

Annexure D2: PART A, APPENDIX B: Delegations Register – EA to HoD in terms of the PSR

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

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	POST LEVEL DELEGATED TO HOD	DELEGATION CONDITIONS AND LIMITATIONS	
	Regulation	Topic Description			Indicators for Execution/Reporting/ Consultation/ Informing	
1	CHAPTER 1	GENERAL PROVISIONS				
2	5.(a) and (b)	<u>Draft legislation affecting Public Service Act and Regulations</u> An executive authority shall consult with the Minister before - (a) introducing in Parliament draft legislation directly or indirectly amending the Act or these Regulations; or (b) making any subordinate legislation directly or indirectly amending these Regulations.	EA	Not delegated	Legal services to coordinate inputs from Branches	
3	7.(1) and (2)	<u>Decision-making in cases of conflict of interest</u> (1) If a conflict of interest arises upon the performance of an act by a functionary in terms of these Regulations, that functionary shall refer such conflict to an independent panel for review. (2) An independent panel consists of at least two persons, appointed by the relevant executive authority.	EA	Not delegated	Note the provisions in PSR 7(2) (a), (b) and (c) for the appointment of an independent panel if the functionary is the relevant executive authority.	
4	8.(2)	<u>Record-keeping of delegations and correction of acts and omissions</u> (2) An executive authority shall keep copies of all documents relating to the correction of an act or omission in terms of section 5(7) of the Act	EA	HOD		
5	9.(1)	<u>Reporting, monitoring, evaluation and compliance</u> (1) For purposes of reporting on and assessing compliance with the Act or reviewing the appropriateness and effectiveness of any regulation, determination or directive made under the Act, the executive authority or head of department shall submit to the Minister or the Director-General: Public Service and Administration, as the case may be, information and data on such matters with respect to the Act, in such format and on such date as directed by the Minister.	EA HOD	Not delegated HOD	Information and data requested by and to Minister of DPSA Information and or data requested by and to Director General of DPSA	
6	10.(3)	<u>Prescribed forms for human resource management and related practices</u> (3) An executive authority may, in consultation with the Minister, add any other areas to any "Z" form to address departmental specific requirements.	EA	Not delegated		

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7	CHAPTER 2	CONDUCT, FINANCIAL DISCLOSURE, ANTI-CORRUPTION AND ETHICS MANAGEMENT				
8	18.(2)	Disclosure of designated employees' interests (2) A head of department shall, not later than 30 April of each year, disclose to the relevant executive authority, in the form prescribed for this purpose by the Minister, particulars of all his or her interests in respect of the period 1 April of the previous year to 31 March of the year in question.	EA	Not delegated	EA ensures disclosure by HOD	
9	18.(5)	(5) The head of department or executive authority, as the case may be, shall ensure that the disclosure of interests by designated employees is submitted electronically to the Commission or the relevant authority as may be directed by the Minister in terms of subregulation (3), unless otherwise determined by the Minister.	EA	HOD	HOD ensures disclosure by all other SMS members in terms of PSR 18(1) and other designated employees, facilitated by the Ethics Champion and Ethics Officer.	
10	18.(6)	(6) An executive authority shall submit to the Commission a copy of the form submitted to the executive authority in terms of - (a) subregulation (2) not later than 31 May of the year in question; or (b) subregulation (4), in so far as it relates to a head of department, not later than 30 days after it has been so submitted.	EA	HOD	HOD ensures submission facilitated by the Ethics Champion and Ethics Officer.	


