refers to an adult, other than the biological father, who takes up the responsibility of fathering through caretaking and socialisation of children (Hosegood & Madhavan, 2010; Hunter, 2006; Mkhize, 2004; Rabe, 2007; Van den Berg & Makusha, 2018).

The gendered nature of care has several implications for families. First, it draws attention to the barriers that women face in economic engagement in the absence of appropriate care support. Second, it highlights the crucial role of networks of support (of men and women) within and beyond the family in supporting caregivers; and third, it points to the need to encourage the involvement of fathers in family life.

Patriarchal norms and values can in some instances also lead to toxic masculinity – expectations about men's behaviour that can have detrimental consequences. These consequences include high rates of violence, father absence, substance use and abuse, and sexual coercion and rape.

Housing

The housing subsidy scheme implemented since 1994 has changed the South African housing landscape. Although significant progress has been made in ensuring that people have access to adequate housing, backlogs remain. This situation means that nationally in 2018, 9% of children lived in households that did not have access to adequate housing (defined as informal or backyard shelters). The Western Cape and Gauteng have the highest proportion of children living in inadequate housing (Hall, 2020a), most likely due to high rates of migration into these provinces.

Homelessness

The population of homeless people in South Africa is estimated to be between 100 000 and 200 000 (Rule-Groenewald et al, 2015). These figures include people living on the streets permanently, those living in shelters, and those living on the streets temporarily (such as waste pickers who "sleep rough" during the week before returning home over the weekend). These figures are simply estimates since no reliable statistics are available. The reason for this situation is because the nature of homelessness is such that the population is difficult to access and to sample.

There are also limited data on the demographic profile of homeless people (age, race, gender) although anecdotally we know that it is predominantly men who are homeless.

Homelessness arises from a complex interplay of causes. Some are structural including lack of adequate and affordable housing (as discussed above), and high rates of migration, unemployment, and poverty. Personal factors also play a role. Many homeless people report experiences with abuse and domestic violence, family problems, eviction, economic difficulties at home, and a search for independence or a better life (Cross & Seager, 2010).

Health and access to Healthcare

Access to healthcare is a key tenet of family well-being. South Africa has free maternity care, high rates of antenatal care coverage, and high rates of delivery by skilled birth attendants (Day et al., 2011). Children under six years of age are entitled to free primary healthcare at public clinics. This entitlement does not necessarily translate into actual access. Distances to healthcare facilities and a pressurised public healthcare system make accessing health services difficult for many. In 2018, 20% of children were living in households that were deemed to be far from a healthcare facility (Hall, 2020b).

Reproductive Health

Although South Africa has historically struggled to reduce maternal mortality, in recent years there have been improvements (Moodley, Fawcus & Pattison, 2018). Between 2009 and 2016, institutional maternal death ratios decreased from 189 per 100 000 live births to 134 per 100 000 (ibid.). HIV and AIDS have historically been among the major drivers of maternal mortality. However, widespread rollout of antiretrovirals has been a major contributor to the reduction in maternal mortality according to this study.

Nevertheless, there are still measures that need to be improved. As a Human Rights Watch (2011) report notes, “the tragedy of maternal deaths in South Africa is that many women who eventually die have had contact with the health systems—through attending antenatal care and delivery in health facilities—meaning that some of the deaths could have been prevented”. This apparent paradox in South African reproductive health is also evident from data showing that while 65 percent of women in South Africa were using a modern form of contraception in 2003, over 60 percent of the most recent pregnancies were unplanned (Osman et al., 2011). Day et al. (2011) attribute these contradictions to shortcomings in accountability and oversight mechanisms used by authorities to monitor and improve healthcare performance.

To the extent that women are not only child-bearers, but that they are also the primary caregivers of children, the sick, the aged and people with disabilities, their access to health, reproductive health, and family planning services should be a national priority. Essentially, to contribute to the functionality of families in the country, women need to be able to access reproductive health services and to have a choice to have (or not to have) children, and to adequately space their births so as to give the children greater and sufficient access to resources such as childcare and education.

HIV and AIDS

According to the Joint United Nations Programme on HIV/AIDS, South Africa is one of the most seriously HIV-affected countries in the world, with 2020 estimates indicating that 19 percent of the adult population aged 15-49 years was living with HIV. Widespread antiretroviral treatment (71% of adults with HIV are on ARVs according to UNAIDS, 2020) and prevention of mother-to-child transmission prophylactics have ensured that mortality due to HIV has been reduced from the levels seen in the period 2002 – 2009. Nevertheless, the health burden of HIV and AIDS remains. As part of the national response, and consistent with the practice in other parts of Africa, there has been a shift in the model of care of people living with HIV and AIDS from hospital care to home-based care (Akintola, 2004). While this practice has partly helped to reduce pressure on public hospitals that do not have adequate staff and space to care for HIV and AIDS patients, it is done with the assumption that there is adequate community and family support to meet the patients’ needs. However, the reality is that with about 91 percent of HIV and AIDS caregivers in South Africa being women (Southern Africa Partnership Programme, 2005), home-based care has significantly increased the burden of care for many women.

Covid-19

Throughout this section reference has been made to the socio-economic effects of Covid-19, but there are also health effects. Much of the care of Covid-19 patients has had to occur within the home due to strain on the healthcare system. This situation has placed additional burdens of care on women. Furthermore, to date Covid-19 has resulted in the deaths of around 50 000 people. There are significant household economic shocks that go alongside the emotional experience of losing family members. Finally, there is increasing evidence that many people will suffer from “long Covid” – long-term health effects of having been infected with Covid. This factor is likely to have impacts on the ability of people to seek and maintain work, and potentially will add further care burdens to the family.

Mental health

Mental health has also been placed in the spotlight during the Covid-19 pandemic. The isolation and

economic effects of lockdown measures, alongside the experience of grief and loss have all made mental health far more of a topic for discussion. But mental health concerns were widespread well before Covid-19. A 2014 study estimated that 1 in 3 people in South Africa would experience mental health concerns in their lifetime (Jack et al., 2014) and that 10-20% of children and adolescents in developing countries are affected by mental health conditions (Kielling et al., 2011). Poverty and conditions of adversity are associated with higher rates of mental ill health (Hunt et al., 2019). This finding is borne out by evidence that households experiencing food insecurity during the Covid-19 pandemic are also more likely to have caregivers who experience depression (Van den Berg, Patel & Bridgeman, 2021). Stigma and lack of access to support services mean that mental health conditions often go undiagnosed and untreated.

Crime and violence

Crime is an ever-increasing problem in South Africa, affecting millions of families negatively on a daily basis. The effects of crime and violence on families are both direct and indirect. Families of victims of crime are directly affected when they suffer the trauma of loss of life or injury, and relatedly experience household economic shocks. Families of the perpetrators of crime are also adversely affected as they contend with legal fees, social stigma, and the trauma of having a family member incarcerated or losing income from a contributing member (Department of Social Development, 2010). The Victims of Crime Survey (Statistics South Africa, 2019) reports that 7.5% of households experienced crime in the year 2017-2018, with burglaries being the main crime experienced by households. The indirect effect of crime and violence is that individuals and families do not feel safe in their communities and residences. The Victims of Crime Survey (Statistics South Africa, 2019) reports that there was a reduction in the number of people indicating that they felt safe during the day (from 87% in 2013/4 to 79% in 2017/8) and the night (from 35% to 32% in the same period). Safe spaces for children to play and for families to feel secure are crucial for family well-being. While there are various theories on the causes of youth crime, the consensus is that it is primarily the outcome of multiple adverse social, economic and family conditions (van Niekerk & Mathews, 2019).

Gender-based violence

Gender-based violence (GBV) has been a major challenge in South Africa, highlighted at regular intervals every year by the media. Gender Links (2012) reports that 77% of women in Limpopo, 51% in Gauteng, 45% in the Western Cape and 36% in KwaZulu-Natal had experienced some form of GBV (Gender Links, 2012). Sexual violence is the most common form of GBV and has been consistently high over time. Alarming, 61% of children under the age of 15 experienced sexual assault (this figure includes the numbers of children who witness sexual assault); and 29% between the ages of 0 and 10 endured sexual assault (Department of Social Development & Department of Women, Children and People with Disabilities, 2012).

Family violence

Family violence is a term that encompasses various forms of violence that families may endure including Intimate Partner Violence (IPV, also one form of GBV). Reports indicate that rates of GBV and IPV went up during the Covid-19 related lockdown, as estimated by the increase in the number of calls to helplines. IPV has significant effects for families. Women that experienced sexual or physical abuse in their relationship were more likely to be diagnosed with a sexually transmitted infection, test positive for HIV, suffer from depression, or consider suicide. Children exposed to IPV also experience long-term consequences for their mental health and well-being. Family violence also includes child abuse and neglect. Despite been regarded as having an exemplary child rights environment, South Africa has some of the highest reported cases of child abuse, neglect and maltreatment which takes many forms, including physical and mental abuse, sexual abuse, exploitative work, trafficking etc (Richter & Dawes, 2008). While it is difficult to establish the size of 'the problem' of child abuse in South Africa, partly because of complexities and variation in definition, community understanding and reporting levels, one gauge of the problem is the number of crimes against children reported to the police, and summarised in the annual reports of the National Department of Police

Services (Richter & Dawes, 2008).

Latest figures demonstrate that a third of children have experienced physical or sexual violence below the age of 18 years. A further 12% and 16% of children are reported to have experienced neglect and emotional abuse respectively (Artz et al., 2016). For just under half of victims (46%) the abuse is perpetrated by a person related to them (Jamieson et al., 2017).

Another form of family violence is elder abuse and neglect and the neglect and abuse of other vulnerable family members. There are very limited statistics on the extent and nature of this form of family violence. Viewing the challenge as only a form of GBV or as only child abuse misses out on the ways in which the family as a whole is affected by violence.

Substance abuse

Substance abuse refers to the harmful or hazardous use of psychoactive substances, including alcohol and illicit drugs (World Health Organisation, 2011). These substances can lead to dependence syndrome, defined as a cluster of behavioural, cognitive, and physiological phenomena that develop after repeated use and that typically include a strong desire to take the substance, difficulties in controlling its use, and persisting in its use despite harmful consequences (World Health Organisation, 2011). South Africa has very high rates of substance use and abuse, particularly regarding alcohol. A South African country study reports that 53% of adults are risky or heavy drinkers (Trangenstein et al., 2018). According to the WHO (2011), South African rates of drinking are much higher than for other African countries. Substance abuse is driven by a range of factors including biological, psychological and social factors and cannot be addressed purely through treatment-based interventions. Prevention interventions are also crucial.

