



human settlements

Department:
Human Settlements
REPUBLIC OF SOUTH AFRICA

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USE OF OFFICIAL LANGAUGES ACT, 2012 (ACT NO.12 OF 2012)

PROPOSED LANGAUGE POLICY

The National Department of Human Settlements intends to adopt a Language Policy for the Department in terms of section 4(1) of the Use of Official Languages Act, 2012 (Act No. 12 of 2012)

Section 4(1) of the Use of Official Languages (UOL) Act, No. 12 of 2012 mandates the department to adopt a Language Policy regarding its use of official languages for government purposes.

The department hereby invites interested persons to submit their comments on the proposed Language Policy within 30 days of the date of publication of this notice at the following address:

Send written comments to:

Ms. Refilwe Thaga / Ms Mmusho Ntlema

E-Mail: Refilwe.Thaga@dhs.gov.za / Mmusho.Ntlema@dhs.gov.za

Telephone: 012 444 9012 / 012 421 1686



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NATIONAL DEPARTMENT OF HUMAN SETTLEMENTS (NDHS) LANGUAGE POLICY

Final Draft, December 2015

Compiled by Directorate: Library and Information Services

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1. Acronyms

CSOS	Community Schemes Ombud Service
DG	Director-General
NDHS	The National Department of Human Settlements. Also referred to as the Department
EAAB	Estate Agency Affairs Board
HDA	Housing Development Agency
NHBRC	National Home Builders Registration Council
NHFC	National Housing Finance Corporation
NURCHA	National Urban Reconstruction and Housing Agency
PanSLB	Pan South African Language Board
RHLF	Rural Housing Loan Fund
SHRA	Social Housing Regulatory Authority

2. Definitions of Terms

Department	The Department of Human Settlements. Also referred to as NDHS
Director General (DG)	The Director General of the Department of Human Settlements
Official languages of the department	The selected South African official languages that the department will use for government purposes
South African Sign Language	The official sign language that is recognized and used as a first language by a large number of Deaf South Africans
Working days	Any days other than Saturdays, Sundays or public holidays

3. Introduction

Section 4 of the constitution mandates national and provincial government departments to regulate and monitor their use of official languages. The Use of Official Languages Act No. 12 of 2012 was enacted to realize this constitutional mandate.

This policy is therefore compiled as a statutory requirement in compliance with Section 4(1) of the Use of Official Languages Act No. 12 of 2012 which mandates national departments to adopt a language policy regarding its use of official languages for government purposes.

The policy represents the National Department of Human Settlements and is not applicable to its entities and provincial departments.

4. Purpose

As prescribed in Section 4(2) of the Use of Official Languages Act, this policy intends to:

- 4.1. Identify at least three official languages that the department will use in rendering its services;
- 4.2. Stipulate how official languages will be used in effectively communicating with the public, official notices, government publications, and inter and intra-government communication;
- 4.3. Describe how the department will effectively communicate with members of the public whose language of choice is not one of its chosen official languages, or South African Sign Language;
- 4.4. Describe how members of the public can access the language policy; and
- 4.5. Provide complaints mechanism to enable members of the public to lodge complaints regarding the use of official languages by the department.

5. Nature of National Department of Human Settlement

5.1. *Vision:*

A nation housed in sustainable human settlements

5.2. *Mission:*

To facilitate the creation of sustainable human settlements and improved quality of household life

5.3. *Legislative Mandate*

Section 26 of the Constitution of the Republic of South Africa (1996) enshrines everyone's right to have access to housing as a basic human right; it further mandates the department to take reasonable legislative and other measures within its available resources to achieve the progressive realization of this right. The Department primarily:

5.3.1. Establishes and maintains a policy and legislative framework required for facilitation of a sustainable and integrated human settlements objective in line with government's objective and departmental mandate; and

5.3.2. Facilitates apportionment of annual allocation to provinces and municipalities for human settlements, infrastructure development and land acquisition.