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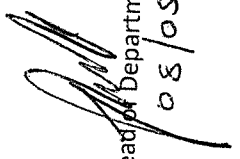

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11	21.(1)	<u>Conflict of interest</u> (1) In so far as conflict of interest relates to members of the SMS: (c) Upon the referral, the executive authority shall consult with the employee concerned on appropriate steps to remove the conflict of interest (d) If the employee, after the consultation referred to in subregulation (1)(c), fails to take the appropriate steps to remove the conflict of interest, the executive authority shall instruct the relevant authority to take disciplinary action against the employee. (e) An executive authority shall, within 30 days after such referral, report to the Commission by - (i) stating whether any steps were taken; and (ii) if steps were taken, giving a description of those steps or providing reasons if no steps were taken.	EA	(1)(c) HOD L2 to L15 (1)(d) HOD L2 to L15 (1)(e) Not delegated	This regulation deals with interests if the Commission is of the opinion that an interest of a SMS employee disclosed in terms of regulation 18 conflicts or is likely to conflict with the execution of any official duty of that employee. (1)(c) EA retains consultation in respect of the HOD (1)(d) EA retains disciplinary action in respect of the HOD (1)(e) EA retains reporting action in respect of the HOD	
12	23(1)	<u>Designation of ethics officers</u> (1) An executive authority shall designate such number of ethics officers as may be appropriate, for the department	EA	Not delegated	23 (1) Not delegated 23 (2) HOD to appoint Ethics Committee.	
13	CHAPTER 3	PLANNING, ORGANISATIONAL ARRANGEMENTS AND SERVICE DELIVERY				
14	25.(1)	<u>Strategic plan</u> (1) An executive authority shall prepare a strategic plan for his or her department	EA	HOD	EA approves the strategic plan.	

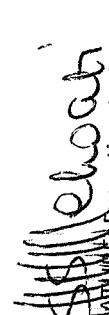

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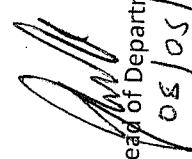

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15	25.(2)(a)	<u>Organisational structure</u> (2) Based on the strategic plan of the department, an executive authority shall— (a) determine the department's organisational structure in terms of its core mandated and support functions - (i) in the case of a national department or national government component, after consultation with the Minister and National Treasury; and (ii) in the case of a provincial department or provincial government component, after consultation with the relevant Premier, the Minister and the relevant provincial treasury;	EA	Not delegated	Not delegated	
16	25.(2)(b) and (c)	<u>Define and create posts</u> (2) Based on the strategic plan of the department, an executive authority shall - (b) define and create the posts necessary to perform the relevant functions of the department while remaining within - (i) the current budget; (ii) the Medium-Term Expenditure Framework of the department; and (iii) the norms and standards determined by the Minister for post provisioning for occupations or categories of employees; and the posts so defined and created shall constitute the department's approved establishment; c) grade proposed new jobs according to the job evaluation and job grading systems referred to in regulation 41(1), except where the grade of a job has been determined in terms of an OSD or directed by the Minister in terms of regulation 41(2)(d)	EA	Not delegated	Not delegated	
17	26.(1)	<u>Human resource plan</u> (1) An executive authority shall prepare and implement a human resource plan for his or her department.	EA	HOD	HOD approves	


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18	27.	<u>Employment equity plan</u> An executive authority shall develop and implement an employment equity plan as contemplated in section 20 of the Employment Equity Act.	EA	HOD	HOD approves and monitors the implementation of the plan	
19	28 (1) and (2)	<u>Human resource development plan</u> (1) An executive authority shall prepare and implement a human resource development plan for his or her department taking into account the human resource plan contemplated in regulation 26. (2) An executive authority shall monitor and evaluate the implementation of the plan contemplated in subregulation (1)	EA	HOD	HOD approves	
20	29.	<u>Assessment of efficiency and effectiveness</u> An executive authority must assess the efficiency and effectiveness of a department in supporting that department's service delivery objectives using the assessment tools as may be directed by the Minister and submit the report to the Minister on such date and format as directed by the Minister.	EA	HOD	HOD approves, in consultation with OTP	
21	31.(2)	<u>Annual report</u> (2) An executive authority shall immediately after he or she has tabled the annual report in the relevant legislature in terms of section 65(1) of the Public Finance Management Act, submit it to the relevant treasury and the Minister, make it available on its website and, on request, make it available free of charge to any member of the media or the public.	EA	HOD	HOD submits report to the EA EA tables report in the legislature HOD submits to relevant Treasury HOD makes available to public and media	
22	34.(3)	<u>Business case and inter-departmental assessment committee for the establishment of government components and specialise service delivery units</u> (3) The relevant executive authority shall submit the institutional option assessment and the business case to the Minister who shall refer it to the committee.	EA	Not delegated	The committee convenes on a case by case basis to assess the feasibility of establishing these organisational forms Note the requirements set out in Regulation 34(2) for EAs or Premiers to designate members of the committee, on a case by case basis	