Substance abuse by family members places major stress on families, places constraints on financial resources, and can lead to a breakdown in family relationships as family members may experience feelings of abandonment, anxiety, fear, anger, concern, embarrassment, or guilt (Department of Health and Human Services, 2005; Department of Social Development, 2010).

2.2.3. Conclusion

The above discussion has painted a picture of the shifting patterns of family life in South Africa, with smaller households and higher numbers of households being a growing trend. It also demonstrates the significant challenges that families face as they seek to care for their members, and which constrain family well-being. However, describing these challenges also highlights the incredible resilience of most South African families, that manage to provide care and support to their members despite such difficult circumstances. The next section describes the policy and legal framework within which the Revised WPF will operate.

SECTION 3: RESPONSE STRATEGY FOR FAMILIES

3.1. Approach

The overarching strategic approach to achieving the vision, mission and objectives outlined in Section 1 above is to ensure that policy across the board promotes the importance of the family as a core unit of society and fosters family well-being. Social and economic policies should be aimed at strengthening and promoting family well-being. Policies, strategies, and social and economic programmes across government departments need to be aligned with the diversity of families in South Africa and actively promote their well-being and their ability to fulfil their roles and responsibilities in society.

Drawing on several approaches to family well-being, we consider the following as cornerstone features of the Revised White Paper for families:

- In line with the Constitution of South Africa, a rights-based approach fosters the promotion of social justice, a minimum standard of living, equitable access and equal opportunity to services and benefits, and a commitment to meeting the needs of all South Africans, with a special emphasis on the needs of the most disadvantaged in society. These fundamentals are essential for the achievement of family well-being and involve all government and civil society stakeholders.
- Families can only thrive through a combination of economic empowerment and social service provision. All sectors of society therefore have a responsibility for promoting family wellbeing.
- Families face various changes and transitions over the family life course. Policy and programming needs to take account of these changes and facilitate support for families at various different phases.
- Families are resilient despite significant challenges. Policy and programming efforts need to build on the strengths of families and address challenges to ensure that families are empowered to use their capabilities to address adversity.

3.2. Strategic priorities

As described in section 1 families operate at and are influenced by several different levels: the 'micro' level, the 'meso' level, and the 'macro level' (Saunders, 1999). Saunders explains:

- The micro level refers to stability at the individual person level and here families provide emotional gratification for adults and fulfill the crucial role in the socialisation of children.
- At the meso level stability is attained at the level of the family unit itself. To continue with their various functions, families develop strategies to live together, to share domestic tasks, to resolve conflict, and to adjust successfully to changes over time such as the births of children, departure of children to form their own independent households, and the growing dependency of aging patterns. The life course approach reminds us that this process is not linear, that families are dynamic and that dependency patterns shift during the life-course. Care within families is not one-directional.
- The macro level entails stability in the relation between the family and other social institutions. Here, in addition to adjusting to internal changes and developments, families also adapt to changes in their environments particularly to the *economic sub-system* (whether they supply labour for the production processes and in turn consume what the economy produces), the *political sub-system* (where they supply responsible and active citizens and in turn consume various government services) and the *community sub-system* where they contribute to the vibrancy of community and in turn make use of the services and relationships provided by the community (Saunders, 1999).

Against this background strategies to promote family well-being and strengthen families should be designed to align the best interests of, leverage the strengths, and address challenges within each of three groups:

the individual, the family and the community (Olson, 1999).

Furthermore, family policy must take an approach that is promotive and preventive, whilst still acknowledging that there is a need for treatment-focused and statutory interventions. Increased focus on promotive and preventive interventions will, over time, reduce the case load for treatment and statutory interventions. A plan needs to be developed for families and individual family members to exit the grants system while having other support mechanisms in place.

With the above in mind the following strategic priorities form the basis of the Revised WPF:

- Strategic Priority 1: Promote Family Well-being

The first strategic priority focuses on the promotive work that needs to be done to ensure family well-being. The work of this strategic priority places emphasis on the basic resources and assets that families need to be able to access in order to function well and fulfil their roles and responsibilities in society. Crucially, this strategic priority emphasises the importance of economic empowerment of families. It therefore focuses primarily on the macro-level.

- Strategic Priority 2: Family Relationship Strengthening

The second strategic priority focuses on the prevention and strengthening work that needs to be done to preserve and nourish the large block of families whose quality of life is helping to prevent and reduce problems associated with family disintegration, and to strengthen families through efforts to prevent the breakdown of family life by promoting positive attitudes and values about the importance of strong families and communities that support families.

While no standard definition exists, *family strengthening* is often used to refer to the deliberate process of giving families and their members the necessary opportunities, relationship skills, networks of support and protection, especially during times of adversity and change (Moore et al., 2002).

- Strategic Priority 3: Treatment and Support for Vulnerable Families

Although investments in strategic priorities 1 and 2 should reduce the need for interventions under strategic priority 3, there will always be families and times in all families that are characterised by negative and ongoing cycles of conflict and dysfunction. Where this situation is the case, treatment and support are required. Under this strategic priority, prevention, early intervention, treatment, and statutory interventions are required. Here the focus is on the individual and meso-level.

- *Prevention*: the empowerment, awareness, and support programmes aimed at preventing the need for families and their members to receive intensive services from professionals;
- *Early detection and intervention*—Services delivered at this level make use of mechanisms to detect at-risk families and intervene with developmental and therapeutic programmes to ensure that the negative consequences of dysfunction are limited and that families are supported to manage the challenges that they are facing in ways that promote the well-being of all family members.
- *Treatment*—Services at this level are intended to provide treatment to family members that require this intervention such as those dealing with substance abuse and mental health disorders that affect their ability to engage positively in relationships.
- *Statutory intervention*—The statutory process is about a particular level of intervention and a period during which families are waiting for the outcome of a legal/court procedure as well as services and support required following court proceedings.
- *Reunification and aftercare*—Aftercare services refer to family preservation services delivered to the family of origin to: (1) address the risk factors that necessitate the removal of the family member/s,

and (2) to assist the family in the transitional period after the removal for the family to stabilize and enter a reunification process after a period of separation. Services delivered at this level are aimed at integration and support services to enhance self-reliance and promote well-functioning families. The goal is to preserve and reunify families where this is desirable and to provide services at the prevention and early intervention level to promote better family functioning.

3.2.1. Strategic Priority 1: Promote Family Well-being

The first strategic priority addresses the family at the macro and meso level and focuses on the factors that families require to be functioning well. It advocates for a holistic approach to promoting family well-being and acknowledges that this holistic approach is required to ensure that families have access to all the necessary resources and assets to fulfil their roles and responsibilities optimally. This approach includes promoting access to basic services, food security and opportunities for economic inclusion and empowerment.

Recommended strategies and envisaged actions

- Acknowledge the multiplicity of what families require to function well.
- Ensure that families have access to:
 - *Safe and secure housing:* Work with the Department of Human Settlements to ensure that planning for housing is family-centred and promotes families' access to adequate, safe, and secure housing.
 - *Basic services:* Ensure that local municipalities are delivering on their mandate to provide free basic water, electricity, sanitation and refuse removal to promote families living in healthy environments.
 - *Food security:* Protect all families' right to have access to sufficient food to meet family members' basic needs, through:
 - Income support (see below),
 - Ensuring that they have access to services such as the National School Nutrition Programme (for school-aged children).
 - Promoting the work of CSOs and philanthropic organisations providing food parcels and feeding schemes as crucial partners in ensuring that vulnerable families have access to food.
 - Promoting a collaborative approach between the private sector and government to ensure that a basic basket of goods is affordable for all families.
 - *Functioning and accessible health services:* Work with the Department of Health to ensure that all families can claim their right to decent basic healthcare including mental healthcare. Ensure that families with particularly vulnerable family members (e.g., those with chronic illness, children and people with disabilities) understand what services are available to them and how to access them.
 - *Equitable, accessible education (including early childhood development) and opportunities to develop skills:* Work with the Department of Basic Education to ensure that all families can send their children to safe, secure schools and ECD facilities where children will be nurtured and educated. Work with the Department of Higher Education and Training as well as private sector and CSO organisations to promote adult family members' opportunities to access further education and other forms of skills training through state, civil society and private sector colleges and programmes.
 - *Safe, secure and sustainable environment:* Work with the South African Police Services to ensure

that families are able to live in areas where they feel safe and secure. Work with the Department of Public Works and Infrastructure, and local government authorities to ensure that they plan and develop spaces that are conducive to the safety and security of families (including provision of adequate lighting, and provision of green spaces for safe play and leisure in all communities). Work with the Department of Environment, Forestry and Fisheries, the Department of Mineral Resources and Energy, and the Department of Public Works and Infrastructure as well as local government authorities to ensure that families live in spaces that do not compromise their health (spaces that are environmentally sustainable, and where industry does not pollute living areas).

- *Necessary legal documentation:* Collaborate with the Department of Home Affairs to ensure that all families have access to the official documents they require to access services.
- *Basic income support through social grants and social insurance:* Protect the rights of families to access basic income support through the grant system and social insurance mechanisms. Work with CSOs to empower families with knowledge about their right to basic income support via these mechanisms at different stages of the family life course.
- *Social welfare services:* Expand families' knowledge of and access to social welfare services that can meet their needs at different points in the family life course.
- *Psychological and spiritual support:* Encourage such support through various NGOs and faith-based organisations.
- Promote access to economic opportunities for families by:
 - Working with the Department of Public Works and Infrastructure and local government to ensure equitable access to public employment opportunities.
 - Ensuring that family members are aware of and able to access employment support opportunities through the Department of Employment and Labour and local CSOs (and in the case of young people through the National Youth Development Agency and the Presidential Youth Employment Intervention).
 - Ensuring that families are aware of and able to access entrepreneurship and cooperative support through the services of the Department of Small Business Development as well as provincial government strategies.
 - Empowering families to develop sustainable livelihood strategies.
- Ensure families can balance caregiving and economic empowerment:
 - Provide economic and non-economic measures, such as personal income tax relief, care subsidies, and affordable and accessible child, community care and afterschool school care services as well as psychological support to mitigate families' burden of caring for their children, older persons, and people with disabilities.
 - Put in place mechanisms and policies, including parental leave, for both male and female caregivers, to facilitate the balancing of work and family responsibilities and to promote equitable care responsibilities between caregivers.
- Empower families with the knowledge about what their rights are, what services and resources are available to them to enable them to fulfil their roles and responsibilities and enhance their skills to access and advocate for access to such services and resources.
- Promote a culture of dignified treatment towards families when they seek and access services.

