

Inkatha Freedom Party
IQembu lenkatha Yenkuluieko

THEME COMMITTEE No. 6
SUBCOMMITTEE ON
PUBLIC ADMINISTRATION

FIRST REPORT ON THE
PROVINCIAL AND NATIONAL CIVIL SERVICE

SCOPE OF THE CONSTITUTIONAL PROVISIONS

- I The Constitution shall provide only for the civil service employed by the national government only.
2. Any and all matters related to the civil service employed by the Provinces shall be regulated by laws of the Province concerned, subject to the national constitution.

STATUS AND ROLE OF THE NATIONAL CIVIL SERVICE

- 1 . The National Civil Service shall, as servants of the people, be impartial, accountable, transparent and committed to the pursuit of good governance.
2. National civil servants shall enjoy all human rights recognized in the Constitution.
3. Failure to disclose any conflict of personal interest in the exercise of public function shall be an offense.
4. Public officials shall be personally responsible for gross negligence and malice.

THE CIVIL SERVICE COMMISSION

- 1 . The Civil Service shall consist of seven members, one appointed by the President (Head of State), one by Parliament, one by the Judicial Service Commission, two by associations of business, commerce and industry and two by the representatives of consumer groups registered

with Parliament and convened for this purpose by a committee of Parliament.

2. The members of the commission shall be qualified and independent experts on public administration, personnel matters, business management or regulatory processes.

The IFP makes this submission under protest, for the Constitutional Committee should withhold consideration of the matters covered in this report and further development of work program so as to allow international mediation to take place.

Members shall not hold any other public office and prior to their appointment shall avoid any possible conflict of interest. After their appointment they may not undertake activities which may result in a conflict of interest. The members of the Commission shall hold office for three years and may be reappointed. Their salaries are determined by law.

3. The Commission proposes to Parliament its own budget.
4. The Civil Service Commission shall propose to Parliament legislation or regulations for maintaining all public offices of the National Government including independent regulatory agencies, determining missions, competence, jurisdictions and responsibilities of each office. The National Government may submit proposed legislation to the Commission. Concerned interests may also submit proposals to the Commission.
5. The Commission shall oversee the operations of the public administration of the National Government to ensure impartiality and efficiency, to prevent nepotism, discrimination, corruption, and in coordination with the Auditor General shall discourage waste and inefficiency.
6. The Civil Service Commission shall consider and authorize the requirements for the holding of any given public office and shall issue affirmative action and open opportunity rulings against which to fill the posts. In addition it shall devise minimum conditions of employment, salary and remuneration, performance evaluation and promotion criteria, grievance and dismissal procedures and orientation programs and training for all civil servants. The Commission shall develop and submit to the approval of the National Government an affirmative action plan.

program to be implemented within GOVERNMENTAL structures.

7. The Civil Service Commission shall develop, monitor and assist in the implementation by the National Government and agencies of procedures and affected interest participation in major administrative actions and the processes.
8. The Civil Service Commission shall prepare a yearly report on the status of the p expressing any applicable recommendation, and may provide testimony to Parliament a the government.