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23	35.	<u>Organisational functionality assessment</u> An executive authority shall conduct an organisational functionality assessment, as directed by the Minister, to assess the effectiveness of a department's internal systems and processes and submit the report to the Minister on such date and format as directed by the Minister.	EA	Not delegated	MEC approves. MEC submits to Premier & MPSA HOD submits to DG:OTP & DG DPSA	
24	36.	<u>Operations management framework</u> An executive authority shall establish and maintain an operations management framework which shall include - (a) an approved service delivery model; (b) a list of all core mandated services provided by the department; (c) mapped business processes for all services; (d) standard operating procedures for all services; (e) service standards for all services; (f) a service delivery charter referred to in regulation 37; and (g) a service delivery improvement plan referred to in regulation 38.	EA	HOD	HOD approves the framework in consultation with the EA and monitors the implementation of the framework	
25	37.(1)	<u>Service delivery charter</u> (1) An executive authority shall publish on its website annually a service delivery charter which sets out the department's service standards that members of the public can expect and which will serve to explain how the department will meet each of the standards.	EA	HOD	HOD approves the service delivery charter in consultation with the EA CD: IM to publish approved charter on the department's website	
26	38.	<u>Service delivery improvement plan</u> An executive authority shall establish and maintain a service delivery improvement plan aligned to the strategic plan contemplated in regulation 25 for his or her department	EA	HOD	HOD approves SDJP	



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27	CHAPTER 4	EMPLOYMENT MATTERS				
28	39.(1), (2) and (4)	Job descriptions, job titles, systems of occupational classification and remuneration and OSDs 39. (1) For each post or group of posts, an executive authority shall establish a job description and job title that indicate, with appropriate emphasis on service delivery - (a) the main objectives, activities and functions of the post or posts in question; and (b) the inherent requirements of the job. (2) At least once every 60 calendar months, an executive authority shall review job descriptions and titles and, where necessary, redefine them to ensure that they remain appropriate and accurate. (4) An executive authority shall link all posts in his or her department as contained in a remuneration system as contemplated in subregulation (3)(a) to an occupation listed in the occupational classification system referred to in subregulation 3(b), except in the case of posts determined in terms of an OSD, in which case the classification indicated in the OSD shall be utilised	EA	HOD		HOD to ensure supervisors review JD's through the facilitation of Organizational Development unit
29	40.	<u>Creation and filling of posts</u> Before creating a post for any new job, or filling any vacancy, an executive authority shall (a) confirm that he or she requires the post to meet the department's objectives taking into account the norms and standards determined by the Minister for post provisioning for occupations or categories of employees; (b) in the case of a new job, evaluate the job in terms of the job evaluation and job grading system referred to in regulation 41(1), except in the case of jobs determined in terms of an OSD, or jobs graded by the Minister in terms of regulation 41(2)(d), in which case the grade indicated in the OSD or as determined by the Minister shall be utilised; (c) in the case of a vacant post not determined in terms of an OSD or graded by the Minister in terms of regulation 41(2)(d), evaluate the job unless the specific job has been evaluated in the last 60 calendar months; and	EA	Not delegated		