- Ensure that policies and legislation do not discriminate unfairly against families on the basis of amongst others, their age, gender, sexual orientation, race, ethnic or social origin, marital status, disability, beliefs, culture, language, physical and mental conditions, family composition, and financial conditions.
- Acknowledge the burden of care placed on women and promote sustained gender equality in families by focusing on the whole family unit, encouraging both men and women's economic self-sufficiency and involvement in care:
 - Acknowledge and encourage the role that both women and men play in the care and well-being of children and other family members.
 - Work towards policies that promote gender equity in caregiving including extending paternity leave.
 - Challenge laws, policies and cultural practices that restrict the involvement of men in caregiving; and which assume women's role in caregiving.
 - Promote the ability of both men and women to engage in economic activity by ensuring that families have access to safe and reliable care support mechanisms and networks of support.
 - Encourage the sharing of domestic, caregiving, and other family duties by all members regardless of gender.

3.2.2. Strategic Priority 2: Family Relationship Strengthening

When families have access to the resources and services required to promote family well-being (as articulated in Strategic Priority 1) they are under less stress and are better able to function well. However, family relationship strengthening can enhance well-being and promote optimal functioning, ensure families are better able to manage conflict, support caregivers in their parenting roles, and prevent negative cycles in the family. For this reason, family relationship strengthening, which focuses on the meso and micro-level, emerges as the second strategic priority.

CSOs, national and local government all have a crucial role to play in working with families to promote family relationship strengthening. Collaborative approaches to programming and service delivery should be encouraged, especially where there are evidence-based family strengthening programmes that can be adopted by government and rolled out by CSOs.

Recommended strategies and envisaged actions

Collaborate with civil society and local government authorities to ensure that families, of all forms, can access programmes and services that are appropriate to them and support them at various phases in the family life course:

- Family transitions
 - Offer and widen access to preparation programmes for family transition events such as marriage or long-term committed partnerships, parenting, and caring for elderly family members.
 - Make family planning health and counselling services available and accessible for both women and men.
- Child caregiving
 - Offer and widen access to parenting support and advice programmes and services that support caregivers to adapt to the changing needs of children over their life course.
 - Discourage the use of corporal punishment and empower caregivers to use alternative disciplining methods that reaffirm children's inherent positive values.
 - Ensure access to antenatal maternal and caregiver care and support (including mental health

support) to promote positive adaptation to caregiving for all new caregivers, paying particular attention to vulnerable groups such as teenage parents, caregivers with mental health conditions, and those from particularly economically distressed households.

- Acknowledge and encourage the role that both women and men play in the care and well-being of children and other family members and promote men's role alongside the roles that women traditionally play in child caregiving.
- Enhance families' and caregivers' ability and capability to protect children from exposure to, and participation in activities that may be detrimental to their physical, emotional, psychological, intellectual, and sexual well-being by providing information and services that can support them in this role.
- General family life
 - Offer and widen access to family strengthening programmes that include the whole family and that promote strong intra-family and intergenerational relations specifically between younger and older family members, between siblings and generally between members of the extended families, if applicable.
 - Offer and widen access to family strengthening programmes that empower families to enhance their social networks of support (key transactional processes that enable families to buffer against challenges include accessing relational and support networks), understand their rights, and collaboratively advocate for and access services they need for their emotional, spiritual and psychological well-being such as programmes offered by civil society organisations.
 - Widen access to relationship support at key points in couples' relationships to support couples to better manage conflict.
 - Support families to dissolve relationships where an amicable dissolution of a relationship is preferable to ongoing conflict or abuse.
- Caregiving for vulnerable children and adults
 - Ensure that families caring for particularly vulnerable children, such as children with disabilities, are aware of and able to access support services available to them.
 - Empower families that are caring for vulnerable adults such as the elderly and frail, and those with disabilities and chronic illnesses, with knowledge about what to expect and information about available support services.
- Family life under stressful situations

Although most families face stress due to the abovementioned socio-economic conditions, there are times of acute stress such as trauma, loss and states of disaster when families may need additional support to promote their resilience and functioning.

- Enhance families' resilience during times of acute stress by expanding access to trauma counselling and other forms of appropriate mental health support for all family members through social work and community psychology services, as well as programmes offered by civil society, including religious organisations.

Undertake regular research studies and situational analyses to acquire an information base for understanding the factors that place families at risk, to assess the direct and indirect effects of policies and programmes on family life and well-being and to identify opportunities for mitigation.

3.2.3. Strategic Priority 3: Treatment and Support for Vulnerable Families

Investments in strategic priorities 1 and 2 should, over time, promote family well-being and strong family relationships, thus reducing the need for treatment and support due to family dysfunction and breakdown. However, even with investments in strategic priorities 1 and 2, there will still always be a need for specific interventions that support families to manage particularly negative situations such as substance abuse, physical, sexual, financial, or emotional abuse, neglect, and violence. For this reason, prevention, early

intervention, treatment, and statutory intervention and support are required for particularly vulnerable families. Ensuring that families have access to such services will ensure that families can rebuild their capabilities with greater resilience over time.

Recommended strategies and envisaged actions

- Prevention
 - Strengthen awareness and education on domestic violence, its prevention, how families can seek help, and how communities can support families to do so.
 - Strengthen awareness and education on various forms of abuse, its prevention, how families can seek help, and how communities can support families to do so.
 - Strengthen awareness and education on substance abuse, its prevention, how families can seek help, and how communities can support families to do so.
 - Support interventions that challenge community norms and systems that intentionally or unintentionally discourage help-seeking by family members (e.g., community norms of “turning a blind eye” to domestic violence)
- Early detection and intervention
 - Empower healthcare providers, early childhood practitioners, teachers, religious leaders, and other service providers with knowledge about how to identify and respond to at-risk families.
 - Empower families with interventions about programmes and services that are available to them should they need to seek help (e.g., AIAnon; shelters for those escaping domestic violence).
 - Support families to dissolve where this approach is the best route to protect the well-being of family members, ensuring that they are not stigmatised in the process.
 - Sensitize community members to the special requirements of vulnerable families, without compromising their right to privacy and confidentiality.
 - Initiate communities of care made up of key stakeholders from the community, to holistically support the family.
 - Prioritise preventive initiatives in local areas where families at risk have been identified.
 - Make therapeutic services easily accessible and affordable for families and their members, paying particular attention to challenging the stigmas associated with help-seeking.
- Treatment
 - Ensure that where treatment is an option, individuals have access to treatment services.
 - Shift treatment approaches from an individual focus to an individual-within-family focus, acknowledging that individuals’ behaviour affects families and that individuals will return to families and family patterns that may affect their recovery.
 - Facilitate family access to support to work through trauma related to individual family members’ actions, and to understand how to respond to family members who are undergoing treatment.
 - Ensure that, where necessary, family members have access to appropriate services, including shelters, Child and Youth Care centres, and other family support programmes to manage particularly difficult times of transition or conflict.
- Statutory Intervention and Family Preservation
 - Where necessary, ensure that statutory interventions are enacted and that civil society and the state entities responsible are capacitated to deliver on such interventions.
 - Encourage family-centred extended kin fostering as the most appropriate and cost-effective

placement for children.

- Strengthen and expand existing adoption and foster care mechanisms and support measures to ensure rapid family placement of all children in need thereof.
 - Provide support services to all families affected by the removal of a family member.
 - Provide psycho-social support to all victims of family violence and those who have been exposed to violence, for court preparation and follow-through.
- Reunification and After Care
 - Where appropriate, implement appropriate protocols for reintegration and reunification of family members who have been separated for extended periods of time for various reasons.
 - Provide capacity building and empowerment of families through implementation of evidence-based programmes, to deal with and handle challenging child and youth behaviour.
 - Increase reunified children's access to formal education. Where this strategy is not feasible or desirable, encourage vocational and/or life skills training.
 - Specialised transitional support services for youth exiting care. This approach could include psycho-social support programmes, as well access to education and/or employment opportunities and entrepreneurship for young people as well the provision of social welfare support services (Van Breda & Dickens, 2016)
 - Develop and implement educational, therapeutic and rehabilitation interventions for perpetrators of domestic violence and abuse. There is also the need to make more shelters available for woman and children who have been abused and require alternative, safe housing. Shelters provide opportunities for survivors to escape the cycle of abuse while efforts are made to address the underlying problems (Brodie, 2020: 208).

SECTION 4: COORDINATION, IMPLEMENTATION AND MONITORING STRUCTURES

The achievement of the vision, mission, and objectives of this Revised WPF relies on effective implementation of the actions under each strategic priority. Three documents should be developed using the revised WPF:

- A fully costed Implementation Plan
- A Monitoring and Evaluation Framework
- A Communications Strategy

All three of these action documents are crucial to see the objectives captured in this document realised. In this section we outline the coordination mechanisms, implementation approach, budget considerations, and a monitoring and evaluation approach. These sections should be read as providing guidance towards the development of the abovementioned documents.

4.1. Coordination

The Department of Social Development has the mandate to promote and ensure that policy and programming across the board acknowledges the importance of the family as a core unit of society and works to foster family well-being, family strengthening and support for vulnerable families. However, achieving the objectives of this revised WPF involves the work of national, provincial, and local government departments; civil society organisations including those providing welfare and other services, those developing advocacy programmes, trade unions, and religious organisations; the private sector; academia; as well as communities and families themselves.

Given that so many factors play a role in promoting family well-being and strengthening, and providing support to vulnerable families, the implementation of the Revised White Paper on Families requires coordination and intersectoral collaboration. Evidence clearly demonstrates that partnerships between government and civil society are achieving more success than government departments on their own (Patel, Hochfeld & Englert, 2018) and that programme delivery is most effective when local service partners are drawn into the planning and implementation (Fixsen et al., 2013). Clearly therefore, coordination and integration are crucial to achieve the objectives.