5.4. In addition to the role that provinces and municipalities play with regard to human settlements, the following national institutions were established to facilitate the human settlements related needs of the sector:

<i>Name of Public Entity</i>	<i>Legislative Mandate</i>
Community Schemes Ombud Service	Established in terms of the Community Scheme Ombud Service Act No.9 of 2011. The CSOS regulates the conduct of parties within community schemes and ensures their good governance. Any

<i>Name of Public Entity</i>	<i>Legislative Mandate</i>
	person in a community scheme can make an application to the CSOS, if materially affected by a dispute, for mediation and adjudication.
Estate Agency Affairs Board	To improve compliance with the Estate Agency Affairs Act.
Housing Development Agency	Facilitate the release of land and landed properties for human settlements development.
National Home Builders Registration Council	Provide innovative quality products and services that will delight the customer.
National Housing Finance Corporation	Mobilise funding into human settlements space in partnership with a broad range of institutions.
National Urban Reconstruction and Housing Agency	Ensure the availability of bridging finance to small, medium and established contractors building low- and moderate-income housing and related communities, facilities and infrastructure.
Rural Housing Loan Fund	The RHLF is a development finance institution, established in August 1996 as an association not for gain. The company is mandated to empower low-income households in rural areas to access housing credit. It operates as a wholesale lender and thus attains its mandate by providing loans through retail intermediaries to its target market to be utilised for incremental housing purposes.

<i>Name of Public Entity</i>	<i>Legislative Mandate</i>
Social Housing Regulatory Authority	SHRA was established in terms of the Social Housing Act (Act No. 16 of 2008), SHRA is intended to regulate all social housing institutions and projects obtaining public funds.

6. Official languages of the Department

- 6.1. The Constitution promotes the use of all eleven official languages, however owing to financial constraints; the Department's language policy will focus on functional multilingualism by striking a balance between financial considerations and the need to ensure the effective communication of particular messages to particular target audiences.
- 6.2. The Department uses English as its operating language. Thus, internal correspondence will be in English. Efforts will be made to ensure that externally focused communication will accommodate other languages depending on the availability of funds.
- 6.3. The Department has in addition to English as its language of business, identified one language from the Nguni group namely: isiZulu; and Sepedi from the Sotho group as languages of communication when communicating with members of the public. The department will further endeavour to facilitate communication in other official languages depending on the practicality and cost effectiveness of doing so.
- 6.4. Provincial and practicality requirements will still apply in influencing languages to use in a particular area, e.g. Public Participation Programmes (Izimbizos) and other official proceedings will be conducted in the dominant language of the province depending on the target audience, feasibility and cost effectiveness. *The selected languages will be reviewed once public comments have been received.*

6.5. The following factors were taken into account in arriving at the choice of official language(s) the NDHS will use in each context/situation:

- a) Practicality,
- b) Expense,
- c) Regional Circumstances,
- d) The needs and preferences of the public,
- e) Section 6(2) of the Constitution which mandates departments to take practical and positive measures to elevate the status and advance the use of indigenous languages.

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

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

7.2. The NDHS will arrange for appropriate translation or interpreting within 20 working days of the date of the request having been received by the department.

8. Communication with members of the public whose language of choice is South African Sign Language

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

8.2. The NDHS will arrange for appropriate interpreting within 20 working days of the date of the request having been received by the NDHS.

9. Publication of and access to this Policy

9.1. This policy will be gazetted for public comment in English, with at least two other languages placed on the website of the Department (www.dhs.gov.za)

9.2. The policy in at least three languages will be placed on the departmental website once approved

9.3. The summary of the approved policy will be placed at prominent areas within NDHS premises.

10. Complaints mechanism

10.1. Any person who is dissatisfied with a decision of the NDHS regarding its use of official languages may lodge a complaint in writing to the DG.

10.2. The complaint must be lodged in writing, and within three months of the complaint arising.

10.3. The complaint should be addressed to:

***The Director General
National Department of Human Settlements
Private Bag X644
Pretoria
0001
Fax: 012 341 8512
Email: info@dhs.gov.za***

10.4. Any complaint lodged must state the name, address, and contact information of the person lodging it.

10.5. Any complaint lodged must provide a full and detailed description of the complaint.

10.6. The DG may request a complainant to supply any additional information necessary to consider the complaint and to attend a meeting for the purpose of making an oral enquiry into the complaint.

10.7. The DG will consider the complaint and respond in writing, not later than three months after the complaint was lodged, informing the complainant of the decision.

11. Appeal Procedure

11.1. A complainant not satisfied with a decision of the Director-General may lodge an appeal with the Minister of Human Settlements.

11.2. The appeal must be in writing and should be lodged within one (1) month of a decision by the Director-General.

11.3. The appeal should state the name, address, and contact information of the person lodging the appeal with the full and detailed description of the complaint.

11.4. The appeal should be addressed to:

Minister of Human Settlements

Private Bag X645

Pretoria

0001

Fax: 086 519 7090

Email: ministry@dhs.gov.za

11.5. The Minister of Human Settlements will consider the appeal and make a decision no later than three (3) months after the appeal was lodged and inform the complainant in writing of the decision.

12. Review of Policy

This policy will be reviewed as and when necessary.