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30	41.(3)	(d) ensure that sufficient budgeted funds, including funds for the remaining period of the medium-term expenditure framework, are available for filling the post. Job evaluation and job grading systems (3) An executive authority may evaluate or re-evaluate any job in his or her department, except - (a) jobs evaluated and graded by the Minister in terms of subregulation (2)(d); or (b) jobs determined in terms of an OSD.	EA	HOD L2-12	EA approves L13 to 15	
31	43.(2)(a)	<u>Grading of posts</u> (2) An executive authority shall - (a) determine the grade of a post to correspond with - (i) the evaluation of the job by the Minister in terms of regulation 41(2)(d) on a date determined by the Minister; (ii) jobs determined in terms of regulation 42; or (iii) if the job was not so evaluated or determined by the Minister, the evaluation of the job by the executive authority in terms of regulation 41(3)	EA	HOD L2-12	EA approves L13 to 15	
32	43.(2)(b)	<u>Setting of salary</u> (2) An executive authority shall - (b) set the commencing salary of an employee on the minimum notch of the salary level attached to the relevant grade, unless a higher salary is awarded in terms of regulation 44	EA	HOD L2-L12	EA approves for L13-16 Adhere to the conditions of creating and filling of posts as set out in Regulation 40. In respect of undergraded jobs the commencing salary is determined as set out in Regulation 45.(4)	
33	43.(3)	(3) An executive authority shall set the salary of a permanent or temporary employee employed in a part-time capacity proportional to the salary of an equally graded full-time employee.	EA	HOD L2-12	EA approves for L13-16	

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34	43.(4)	(4) If an executive authority intends to evaluate jobs or implement job evaluation results that will affect the grade of an occupation or the salary level within an occupation where such occupation is utilised by more than one department then he or she shall do so in consultation with the Minister and the Minister of Finance.	EA	Not delegated		
35	44.(1)	<u>Setting of higher salary</u> (1) Subject to subregulation (2) to (4) an executive authority may set the salary of an employee above the minimum notch of the salary level indicated by the job weight - (a) if he or she has evaluated the job; (b) if he or she requires to retain or recruit an employee with the necessary competencies; and (c) he or she shall record the reason why the higher salary was awarded.	EA	HOD L2-12	EA approves L 13-16 HRM to facilitate	
36	45.(1)	<u>Undergraded posts</u> (1) If the job weight demonstrates that a post is undergraded and the department's budget and the medium-term expenditure framework - (a) provides for sufficient funds, an executive authority shall increase the grade of the post to a higher salary level; or (b) does not provide for sufficient funds, an executive authority shall redesign the job to equate with the grade of the post prior to regrading.	EA	Not delegated	EA approves L2 to L15 Continued employment of incumbent is set out in Regulation 45.(2)	
37	45.(5)	(5) If an incumbent employee is not continued to be employed in the upgraded post as provided for in subregulation (2), an executive authority shall - (a) redesign the job to equate with the grade of the post before it was regraded; or (b) transfer the incumbent to another suitable post of an equivalent grade to the post that he or she occupied before it was regraded.	EA	Not delegated	EA approves L2 to L15	


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38	46 (1)	<u>Overgraded posts</u> (1) If the job weight demonstrates that a filled post is overgraded an executive authority shall - (a) redesign the job to equate with the grade of the post before it was regraded; or (b) reduce the grade of the post in line with the job weight and transfer the incumbent to another suitable post of an equivalent grade to the post that he or she occupied before it was regraded.	EA	Not delegated	EA approves L2 to L15	
39	49 (1)	<u>Overtime</u> (1) An executive authority shall compensate an employee, other than a member of the SMS, for overtime work if - (a) the department has an approved written policy on overtime; (b) the executive authority has provided written authorisation in advance for the work; and (c) the monthly compensation for overtime constitutes less than 30 percent of the employee's monthly salary or the limitation determined by the Minister, whichever is the lesser.	EA	HOD		
40	49 (2)	(2) An overtime policy contemplated in subregulation (1) shall be established by the executive authority in accordance with applicable collective agreements, which shall determine - (a) categories of employees that may not receive compensation for overtime due to the nature of their duties; (b) the circumstances under which overtime work for an individual employee may be authorised; (c) how much overtime an employee may work in a given period; (d) how authorisation for overtime is recorded; and (e) other control measures, if necessary.	EA	HOD	HRM to facilitate	