4.1.1. Roles of stakeholders

Each stakeholder has a role to play in delivering to ensure that the objectives are met. The role of DSD is therefore to promote collaboration, advocate for families at all levels of government and across departments, engage meaningfully with civil society, the private sector and academia; and track progress towards the objectives. They have the primary responsibility to ensure that stakeholders are aware of the Revised WPF, engage stakeholders in collaborative mechanisms to achieve the WPF objectives, and monitor progress towards the achievement of the objectives to guide strategic programmes.

Various national government departments have a role to play as they develop and revise policies and deliver programmes and services. The main government departments to be engaged in this regard are listed in Appendix 1.

Provincial government departments of social development have a role to play in ensuring that the objectives of the Revised WPF are integrated into provincial plans and strategies, and to facilitate coordination between relevant provincial departments, civil society organisations, and private sector bodies.

Local government departments have a role to play in ensuring that the objectives of the Revised WPF and the provincial strategies and plans are integrated into local service delivery, and to facilitate coordination

between relevant local departments, civil society organisations and private sector bodies.

Civil society, including non-governmental organisations, community- and faith-based organisations, and trade unions, is an important intermediary in the light of government public policy and an important avenue for articulating the vision of the White Paper by, among other things, promotion of, and advocating for, the general well-being of families; facilitation of referrals of families and/or their members to the relevant services, where necessary; and by facilitating family reintegration where necessary. Furthermore, civil society organisations that specialise in gender, human rights and general family issues can be utilised to train other service providers in these issues. Such organisations are often the first available port of call for families that are struggling. Civil society therefore has a vital role to play in providing support and advocating for families. Civil society organisations include those that are delivering welfare and other services to families, those developing behavioural and attitudinal change programmes, those involved in advocacy work, and those empowering families and communities with skills, knowledge, and awareness of their rights.

Religious organisations are also part of civil society and play a crucial role for many families. Religious and faith-based organisations should be encouraged to work closely with government and other civil society organisations to advocate for family well-being and family strengthening. Religious organisations are often an important resource for families in distress and should provide appropriate support and referral for vulnerable families. Trade unions have significant potential to shape employer thinking about work-family balance. They have been crucial partners in promoting for extended paternity leave and can continue to play a role in advocating for better work policies to promote healthy family life.

The private sector as employer has a role to play in the promotion of family well-being and the strengthening of families in South Africa by the manner in which employers can develop programmes that create a healthy balance between work and the family. It is well-documented that employees' failure to adequately balance work and family responsibilities affects workplace productivity and profitability due to problems such as high turnover, increased absenteeism, tardiness; and decreased job satisfaction, productivity, and work quality (International Labour Organisation, 2004). The private sector therefore needs to strive to achieve a better work-life balance for its employees by ensuring that the work environment is family-friendly through benefits that impact on the quality of life of family members; affording employees their full family-related entitlements and benefits such as maternity and paternity leave and family responsibility leave. In this regard they also have an important role to play in ensuring that policies promote gender equity in care and work. Regarding family strengthening, the private sector, through Corporate Social Investment projects, play an important role in supporting the efforts of organisations involved in different initiatives aimed at raising the quality of life of all families, and supporting the most vulnerable families.

Traditional leaders have a role to play in the implementation of the White Paper as they not only remain the custodians of traditional value systems, but they also preside over land, marriages, and families in rural areas. Traditional leaders are therefore key role players to engage in ensuring that gender equity, economic empowerment, and support to vulnerable families can be achieved.

Academics have a role to play in supporting the work of all role players through delivering rigorous and sound research on the challenges facing families, how families build their resilience and well-being, as well as collecting, analysing, and reporting data that can aid role players in understanding whether progress is being made towards the objectives of this revised WPF. Many academics also collaborate with government and civil society to develop and test family strengthening programmes that, based on evidence, could be scaled up through partnerships.

Drawing on the expertise and offerings of all role players is crucial for the achievement of the objectives outlined in Section 1 above. Collaborative mechanisms at various levels are necessary to foster engagement.

4.1.2. Coordination mechanism

Achievement of the objectives will be dependent on a sound intersectoral and interdepartmental mechanism, an active political administration and technical expertise. The former would facilitate the translation of the White Paper's objectives into actual programmes (existing and required), delivered to different families by different stakeholders. The successful development of an intersectoral coordination structure and system will determine the extent to which the whole policy is implemented and monitored effectively and efficiently. This goal can be addressed through formalised institutional arrangements that facilitate coordination, collaboration, and synergy in implementation, which are covered in this revised WPF, but should not exclude informal collaborative engagements.

This section presents the formalised mechanism that will be used to facilitate the intersectoral work required for successful implementation of the Revised WPF at national, provincial, and local levels.

The model of a Family Service Forum (FSF) at different levels of administration should be implemented to ensure effective coordination. FSFs will be established at national, provincial, district and local levels to ensure effective coordination and communication between all relevant stakeholders. Their main function will be to:

- Ensure awareness of the Revised WPF,
- Monitor progress towards the objectives of the revised WPF, and
- Provide strategic direction based on evidence to ensure that backlogs and bottlenecks in achieving the objectives are dealt with.

This section outlines, for each level, **who** should participate in the FSF (stakeholders), **what** the functions of the FSF are (functions), and the formalised mechanisms by which the FSF should work.

National Family Service Forum (NFSF)

Stakeholders

The NFSF will be led by the Department of Social Development, with the Office of the Presidency as an equal partner. Representation and active participation of the below-mentioned government departments will be mandatory as they have been identified as pivotal in the successful implementation of the Revised White Paper for Families:

- Department of Social Development (DSD) (The lead and coordinating department)
- South African Police Services
- South African Social Security Agency
- Statistics South Africa
- Department of Human Settlements
- Department of Public Works and Infrastructure
- Department of Health
- Department of Basic Education
- Department of Women, Youth and People with Disabilities
- Department of Home Affairs
- Department of Rural Development
- Department of Cooperative Governance and Traditional Affairs

Other departments will be invited to participate where the strategic plans of the NFSF warrant their engagement and collaboration.

In addition to the above government departments the following institutions and organisations should be invited to participate:

- Relevant academic and research institutions focused on family life
- Established national level civil society, faith-based, and religious organisations
- Trade unions
- Traditional leaders (where appropriate)
- National level private sector coordinating bodies

The Chairpersons of the provincial family service forums should be represented in the National Family Service Forums.

Functions

The core functions of the National Family Forum will be to:

- Promote awareness of the Revised WPF.
- Establish a system of monitoring progress towards family well-being.
- Regularly monitor and provide reports on progress towards the objectives of the revised WPF.
- Develop strategic plans to address backlogs in the achievement of the objectives of the WPF.
- Facilitate coordination, collaboration, and synergy in the implementation of these strategic plans with relevant government departments, civil society, private sector, and academia.
- Develop, where needed, and review existing and proposed national-level policies that impact on the well-being of the family.
- Ensure the availability of the required financial and human resources to oversee and implement strategic plans that will lead to the achievement of the objectives of the revised WPF.
- Empower government departments, civil society organisations, and the private sector with information about how to achieve the objectives of the WPF (including disseminating relevant research, and promoting the use of evidence-based programmes).
- Facilitate the establishment of and provision of information to provincial and local FSFs or other relevant interdepartmental structures and/or mechanisms at a provincial and municipal level to ensure the implementation and monitoring of the White Paper on Families based on provincial and local needs.
- Support, monitor and evaluate the implementation of the White Paper.

Formal mechanisms

- Government department members of the National Family Service Forum will be nominated by the relevant Director General to represent their departments, while the civil society, academic, and private sector representatives will be nominated by their board of directors.
- The Department of Social Development will chair the meetings and provide the secretariat services.
- The DSD will gather and share data as outlined and request relevant information from relevant

departments, as well as provincial, district, and local FSFs as required.

- The DSD will collate annual reports of the provincial, district, and local FSFs to monitor overall progress towards the objectives and implementation of the strategic priorities.
- The FSFs will collaboratively develop three-year strategic plans based on the evidence (data and annual progress reports) and nominate members to take the actions forward and report quarterly.

Provincial Family Service Forum (PFSF)

Stakeholders

The PFSF will be led by the Provincial Department of Social Development, with the Office of the Premier as an equal partner. Representation and active participation of the following provincial departments will be mandatory as they have been identified as pivotal in the successful implementation of the Revised White Paper for Families. Provincial departments will include those responsible for:

- Health
- Basic Education
- Human Settlements
- Public Works/ Infrastructure
- Community Safety

Other departments will be invited to participate where the strategic plans of the NFSF warrant their engagement and collaboration.

In addition to the above provincial departments the following institutions and organisations should be invited to participate:

- Relevant academic and research institutions focused on family life
- Established provincial level civil society, faith-based, and religious organisations
- Provincial trade union branches
- Traditional leaders (where relevant)
- Provincial level private sector coordinating bodies

The Chairpersons of the District FSFs should be represented in the Provincial Family Service Forums.

Functions

- Promote awareness of the Revised WPF to provincial stakeholders.
- Facilitate coordination, collaboration, and synergy in the implementation of these strategic plans with relevant departments, civil society, private sector, and academia.
- Ensure the availability of the required financial and human resources to oversee and implement strategic plans that will lead to the achievement of the objectives of the revised WPF.
- Establish linkages and integration of the White Paper into the Provincial Growth and Development Plan.
- Develop, where necessary, and review all the existing provincial policies that impact on the well-being of the family, in line with the White Paper.
- Work with National DSD to empower departments, civil society organisations, and the private sector with information about how to achieve the objectives of the WPF (including disseminating relevant

research and promoting the use of evidence-based programmes).

- Coordinate services to families in provinces.
- Hold inter-sectoral meetings to identify and address breakdown in communication and share best practices.
- Consolidate a provincial resource directory for services.

Formal mechanisms

- Members of the Provincial Family Service Forum must be nominated by their Head of Department in provinces to serve on the Provincial Forum, while Civil Society Organisations and Research institutions will be nominated by their board of directors.
- The Provincial Department of Social Development will chair the meetings and provide the secretariat services to the forum.
- The PFSFs will collaboratively develop annual strategic plans based on the evidence (data and annual progress reports) and nominate members to take the actions forward and report quarterly.
- The PFSF may request relevant information from relevant provincial and local departments and the local FSFs as required.
- The Provincial DSDs will be required to submit three-year strategic plans that align with the national strategic plans, as well as monitoring reports against those plans to the national DSD/ NFSF

District and Local Family Service Forum (DFSF/ LFSF)

The new District Development Model (DDM) which was announced by President Ramaphosa in the SONA 2019, is a governance strategy aimed at improving coordination and collaboration at district level in order to *“have line of sight of exactly where the challenges & blockages are in this district, to resolve them and to ensure there is proper implementation”* (President Ramaphosa at District Development Model proceedings in Waterberg, Limpopo, 25 November 2019). This approach holds potential for the District FSFs since they can rely on an established mechanism of coordination to promote the work required to achieve the objectives of the Revised WPF.

Stakeholders

- Each district and local municipality must establish a DFSF/ LFSF to coordinate services to families and implement the White Paper on Families
- Each DFSF/LFSF should be made up of relevant municipal offices responsible for services to families, health, education, human settlements, local service delivery, and safety; as well as district/local level relevant CSOs, CBOs, FBOs, religious organisations and district/local-level private sector coordinating bodies.
- In addition to these core members, other departments, and non-government organisations, as well as interested parties from academia at a municipal level may be invited to participate.

Functions

- Respond to the NFSF and PFSF annual plans by developing an integrated local plan of action.
- Develop databases and referral networks of relevant services providers and organisations offering family services.
- Ensure that resources are dedicated to the implementation activities of the White Paper.
- Facilitate collaboration and referral procedures to ensure effective referral of families to appropriate

service providers.

- Based on input from the NFSF and PFSF, provide training to upgrade and train family service providers, and staff/ volunteers.
- Disseminate information about support services available for families affected in communities.
- Promote networking with all community service providers and establish public or private partnerships that can support the achievement of annual strategic plans.
- Develop, where needed, and review all the existing bylaws that impact on the well-being and development of families, in line with the White Paper.
- Guide and direct the process of ensuring that services are delivered to families and communities.
- Support, monitor and evaluate the implementation of the White Paper at a municipal level.

4.2. Implementation approach

The approach to implementation of the strategic priorities will be for the DSD, in collaboration with the NFSF, to consider the actions and implementation approach for each Strategic Priority and to develop a costed, strategic implementation strategy every three years, aligned with the Medium-Term Expenditure Framework, to ensure that the recommendations and ethos of the Revised WPF can be operationalised and fully costed. The implementation strategy should be informed by available evidence to form a baseline for each strategic priority and then monitored against that baseline over the three-year period.

4.2.1. Strategic Priority 1: Promote Family Well-being

The approach to achieving family well-being is to monitor how service delivery across government departments is leading to families' access to the resources and assets they need to achieve well-being; and develop strategic plans based on these data. To achieve this objective the DSD and NFSF should:

- Use publicly available and regularly reported datasets (e.g. General Household Survey (GHS), Victims of Crime Survey (VCS), and Quarterly Labour Force Survey (QLFS) to develop a set of indicators that provide a snapshot of family well-being. As many of the resources and assets described under Strategic Priority 1 should be included, considering the advantages as well as the limits of publicly available data. The following indicators, amongst others, should be included:
 - Hunger/ food security (GHS)
 - Income poverty (upper-bound, lower-bound and food poverty levels) (GHS)
 - Employment (GHS/QLFS)
 - Access to health (GHS)
 - Access to basic services (GHS)
 - Access to ECD and basic education (GHS)
 - Access to grants (GHS/SASSA administrative data)
 - Sense of safety (VCS)
- Analyse data annually by gender, race, disability, age, type of household, and province to provide insight into where continued challenges exist in service delivery.
- Develop three-year strategic plans, in line with the cycle of the Medium-Term Expenditure Framework, to address backlogs and bottlenecks and build these strategic plans into the medium-term budgeting processes.
- Engage relevant stakeholders (government, civil society, academia, private sector etc) crucial to the implementation of the strategic plans.

- Resource relevant stakeholders with the appropriate information and, where possible, capacity and budgets to implement the strategic plans.
- Monitor implementation of strategic plans through required reporting to the NFSF.
- Annually monitor whether progress is being made on the abovementioned indicators and revise strategic plans as appropriate.
- Identify gaps in data (e.g. understanding gender dynamics in the household through time use surveys and analysing suitable data at district and local level) and collaborate with Statistics South Africa to address such gaps.
- Regularly identify and review policies to ensure that they achieve family well-being, in line with the objectives and strategic priorities.

4.2.2. Strategic Priority 2: Family Relationship Strengthening

Family relationship strengthening relies on the accessibility and use of a range of services and programmes to improve family communication relationships, enable families to manage conflict positively, and provide support during times of distress. The implementation approach for this strategic priority is to create the conditions for the flourishing of good practice programmes. To achieve this objective the NFSF should:

- Ensure that the ethos of Strategic Priority 2 of the Revised WPF filters through to service delivery at every level by
 - Requiring programmes that are funded by DSD and other funders represented on the NFSF to reflect this ethos and approach to family service (in approval of programme plans).
 - Monitoring the performance of service delivery partners with this commitment to the ethos of the Revised WPF in mind by building this aspect into performance plans of delivery agencies.
 - Conducting a three-year evaluation process to understand whether the ideas of the family policy are filtering through to implementation by service delivery partners.
- Gather data on the approximate number and spread of family programmes offered by government, civil society and the private sector including:
 - Preparation for marriage and long-term partnerships
 - Parenting/ caregiving programmes
 - Maternal and caregiver health and mental health support
 - Family strengthening programmes
 - Relationship counselling services
 - Trauma counselling services
 - Access to family planning
 - Services for families caring for family members in need of more intensive care
- Identify gaps in service delivery and promote the development of such services in under-served areas.
- Identify good practice and evidence-based programmes that can be scaled up through government and civil society.
- Allocate resources to capacity building of government and civil society service providers to deliver good practice and evidence-based programmes.
- Facilitate accredited training of professionals and volunteers.

4.2.3. Strategic Priority 3: Treatment and Support for Vulnerable Families

Strategic Priority 3 relies on empowering families to seek help and for key community stakeholders (including religious organisations and civil society organisations) to provide appropriate support, referral, and treatment. To achieve this objective the implementation approach at the level of the NFSF is to:

- Curate evidence-based information on domestic violence, abuse, substance abuse and other factors affecting vulnerable families as well as effective help-seeking strategies and support services targeted at:
 - Families
 - Communities
 - Help providers (e.g. teachers, social workers, psychologists, religious leaders, community leaders, healthcare professionals)
- Disseminate such information to Provincial and Local FSFs and other networks to inform awareness and information campaigns.
- Gather data on the approximate number and spread of treatment and support programmes offered by government, civil society, and the private sector.
- Identify gaps in service delivery and promote the development of such services in under-served areas.
- Identify good practice and evidence-based programmes that can be scaled up through government and civil society.
- Allocate resources to capacity building of government and civil society service providers to deliver good practice and evidence-based programmes.

4.3. Budget allocations

The effective implementation of the Revised WPF requires an annual budget to support the following:

- The work of the FSFs, as the core coordinating mechanism driving the implementation of the Revised WPF, needs to be appropriately resourced and budgeted for at each level. A key recommendation emerging from the consultations is that a qualified coordinator is crucial to the successful functioning of the FSFs. Therefore, at least one individual per FSF should be budgeted for annually to coordinate the engagements, prepare documentation for the engagements, coordinate the gathering of evidence to inform the three-year strategic implementation plans, document the strategic implementation plans, engage with FSFs at other levels, and monitor implementation of the strategic implementation plans. Resourcing for this capacity needs to be factored into annual budgets at all levels.
- Gathering and analysis of data to inform the strategic plans should be set aside annually.
- Capacity building of government and civil society organisations to ensure that evidence-based and good practice programmes can be effectively scaled up.
- Communication about the Revised WPF at all levels
- Annual monitoring and evaluation activities

In addition, the strategic implementation plans that are developed by the FSFs should be conceptualised in line with the Medium-Term Expenditure Framework cycle, and the cycles of developing/ revising Community and Integrated Development Plans to ensure appropriate resourcing and to inform budgeting processes at every level. This approach should ensure that relevant departments at all levels can include budgets for strategic plans into annual budgets for the departments.

4.4. Monitoring and evaluation

The availability of reliable and consistent data is essential for developing implementation plans and monitoring progress towards the goals of the Revised WPF. These data can also provide focus for the different sectors and stakeholders involved in the implementation of the Revised White Paper on Families.

This policy document provides guidelines for an approach to Monitoring and Evaluation (M&E), which should be used to develop a fully operationalised monitoring and evaluation framework that will be a companion document to this Revised WPF. The M&E will then serve as an important stage for the implementation of the White Paper on Families as it will provide all stakeholders with the means for learning from past experience, improving service delivery, planning and allocating resources, and demonstrating results as part of accountability to key stakeholders (World Bank, 2004).

The overarching approach to M&E for the Revised WPF is to:

- a. Collect baseline data on several indicators that will be tracked over time, per strategic priority
 - Strategic Priority 1
 - Hunger/ food security (GHS)
 - Income poverty (upper-bound, lower-bound and food poverty levels) (GHS)
 - Employment (GHS/QLFS)
 - Access to health (GHS)
 - Access to basic services (GHS)
 - Access to ECD and basic education (GHS)
 - Access to grants (GHS/SASSA data)
 - Sense of safety (VCS)
 - Strategic Priority 2
 - Nature and extent of family programmes
 - Gaps in service delivery
 - Strategic Priority 3
 - Nature and extent of family preservation and family support programmes and services
 - Gaps in service delivery
- b. NFSF to develop the strategic implementation plan for each strategic priority using the baseline data to guide the development of the plan and communicate this information to other levels of FSFs.
- c. Identify input, output and outcome indicators that will be monitored by FSFs at all levels to ensure that strategic plans are executed using the abovementioned implementation approach. Other relevant indicators include those in the *Monitoring and Evaluation Framework for Services to Families* of the Department of Social Development (Department of Social Development, 2011). DSD needs to provide support on developing these indicators and strategies for monitoring as required by FSFs at all levels.
- d. Monitoring will involve collecting data on a quarterly, biannual or annual basis (depending on the indicator) at all FSF levels and reporting on these at quarterly FSF meetings. This monitoring is intended to contribute positively to the successful implementation of the White Paper and to hold relevant service partners and implementing role players accountable for service delivery. The results

of the monitoring process will be used to reflect on what is happening on the ground in relation to the implementation plan. The results of monitoring will feedback into the implementation process on a regular basis and will continually be utilised to improve services offered. This process will provide opportunities to learn from the actual and present options for adjustment and improved implementation.