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41	50.(b)	<u>Suggestions, improvements and innovations</u> 50. If an employee makes a suggestion, improvement or innovation of exceptional value to the department or the public service as a whole or has exceptional ability, a special qualification or has rendered meritorious service, other than the service recognised in terms of the department's performance incentive scheme, to the department or the public service as a whole - (b) the executive authority may, only as provided for in a directive issued by the Minister, reward the employee through - (i) a non-monetary reward; (ii) a non-pensionable cash award not exceeding 20 per cent of the employee's pensionable annual salary; or (iii) such a non-monetary reward and a cash award.	EA	Not delegated	EA approves L2-16	
42	57.(1)	<u>General conditions for appointment</u> 57. (1) An executive authority - (a) shall not appoint any person - (i) under the age of 15 years of age; or (ii) under the minimum school-leaving age in terms of any law. (b) shall determine the health requirements for incumbency of a post in any case where it is part of the inherent requirements of the post; (c) shall subject an employee or a candidate for employment to personnel suitability checks as directed by the Minister; (d) shall ensure that each person upon appointment, is provided with written particulars of employment, including the terms and conditions of his or her service; and (e) shall not, with due regard to section 10(a) of the Act, appoint a temporary employee permanently or vice versa without complying with regulations 65 and 67.	EA	HOD L2-14	EA approves L15 and L16 (Excluding HOD post)	


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43	57.(2)	Employ persons additional to the establishment (2) An executive authority may, unless otherwise authorised by the Act, within the available budget and at a salary level linked to a grade determined through job evaluation or as determined in an OSD, employ persons additional to the establishment, where— (a) the incumbent of a post is expected to be absent for such a period that his or her duties cannot be performed by other employees; (b) a temporary increase in work occurs or it is necessary for any other reason to temporarily increase the staff of the department; (c) an employee's post has been abolished and he or she cannot be transferred into another post; or (d) an employee is part of a development programme as contemplated in regulation 58.	EA	Not delegated	EA approves L2-15 CFO to confirm funding See general conditions for appointment is set out in PSR 57 (1), (2), (3), (4) (5) and (6)	
44	57.(3) and (4)	(3) Before making a decision on an appointment of a person additional to the establishment, an executive authority shall - (a) satisfy himself or herself that the person qualifies in all respects for the position and that his or her claims in his or her application for the position have been verified; and (b) record that verification in writing. (4) The employment of a person additional to the establishment in terms of subregulation (2)(a) or (b) shall not exceed 12 consecutive calendar months unless otherwise directed by the Minister.	EA	Not delegated	EA approves L2-15	
45	57(5)	All appointments other than employment additional to the establishment (5) An appointment shall take effect after approval by the relevant executive authority.	EA	HOD	EA approves L15 to 16	
46	58	Developmental programmes An executive authority may appoint persons who are part of a developmental programme, including but not limited to, internships, learnerships and apprenticeships, on such terms and conditions that shall be determined by the Minister.	EA	HOD	DDG:CMS to approve	
47	59.	Utilisation of unpaid voluntary workers	EA	HOD		

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		An executive authority may utilise unpaid voluntary workers under the following conditions: (a) The voluntary worker shall not in any way assist in carrying on or conducting the business of the department; (b) the terms and conditions as agreed between the volunteer and the department shall be recorded in writing; (c) the period of volunteerism per voluntary worker shall not exceed twelve consecutive calendar months; (d) a department may compensate a voluntary worker for actual expenses incurred in performing the volunteer work in accordance with departmental policies and such compensation shall not be construed as remuneration; (e) a voluntary worker shall perform work in a department under the supervision of an employee; and (f) such other conditions that the Minister may direct.				