Every three-years a full evaluation of outcomes and impact indicators should be conducted to assess the effects of the work done by the various FSFs in relation to their strategic plans and the overall objectives and strategic priorities of the WPF should be conducted. Both qualitative and quantitative approaches to evaluation should be used. Quantitatively, an assessment of progress on the baseline indicators mentioned in a) above should be conducted. Other quantitative measures can be drawn from performance plans and evaluation reports of funded service-delivery partners. Qualitative approaches to assess whether the ethos of the Revised WPF is being incorporated into policy documents, IDPs, CDPs, and family services should be conducted.

Appendix A: Key government departments involved in achieving the WPF objectives

This Appendix outlines the key government departments that are crucial to engage with in order to achieve the objectives of the RWPF. Although specific civil society, private sector and academic partners are not listed, this omission should not be read to mean that these are not crucial stakeholders. Rather, an exhaustive list of all civil society, private sector, and academic partners is not possible.

Primary departments

The Department of Social Development (DSD)

The DSD is the coordinating department. It is also the main focal point for actions aimed at supporting family life and the strengthening of families in the country as well as coordinating treatment programmes. The Department of Social Development as a lead should coordinate the activities that would contribute to the successful implementation of the White Paper on Families. The Department will also ensure that all policies, legislation and initiatives of Government are explicitly tilted in favour of families in the country. It will be the leading department implementing the White Paper while performing the following tasks:

- Developing and facilitating the implementation of intersectoral and interdisciplinary protocols
- Mitigating the risk factors that impede families from fulfilling their various roles and responsibilities
- Ensuring an effective and holistic service delivery system, including prevention, early intervention, statutory intervention, and reunification/after care services and programmes
- Advocating on behalf of families through the dissemination of information and education strategies.
- Involving men in home-based care and the care of orphaned and vulnerable children in order to lessen the burden on women
- Exploring the possibility of calling for the inclusion of paternity leave in the Basic Conditions of Employment Act 75 of 1997 and strengthening the recognition of parenting and support for parents in the workplace.
- Developing minimum norms and standards for service delivery in the field of families.
- Facilitating capacity building of provincial stakeholders.
- Instituting and facilitating Family Services Forums at the various levels.

Department of Arts and Culture

The role of the Department of Arts and Culture in the implementation of the White Paper on families is to strengthen social cohesion in families. The Department recognises the family as a structure that fosters socialisation and instils positive values. The Department of Arts and Culture promotes arts, culture and heritage as ways to unite families, communities and the society at large toward building a happy nation. In addition, the Department:

- Develops talent in the arts for economic development to sustain families
- Promotes access to information for families
- Ensures the development and promotion of mother tongues
- In collaboration with the Department of Correctional Services ensures that offenders are rehabilitated by nurturing their talents and also providing opportunities for offenders' families to

participate during events where offenders are given a platform to showcase their talents

- Contributes towards the creation of awareness of domestic violence against women and children through the arts.

Departments of Co-operative Governance and Traditional Affairs

These departments are at the coalface of Government's service delivery and the implementation of policies. Most of the work of this department has a direct impact on the family. In order to harmonise all the department's efforts, multidisciplinary teams will be at the forefront of service delivery at this level. In addition, traditional leaders will be trained and engaged around issues of gender equality and human rights including training on the Constitution and provisions of family-related regional and international human rights instruments that South Africa had signed and ratified. The municipalities will ensure that the implementation of the White Paper is captured in line with their Integrated Development Plans (IDPs).

Department of Correctional Services

The Department of Correctional Services (DCS) has a crucial role to play in guaranteeing the well-being of South African families, as many offenders are also members of different families in the country. Since the department's primary goal is to facilitate the correction of offending behaviour, mainly through rehabilitation, families are considered as pivotal partners in this process. Families also play an important role in the reintegration of offenders back into society. The White Paper on Corrections in South Africa (2005) also recognises the family as the basic unit of society, as well as the primary level at which correction should take place. To this end:

- Families should be involved in rehabilitation programmes for family members who are prisoners.
- DCS should facilitate and support contact between families and prisoners, particularly children.
- DCS should strengthen its relationship with other departments, especially DSD, in order to effectively involve families in rehabilitation programmes for prisoners and to facilitate family contact successfully.
- Offenders should be reintegrated back into communities with the support and help of programmes which address their attitudes towards violence and gender transformation concepts should be used to address recidivism.

Department of Defence and Military Veterans

The Department of Defence (DOD), in particular, the Directorate Social Works' role in strengthening families cannot be overemphasized. Deployment and separation form part of military lifestyle, and is both challenging and stressful for the members and their families. Various separation/deployment/occupation-related challenges have been documented viz, domestic violence, financial problems, substance abuse, marital problems, problems with children, divorce, lack of organisational support, lack of social support systems, maintenance problems, loneliness and emotional problems, lack of communication facilities and workplace-related problems. Thus, the promotion of resilience of families forms the core of military occupational social work service delivery to the DOD employees and their dependants (families), military veterans and approved clientele within the DOD. Military occupational social work strives to maintain a balance between the demands of the military system and the needs of its members, in order to ensure the mission readiness of the organisation. Execution of the White Paper on Families will reinforce implementation of programmes that are aimed at addressing the aforementioned challenges, the core functions of which will be to:

- Facilitate coordination, collaboration and synergy in the implementation of the White Paper in the DOD nationally.

- Ensure the existence of a body viz Resilience Advisory Committee (RAC), that will identify and address deployment-related stressors and challenges within the DOD. This committee should account to the Military Council.
- Develop where necessary and review existing policies and programmes that have an impact on the family well-being
- The DOD should allocate the required financial, logistic and human capital to oversee the implementation of the White Paper.
- Ensure the implementation of a need-based, appropriate, available, accessible and accountable military occupational social work service within the DOD nationally in order to promote a balance between work demands and family life.
- Promote social change, problem solving in human relationships, resilience of people and the empowerment and liberation of individuals, families and communities in order to enhance their social functioning and social well-being.
- Network/consult and establish partnership with relevant service providers and stakeholders who have a vested interest in the well-being of families in South Africa.
- Support, monitor and evaluate the implementation of the White Paper.
- Ensure implementation of intervention programmes such as the resilience programme (which for example entails programmes such as HIV and AIDS, Financial management/recovery, sexual harassment, marriage enrichment, mission readiness course, deployment support to members and families, home visits, conflict management, stress management), a demobilization programme which entails preparation for reintegration both within the family and at the workplace, and provision of social work services both at home and within the mission areas during deployment.
- Regularly undertake research to determine the needs of members and families.

Departments of Education

Both the Department of Basic Education and Higher Education and Training will respond to the vision of the White Paper ensuring that all South African children have access to quality education. The department will also ensure that an inclusive education and training system is available to children with special educational needs and assist families through the placement of such children in mainstream schools, full-service schools and special schools. It will also attend to the following:

- The involvement of families in the education of children
- Ensuring that life orientation curricula incorporate family issues, sexual and reproductive health, gender equality and human rights, HIV and AIDS and alcohol and substance abuse.
- The promotion of parental involvement in their children's schooling
- The provision of early childhood development services
- Advocating for the provision of psycho-social services in schools
- The provision of youth development programmes with an emphasis on life orientation, skills development and training including trade and industry skills.
- Strengthen accountability mechanisms for educators aimed at addressing issues such as the violence, bullying and the commission of sexual acts between educators and learners.

- Provision of meals to learners in disadvantaged communities to assist with nutritional needs of developing bodies and minds

Department of Economic Development

The Department of Economic Development is responsible for coordinating the development and implementation of the country's economic strategy. It is crucial that this strategy takes into account the needs of families to be able to access economic opportunities and build economic assets by:

- Developing family-focused policies and strategies
- Promoting opportunities for families to access economic opportunities

Department of Small Business Development

The Department of Small Business Development is tasked with enhancing support to small business and cooperatives, with an emphasis on programmes to advance entrepreneurship amongst women, the youth, and people with disabilities to contribute to job creation and economic growth. This department has a responsibility to ensure that:

- Programmes and strategies are family focused
- Programmes and opportunities ensure that families can access support for the development of economic opportunities through SMMEs and cooperative development
- Programmes and strategies account for the gendered nature of care and are positioned to ensure that these care responsibilities do not undermine possibilities to access support for economic empowerment.

Department of Health

The Department of Health will contribute towards the implementation of the White Paper by ensuring that South African families have access to affordable and high-quality health services by:

- Developing family-focused policies, and programmes and services addressing the mental and physical well-being of families, including: primary healthcare services and health services for families affected by HIV and AIDS, violence, malnutrition, infectious diseases, chronic illnesses and mental health-related problems
- Health promotion and education at community level.
- Accountability mechanisms for health professionals should be strengthened to address issues such as discriminatory attitudes towards sex workers, lesbian and gay people and young people seeking advice on contraception and STI treatment.
- Actively involving patients and their families in the service provision process. Patients should be empowered and educated to understand their health needs rather than given instructions that are not accompanied with sufficient information.
- Engaging traditional healers in all issues relevant to the health concerns of people accessing health-related assistance from traditional healers to ensure that protective and safety mechanisms are put in place and that human rights standards are complied with.

Department of Home Affairs

The role of this department in protecting and regulating the interests of all inhabitants of South Africa, with regard to their individual status and identity, as well as specific rights and powers, is vital for the promotion of family life and the strengthening of the family. The department has an important role to play in the

implementation of the White Paper through:

- The registration of the family members of South African citizens and permanent residents to the National Population Register (NPR) with regard to birth, marriage, death and naturalization.
- The issuing of South African identity documents, which are crucial for access to state social security services.
- The regulation of the admission, staying and departing of asylum seeker, refugee and migrant families.

Department of Human Settlements

In facilitating the implementation of the White Paper, the Department of Human Settlements will ensure that South African families have access to quality housing that is supportive of their optimal socio-economic functioning. It will also make provision for the development of housing structures, including the implementation of the government-driven RDP housing programmes that are family-friendly and support community interaction. The department will additionally focus on:

- Housing development that takes cognisance of the diverse nature of families in South Africa.
- Housing development that is holistic and has links with other social systems, such as clinics, schools, transport, sport, recreation facilities and police stations.
- Housing that raises the livelihoods of families and is not merely used for shelter, but becomes an asset in the fight against poverty
- Human settlements that are supportive of family life and strengthen families.
- Investment in new human settlements that bears in mind family-friendly urban design; shared open space; adequate distance between households; walking distance to community facilities; increased street safety measures; and more green spaces.

Department of Justice and Constitutional Development

The Department of Justice and Constitutional Development's mandate will consolidate the implementation of the White Paper by ensuring peace and security in the country and by:

- Ensuring that the criminal justice system responds to the needs of the family
- Prioritising the safety of children
- Promoting restorative justice, in order to preserve families
- Ensuring that there is an effective family law system in the country.
- Strengthening mechanisms in place for the protection of complainants and their families involved in criminal proceedings.
- Strengthening protective mechanisms aimed at protecting and advancing the interests of vulnerable groups such as elderly and people with disabilities.
- Addressing the inconsistency between various statutes that are applicable to the same issues in an effort to improve the administration of justice.
- Exploring more effective maintenance systems and ways to ensure that men live up to their responsibilities, when they are able to do so. Forms of maintenance, other than monetary maintenance, for those who cannot afford to pay maintenance, should be explored.

Department of Labour

The Department of Labour will be involved in the implementation of the White Paper through, inter alia, the following:

- Ensuring that labour policies and laws support gender equity at the workplace
- Protecting workers' rights through the monitoring of employment conditions
- Monitoring fair practices at the workplace, especially with regard to maternity leave
- Contributing towards conditions conducive to the creation of employment by developing sound labour legislation
- Protecting children against child labour through the detection of such practices and the prosecution of perpetrators.
- Mainstreaming education on human rights, gender equality and work-life balance issues into workplaces.
- Raising awareness raising concerning child labour.
- Prioritising the skills development of workers.
- Recommend the development and implementation of paternity leave.

The South African Police Services

In order to contribute to the implementation of the White Paper, the South African Police Services (SAPS) will coordinate more effectively with other stakeholders and specifically the other government departments forming part of the criminal justice system. In addition, there will be:

- Increased patrolling and increase visibility of the SAPS.
- Strengthened accountability mechanisms for SAPS members, and effective and legitimate complaints processes and disciplinary procedures will be put in place.
- Improved training on SAPS's legal obligations contained in the Constitution, Domestic Violence Act 116 of 1998 and accompanying secondary legislation and policy relevant to domestic violence and the handling of domestic violence cases including for prevention, to avoid secondary victimisation and to dispel myths about domestic violence being a private/family matter.

Department of Rural Development

Families in rural areas are relatively more vulnerable than their urban counterparts. In addition, rural children are more prone to child poverty than urban children. Most rural provinces also exhibit high poverty ratios. Therefore, rural development strategies need to have a strong focus on families, and will be guided by the principles of the White Paper to:

- Increase economic development and rural upliftment
- Implement programmes that address gender equality education and awareness-raising in rural areas.
- Address access to education, services and justice.

Department of Women, Youth and People with Disabilities

This department will need to locate all these groups within the family setting and not treat them as disaggregated populations. Once these individuals are regarded as family members, service delivery will

target families and not just women, children and people with disabilities. Furthermore, the Department should address gender education, protection of children, life orientation skills in schools etc. and also recommend the extension of maternity leave and the creation of paternity leave.

Department of International Relations and Cooperation

With one of its objectives being to conduct and co-ordinate South Africa's international relations, this department will:

- Promote South Africa's national social development priorities, norms and standards as well as its foreign policy objectives pertaining to the family, on the international agenda
- Lead in all matters relating to South Africa's regional and international engagements
- Keep stakeholders informed of South Africa's ratification of international instruments related to the family
- Work with relevant departments to monitor and evaluate the country's progress on relevant Plans of Action where appropriate.

South African Social Security Agency (SASSA)

As the Agency mandated to ensure the provision of comprehensive social security services against vulnerability and poverty within the constitutional and legislative framework, SASSA will ensure that all eligible families, family members, and caregivers have access to the various social security and social assistance programmes aimed at strengthening and protecting the family in South Africa.

South African National AIDS Council (SANAC)

It is recognised that the South African National AIDS Council is not a governmental institution. However, its contribution in the implementation of the White Paper is required, especially given that the White Paper often acknowledges the significant effect that HIV and AIDS have on family members. As such, it is recommended that SANAC be included in the list of institutions implementing the White Paper and that the following items be included in its duties and responsibilities:

- The inclusion in the National Strategic Plan on HIV, STIs and TB 2012-2016 (NSP) of the distribution of female condoms in an effort to increase gender equality, improve the negotiation of condom use in relationships and reduce the spread HIV and the impact of AIDS.
- The development of more family-focused HIV and AIDS interventions.
- The support of community home based care providers.
- The continued research on the spread and impact of HIV.

Secondary departments

Department of Sport and Recreation

Sport and recreation are essential for national development, as they are central to human growth. They are also important catalysts for the realisation of mental health, and general health and social well-being. The Department of Sport and Recreation will facilitate the implementation of the White Paper by, inter alia, addressing the following:

- The use of sport and recreation in the fight against anti-social behaviour, and social vices, such as crime, juvenile delinquency and drug abuse
- Mainstreaming physical education in schools and institutions of higher learning

- Ensuring that all requisite resources (human, facilities and equipment) are made available for schools and communities to encourage participation in sport and recreation activities
- Making sport and recreation accessible to South African families by creating safe parks and other facilities
- Encouraging marginalised groups of persons, who are also family members, such as women, people with disabilities, the youth and rural dwellers, to participate in sport.
- Cooperate with other stakeholders to allow for sporting events to double as awareness raising events, or locations for condom distribution, mobile clinics etc.
- Educators need to be trained on how to conduct physical education and educate learners about the importance of exercise.

Department of Trade and Industry

The Department of Trade and industry strives to have a globally competitive South African economy, by creating an economic environment that is conducive to growth and development, decent and equitable employment, and which is built on the full potential of all citizens. The Department's policies and programmes are therefore geared towards increasing and strengthening economic development which could benefit all citizens and indirectly have a positive impact on families. The Department will contribute to the White Paper largely through the development and review of regulatory systems in the areas of competition, consumer protection, company and intellectual property as well as public interest regulation, including the manufacturing and distribution of liquor, all of which may have direct and indirect impact on families.

Department of Water Affairs

The Department of Water Affairs will facilitate the implementation of the White Paper by making sure that poor and marginalised families have access to clean and free water services.

South African Broadcasting Corporation

The media will contribute by portraying the positive aspects of functional, strong and resilient families. TV programmes, music, radio, movies and soap operas should promote gender equality, counteract materialism, promote responsible decision-making (including condom use), involved fathers and should take direct steps to prevent the glamorisation of violence, alcohol and substance abuse.

Appendix B: Current Legislative and Policy Framework

To achieve the aims and objectives of the White Paper on Families, South Africa is governed by a number of global, regional and national conventions, goals, and other instruments that the country has adopted, ratified or developed. Any changes to legislation and to policies which affect families have implications for the Revised White Paper on Families. Such changes and their impacts on families should always be monitored and considered. Some key examples of these are outlined in the sub-sections below, although this list is not exhaustive.

Global commitments

- Universal Declaration of Human Rights, 1948 (Article 16, 3) and the International Convention on Civil and Political Rights, 1966 (Article 23, 1)

Both these Articles define the family as “the natural and fundamental group unit of society and is entitled to protection by society and the State”.

- International Covenant on Economic, Social and Cultural Rights, 1966

In Article 10 (1) States Parties to the Covenant recognize that: “the widest possible protection and assistance should be accorded to the family, which is the natural and fundamental group unit of society, particularly for its establishment and while it is responsible for the care and education of dependent children. Marriage must be entered into with the free consent of the intending spouses”.

- Convention on the Rights of the Child, 1990

The Preamble of this Convention states that “the States Parties to the Convention are “convinced that the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community”. By the same token Declaration 14 of the Convention states thus: “half a million mothers die each year from causes related to childbirth. Safe motherhood must be promoted in all possible ways. Emphasis must be placed on responsible planning of family size and on child spacing. The family, as a fundamental group and natural environment for the growth and well-being of children, should be given all necessary protection and assistance”.

- The International Conference on Population and Development (ICPD) Plan of Action, 1994

In Chapter II Principle 9, the ICPD Plan of Action states that “the family is the basic unit of society and as such should be strengthened. It is entitled to receive comprehensive protection and support. In different cultural, political and social systems, various forms of the family exist. Marriage must be entered into with the free consent of the intending spouses, and husband and wife should be equal partners.

- UN Convention on the Rights of Persons with Disabilities (CRPD), 2006

Article 23 – Respect for home and the family

- 1) States Parties shall take effective and appropriate measures to eliminate discrimination against persons with disabilities in all matters relating to marriage, family, parenthood and relationships, on an equal basis with others, so as to ensure that:
 - a) The right of all persons with disabilities who are of marriageable age to marry and to found a family on the basis of free and full consent of the intending spouses is recognized;
 - b) The rights of persons with disabilities to decide freely and responsibly on the number and spacing of their children and to have access to age-appropriate information, reproductive and family planning education are recognized, and the means necessary to enable them to exercise these rights are provided;

- c) Persons with disabilities, including children, retain their fertility on an equal basis with others.
- 2) States Parties shall ensure the rights and responsibilities of persons with disabilities, with regard to guardianship, wardship, trusteeship, adoption of children or similar institutions, where these concepts exist in national legislation; in all cases the best interests of the child shall be paramount. States Parties shall render appropriate assistance to persons with disabilities in the performance of their child-rearing responsibilities.
 - 3) States Parties shall ensure that children with disabilities have equal rights with respect to family life. With a view to realizing these rights, and to prevent concealment, abandonment, neglect and segregation of children with disabilities, States Parties shall undertake to provide early and comprehensive information, services and support to children with disabilities and their families.
 - 4) States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child. In no case shall a child be separated from parents on the basis of a disability of either the child or one or both of the parents.
 - 5) States Parties shall, where the immediate family is unable to care for a child with disabilities, undertake every effort to provide alternative care within the wider family, and failing that, within the community in a family setting.
- World Summit for Social Development, Copenhagen, Denmark, March 1995.

At this World Summit, it was agreed, among other things, that "the family is the basic unit of society and as such should be strengthened. It is entitled to receive comprehensive protection and support. In different cultural, political and social systems, various forms of the family exist. Marriage must be entered into with the free consent of the intending spouses, and husband and wife should be equal partners".