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48	60.(1), (2) and (3)	<u>Re-appointment of former employees</u> (1) An executive authority shall not re-appoint a former employee if that employee left the public service - (a) earlier on the condition that he or she would not accept or seek re-appointment; or (b) due to ill health and cannot provide sufficient evidence of recovery. (2) Notwithstanding subregulation (1)(a) and subject to regulation 61, an executive authority may appoint such former employee in a post if - (a) no other suitable candidate could be recruited in terms of these Regulations; (b) the appointment is made for a fixed term not exceeding three years; and that term may be extended only once for a further term not exceeding three years; and (c) the employee has not been previously appointed in terms of this regulation. (3) Notwithstanding subregulation (1)(a) and subject to regulation 61, an executive authority may appoint such former employee additional to the establishment if - (a) the appointment is made for a period not exceeding the period contemplated in regulation 57(4); and (b) the employee may not be appointed more than twice in terms of this regulation.	EA	Not delegated	EA approves L2 to L16	
49	62.(3)	<u>Secondments</u> (3) If an employee is seconded upon his or her request in terms of section 15(3)(b)(i) of the Act, the relevant executive authority may bind him or her to continued employment in the relevant department or another department immediately after the secondment for a period not exceeding the period of the secondment.	EA	Not delegated	EA approves L2 to L16	


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	Regulation	Topic Description			Indicators for Execution/Reporting/ Consultation/ Informing	
50	64.(1) and (2)	<u>Delineation of requirements for employment</u> (1) An executive authority shall determine and record composite requirements for employment in any post on the basis of the main objectives, core functions and the inherent requirements of the job. (2) An executive authority shall - (a) ensure that the requirements for employment do not unfairly discriminate against any person; and (b) comply with any statutory requirement for the appointment of employees.	EA	HOD		
51	65.(1)	<u>Advertising</u> (1) An executive authority shall ensure that vacant posts in the department are advertised, as efficiently and effectively as possible, to reach the entire pool of potential applicants, including designated groups.	EA	HOD		
52	65.(4)	(4) An executive authority shall advertise any other vacant post, as a minimum, within the department, but may also advertise such post - (a) in the public service; (b) locally; or (c) nationwide.	EA	HOD		


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	Regulation	Topic Description			Indicators for Execution/Reporting/ Consultation/ Informing	
53	66.(1) and (2)	Filling of posts in Office of executive authorities and Deputy Ministers (1) An executive authority may only fill vacancies in the Office of an executive authority or a Deputy Minister by means of: (a) an appointment in terms of section 9 of the Act for – i. The term of office of the incumbent executive authority or Deputy Minister which will terminate at the end of the first month after the month in which the term of that executive authority or Deputy Minister terminates for any reason; or ii. a period not exceeding three years; (b) a transfer in terms of section 14 of the Act, provided that the employment status of the transferred employees as permanent or temporary, as the case may be, shall remain unaffected by the transfer. (2) Subject to the appointment criteria in regulation 67(5)(b) to (d), an executive authority may fill a post in the Office of the executive authority or a Deputy Minister in that executive authority's portfolio, in terms of sub regulation (1) without complying with regulations 65(1); (3) and (4).	EA	Not delegated	EA approves appointments HOD signs off administrative processes for Level 13 DDG: CMS signs off administrative processes for Levels 2-12	
54	67.(1)	<u>Selection</u> (1) An executive authority shall appoint a selection committee to make a recommendation on the appointment to a post. The selection committee shall consist of at least three members who are employees of a grade equal to or higher than the grade of the post to be filled or suitable persons from outside the public service. However— (a) the chairperson of the selection committee, who shall be an employee, shall be of a grade higher than the post to be filled; and (b) in the event that the head of the component within which the vacant post is located, is graded lower than the vacant post, such a head may be a member of the selection committee	EA	HOD L2 to L14	EA chair selection committee for L15-16 (excluding HOD Post) See the conditions set out in PSR 67 (2) to (9)	