- The Sustainable Development Goals

The Sustainable Development Goals or Global Goals are a collection of 17 interlinked global goals designed to be a "blueprint to achieve a better and more sustainable future for all". The SDGs were set in 2015 by the United Nations General Assembly and are intended to be achieved by the year 2030. SDGs that are relevant for the WPF include:

- Goal 1: End poverty in all of its forms everywhere
- Goal 2: End hunger, achieve food security and improved nutrition and promote sustainable agriculture
- Goal 3: Ensure healthy lives and promote well-being for all at all ages
- Goal 4: Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all
- Goal 5: Achieve gender equality and empower all women and girls
- Goal 6: Ensure availability and sustainable management of water and sanitation for all
- Goal 7: Ensure access to affordable, reliable, sustainable and modern energy for all
- Goal 8: Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all
- Goal 10: Reduce inequality within and among countries
- Goal 11: Make cities and human settlements inclusive, safe, resilient and sustainable
- Goal 16: Promote peaceful and inclusive societies for sustainable development, provide access to

justice for all and build effective, accountable and inclusive institutions at all levels

- Goal 17. Strengthen the means of implementation and revitalize the Global Partnership for Sustainable Development

Other international instruments that have relevance for the family and for this White Paper include:

- the United Nations Convention on the Elimination of All Forms of Discrimination against Women ([CEDAW], 1979);
- Resolution 46/91 of the United Nations Declaration on the Rights of the Elderly (1991);
- the United Nations Standard Rules on Opportunities for Persons with Disabilities (1993); and
- the Malta Statement of the NGO Forum (1994), which launched the International Year of the Family and called upon governments to formulate family-sensitive policies, promoting self-reliance and participation of families, taking into consideration the aspirations and expectations of families themselves.

Regional commitments

At the regional level the recognition of the family as a critical player in sustainable socio-economic development is highlighted in various documents such as:

- **Dakar/Ngor Declaration on Population, Family and Sustainable Development (1992)** which, among other things, called on governments to give due consideration to the rights and responsibilities of all family members, to ensure that measures are put in place to protect the family from socio-economic distress and disintegration, and to integrate family concerns into all development plans.
- **Social Policy Framework for Africa (2008)** which proposed a minimum package of essential social protection for families, targeting healthcare as well as benefits for children, informal workers, the unemployed, older people, and persons with disabilities.
- **Plan of Action on the Family in Africa (2004)**. With a focus on nine priority areas, the Plan of Action on the Family is meant to serve as an advocacy instrument for strengthening family units, addressing the needs, improving the general welfare, and enhancing the life chances of family members. It also aims at guiding African Union Member States, including South Africa, in designing, implementing, monitoring and evaluating appropriate national policies and programmes for the family on the basis of their specific requirements and needs.
- **African Charter on Human and People's Rights (1981)**. Article 18 states that the family is the "natural unit and basis for society". It also instructs states to protect families and "take care of [families] physical health and morale."
- **African Charter on the Rights and Welfare of the Child (1990)**. Article 18 states that families are the natural unit and basis for society and provides that families "shall enjoy the protection and support of the State for [their] establishment and development".
- **African Youth Charter (2006)**. Article 8 contains a similar provision as that of the African Charter on the Rights and Welfare of the Child. South Africa ratified the African Youth Charter on 28 May 2009.
- **Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa (2003)**. While a number of provisions in this Protocol relate in one way or another to families, the most pertinent are: Article 6(c) which provides that the state should encourage monogamy; Article 14(1) which prescribes rights related to sexual and reproductive health; and Article 24(1) which obliges states to provide for women's environmental, physical, economic and social needs.

- **SADC Protocol on Gender Development (2008).** Sub-article (1) of article 8 recommends “that women and men enjoy equal rights in marriage and are regarded as equal partners in marriage”; and sub-article (4) puts measures in place “to ensure that parents honour their duty of care towards their children, and maintenance orders are enforced.”

National legislation

Constitution of the Republic of South Africa (1996)

The overarching institutional framework that guides the implementation of South Africa's policies and legislation is the Constitution of the Republic of South Africa 1996 (Act no. 108). The White Paper on Families' main aim of promoting family life and strengthening the family resonates especially with sections 26, 27, 28 and 29 of the Constitution. The implementation of the White Paper is dependent on the realisation of these constitutional rights. For example, Section 26 is concerned with the right to adequate housing and Section 27 enshrines the right to healthcare, food, water and social security. With Section 26 and Section 27, the Constitution clearly notes that the state must take reasonable legislative and other measures within its available resources to achieve the progressive realisation of each of these rights. However, Section 28, dealing with the rights of the child, and Section 29, regarding the right to education, do not have conditions for their realisation. They have to be provided by the state.

The Constitution also encompasses a Bill of Rights that enshrines the socio-economic rights of the citizenry. These constitutional provisions directly influence the plight of the family and the manner in which its members contribute towards society's well-being and stability.

In addition to the Constitution, the White Paper is guided by the following legislation which is relevant to the family in general and to specific family members and issues affecting them:

- The Marriage Act, No. 25 of 1961
- The Reciprocal Enforcement of Maintenance Orders Act, No. 80 of 1963
- The Older Persons' Act, No. 13 of 2006
- The Criminal Procedure Act, No. 51 of 1977
- The Divorce Act, No. 70 of 1979
- The Children's Act, No. 38 of 2005
- The Children's Amendment Act, No. 41 of 2007
- The Matrimonial Property Act, No. 88 of 1984
- The Mediation in Certain Divorce Matters Act, No. 24 of 1987
- The Birth and Death Registration Act, No. 51 of 1992
- The Social Assistance Act, No. 13 of 2004
- The Prevention and Treatment of Drug Dependency Act, No. 20 of 1992
- The Hague Convention on the Civil Aspects of International Child Abduction Act, No. 72 of 1996
- The Housing Act, No. 107 of 1997
- The Domestic Violence Act, No. 116 of 1998
- The Adoption Matters Amendment Act, No. 56 of 1998
- The Employment Equity Act, No. 55 of 1998

- The Probation Services Act, No. 116 of 1991
- The Probation Services Amendment Act, No. 35 of 2002
- The Prevention of Illegal Eviction Act, No. 19 of 1998
- The Recognition of Customary Marriages Act, No. 120 of 1998
- The Sterilisation Act, No. 44 of 1998
- The Health Act, No. 61 of 2003
- The Choice of Termination of Pregnancy Act, No. 92 of 1996
- The Civil Union Act of 2006
- The Sexual Offences Act, No 32 of 2007.
- Child Justice Act 75 of 2008
- The Maintenance Act, 99 of 1998
- The Reciprocal Enforcement of Maintenance Orders (Countries in Africa) Act, 6 of 1989
- The Domicile Act, 3 of 1992
- The 1998 Refugee Act (as amended).

National policies

- White Paper for Social Welfare, 1997

As stated earlier, the White Paper for Social Welfare is the first overall social welfare policy under the 1996 Constitution and reaffirms Government's commitment to securing basic welfare, human rights and active citizen participation in promoting human well-being. Its stated vision is to reform the apartheid era residual social welfare system and to bring it in line with the new constitutional framework and binding international law. Section 1 in Chapter 8 focuses on the family and the life course: families, children, youth and ageing and outlines strategies to promote family life, as well as to strengthen families. The White Paper for Social Welfare's developmental paradigm aims to guide the implementation of pro-family policies and services in the country.

A comprehensive review of the implementation of the White Paper for Social Welfare was conducted in 2017 and the Summary Report on The Review of the White Paper for Social Welfare, 1997 by the Ministerial Committee should also inform the revised WPF.

- National Family Policy (final draft Version—July 2005)

The policy is premised on the principle that families are the core of society, and its goals include, among others, the protection and support of families through effective and efficient service delivery; the creation of an enabling environment geared towards the self-reliance of families; and the promotion of inter-sectoral collaboration amongst stakeholders in the provision of services.

- National Development Plan 2030

The following aspects of the NDP 2030 should inform the WPF:

- **Households and communities.** Proper nutrition and diet, especially for children under three, are essential for sound physical and mental development. The Commission makes recommendations on child nutrition, helping parents and families to break the cycle of poverty, and providing the best preparation for young children – including a proposal that every child should have at least two years of preschool education.

- The national development plan calls for universal access for at least 2 years of ECD.
- It encourages expansion of home, community and centre based programmes to support parenting and improve opportunities for young children to learn.
- Provision on nutrition intervention for pregnant women and young children
- Provision of full funding assistance covering tuition, books, accommodation and living allowances to student from poor families.
- The above mentioned initiatives strengthen families in order to combat the debilitating effect of development challenges and other socio-economic risk factors.

Other relevant policies in the country include:

- The Population Policy for South Africa (1998)
- White Paper on Home Affairs (2019)
- Consultative Stakeholder Engagements for the Development of the Marriages Policy. Concept Paper, September 2019.
- South Africa's National Policy Framework for Women's Empowerment (2000)
- Green Paper on families (2011)
- Gender Policy Framework for local government (2011)
- Draft National Policy Framework for Families (2001)
- The Policy on Gender Equality (2002)
- The Policy on Financial Awards to Service Providers (2004)
- The Policy on the Management of Substance Abuse (2005)
- The White Paper on Corrections in South Africa (2005)
- White Paper on the Rights of Persons with Disabilities (2015)
- National Youth Policy 2020-2030
- Integrated Youth Development Strategy (IYDS) 2020
- The National Policy Framework and Strategic Plan for the Prevention and Management of Child Abuse, Neglect and Exploitation (2005)
- The National Childcare and Protection Policy: Working together to advance the Rights of all Children to Care and Protection, (2019) (Released February 2021.)
- National Adolescent Sexual and Reproductive Health and Rights (ASRH&R) Framework Strategy, 2014-2019
- The Policy for Older Persons (2005)
- National Intervention Strategy for Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) Sector (2014)
- Draft National Disability Rights Policy, (2015)
- Department of Social Development Framework of Positive Values (2009)

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BOARD NOTICES • RAADSKENNISGEWINGS

BOARD NOTICE 64 OF 2021



human settlements

Department:
Human Settlements
REPUBLIC OF SOUTH AFRICA

NOTIFICATION OF CALL FOR NOMINATIONS ERRATUM

The Call for Nominations of Persons to serve on the Board of the Housing Development Agency, published on 07 May 2021 in the Government Gazette No. 44545, was an error and is therefore withdrawn.

For further information, please contact Ms Ntombikayise Sambo on (012) 421 1533.