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55	67.(7)	(7) If the selection committee is unable to recommend a suitable person for appointment from those who applied in terms of subregulation (5), the executive authority may, after that selection process has been completed, approve the head-hunting of one or more persons with the requisite competencies and subject such person or persons to the same selection process as those who applied.	EA	HOD L2 to L12	EA approves head-hunting for L13 to L16	
56	67.(8)	(8) If an executive authority does not approve a recommendation of a selection committee, he or she shall record the reasons for his or her decision in writing	EA	HOD L2 to L14	EA approves L15 to L16	
57	67.(9)	(9) Before making a decision on an appointment or the filling of a post, an executive authority shall - (a) satisfy herself or himself that the candidate qualifies in all respects for the post and that his or her claims in his or her application for the post have been verified as directed by the Minister; and (b) record that verification in writing.	EA	HOD L2 to L14	EA approves L15 to L16	
58	68.(2)	<u>Probation</u> (2) An executive authority may require an employee appointed to another equally graded post to not serve the probation contemplated in subregulation (1).	EA	HOD L2 to L14	EA approves L15 to L16	
59	69.(2)	<u>Resignation</u> (2) Subject to section 16B(6) of the Act, the executive authority and the employee may agree to a period of notice shorter or longer than the applicable period referred to in subregulation (1).	EA	HOD L2 to L14	EA approves L15 to L16	
60	69.(3)	<u>Resignation</u> (3) An executive authority shall stipulate the manner in which an employee shall submit his or her resignation.	EA	HOD		
61	69.(4)	(4) An executive authority shall conduct and record an exit interview with an employee who has resigned and record the reasons given by the employee for his or her resignation	EA	HOD L2 to L15		

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62	69.(5)	(5) An employee who has submitted his or her resignation to the executive authority may only withdraw his or her resignation with the written approval of the executive authority, which approval shall be made no later than the last working day	EA	HOD L2 to L14	EA L15 and L16	
63	69.(6)	(6) If notice of resignation is given in terms of subregulation (1), the executive authority may require the employee to return all official equipment and documents, vacate his or her office and leave the department's premises before the expiry of the notice period on a day stipulated by the executive authority and not to perform any duties for the remaining notice period.	EA	HOD L2 to L14	EA L15 and L16	
64	71.(1)	<u>Systems for performance management and development</u> (1) An executive authority shall approve and implement a system for the performance management of employees, other than employees who are members of the SMS, in his or her department.	EA	HOD		
65	71.(2)	(2) An executive authority shall approve the department's performance management system in the financial year prior to the cycle in which the system is to be implemented, and any deviation from the provisions of the system during the cycle may be approved by the executive authority only if such deviation is not to the detriment of any employee.	EA	HOD		
66	71.(3)	(3) An executive authority may establish separate performance management systems for different occupational categories or levels of work.	EA	HOD		
67	71.(6)	(6) An executive authority may use a single assessment instrument to assist in deciding on an employee's probation and performance.	EA	HOD		


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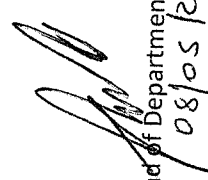

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68	72.(4)(c)	<u>Performance agreements and assessments</u> (4) If both the employee and his or her supervisor do not sign the performance agreement or an agreement of similar nature due to a dispute relating to the content of the agreement, a person shall be appointed within one month after the expiry of the period stipulated in subregulation (1), to consider the dispute. Such person shall be appointed in the following manner: (c) in the case of other employees, the appointment shall be made by the relevant executive authority, provided that the person so appointed, shall be an employee.	EA	HOD L2 to L15		
69	72.(14)	(14) An executive authority shall inform the employee of the outcome of his or her performance assessment.	EA	HOD	EA for HOD assessment	
70	72.(15)(b) and (c)	(15) Based on the outcome of the performance assessment an executive authority – (b) may, where appropriate, provide training and development for employees; (c) shall manage poor performance.	EA	HOD L2 to L15	EA manage poor performance of HOD	
71	73.(1)	<u>Rewarding performance</u> (1) Each executive authority shall establish a performance incentive scheme to reward employees or any category of employees within the limits determined by the Minister as contemplated in subregulation (3).	EA	Not delegated	EA approves	
72	76.	<u>Occupational specific competencies and training</u> An executive authority shall determine the training required for various occupational categories or specific employees in his or her department.	EA	HOD		


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73	78.(2)	<u>Mandating and management of negotiations</u> (2) An executive authority may enter into a collective agreement on a matter of mutual interest only if that authority— (a) is responsible for managing collective bargaining on behalf of the State as employer in that forum; (b) has authority to deal with the matter concerned; and (c) meets the fiscal requirements contained in regulation 79.	EA	Not delegated	Not delegated	


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