higher education & training

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

MARKING GUIDELINE

NATIONAL CERTIFICATE (VOCATIONAL)

GOVERNANCE
NQF LEVEL 3

6 December 2023

This marking guideline consists of 7 pages.

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SECTION A

QUESTION 1

1.1 (a) government
(b) executive

(2 × 1) (2)

1.2 (a) authority
(b) support
(c) law

(3 × 1) (3)
[5]

QUESTION 2

NOTE TO THE ASSESSOR: Read the answer with the question paper. Any applicable motivation that disproves false statements will be acceptable. Copying directly from the question paper will not be regarded as a motivation for the answer.

2.1 True✓ (1)

2.2 False✓ – The legislature, because of its composition, function, and nature, is not in itself suited to function as a law-implementing body✓ (2)

2.3 True✓ (1)

2.4 True✓ (1)

2.5 False✓ – Transnet is a large South African rail, port, and pipeline company.✓ (2)

2.6 True✓ (1)

2.7 False✓ – Headmanship is regarded as traditional leaders by the Traditional Leadership Act ✓ (2)

2.8 False✓ – Government clusters are groupings of government departments with cross-cutting programs.✓ (2)

2.9 False✓ – All ministers are accountable individually and collectively to both the president AND Parliament for the administration of the portfolio entrusted to them.✓ (2)

2.10 True✓ (1)
[15]

QUESTION 3

3.1 B
3.2 F
3.3 I
3.4 D
3.5 E
3.6 H
3.7 A
3.8 J
3.9 G
3.10 C

(10 × 1) **[10]**
TOTAL SECTION A: 30

SECTION B

QUESTION 4

4.1
- Ensure alignment of government-wide priorities.
- Facilitate and monitor the implementation of priority programmes.
- Provide a consultative platform on cross-cutting priorities and matters being taken to cabinet. (3)

4.2
- 8 metropolitan municipalities.
- 44 district municipalities.
- 205 local municipalities. (3)

4.3 Local councils that share their municipal and executive authority. (1)

4.4
- The Anti-rape strategy.
- Implementation of the Domestic Violence Act.
- Youth crime capacity-building programmes. (3)

[10]

QUESTION 5

5.1
- President.
- Deputy President.
- Ministers of the cabinet. (3)

5.2
- The person who receives the lowest number of votes is eliminated.
- If, after the vote, more than one candidate remains, a further vote is taken.
- Again, the person with the lowest number of votes is eliminated. (3)

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5.3
- Considers, passes, amends, or rejects any Bill before the legislature.
- Initiates or prepares legislation, except for money Bills
- Ensures that all provincial executive authorities in the province are accountable to it.
- Maintains oversight of the exercise of provincial executive authority in the province and any provincial organ of the state. (4)

[10]

TOTAL SECTION B: 20

SECTION C

QUESTION 6

6.1 Crime Prevention Partnership. (1)

6.2 **NOTE TO ASSESSOR: Any ONE of the following:**

- Social crime prevention.
- Community policing.
- Reservists.
- Sector policing. (1)

6.3 The partnership with the government continues to grow in its acceptance, influence, and international recognition as a unique and effective approach to addressing crime-combating strategies.✓ This NGO runs various projects to assist the SAPS in combating crime.✓
Any applicable example of an initiative will be acceptable.✓ (2 + 1) (3)

6.4
6.4.1 Public Transport.
6.4.2 Access to/abuse of alcohol.
6.4.3 Lack of employment opportunities.
6.4.4 Access to Weapons.
6.4.5 Vacant-/unused land.
6.4.6 Education department, schools, women's groups, NGO's.
6.4.7 Welfare departments, by-laws.
6.4.8 Planners, architects.
6.4.9 SAPS Justice System.
6.4.10 Crime Factors.

(10 × 1) (10)

[15]

QUESTION 7

7.1 7.1.1 Intergovernmental dispute. (1)

7.1.2
- An organ of state involved in an intergovernmental dispute must make every reasonable effort to settle the dispute using mechanisms and procedures provided for that purpose and must exhaust all other remedies before it approaches a court to resolve the dispute.
- If a court is not satisfied that the above requirements have been met, it may refer a dispute back to the organs of state involved. (2)

7.2 7.2.1 The customary institutions or structures, or customary systems or procedures of governance, recognised, utilised or practised by traditional communities. (1)

7.2.2 This applies when a traditional leader has authority or an area of jurisdiction,✓ under which senior traditional leaders exercise authority under customary law.✓ (2)

7.2.3 **NOTE TO ASSESSOR: Any THREE of the following:**

- Represent traditional leadership and their communities.
- Advance the aspirations of the traditional leadership and their communities at the national level.
- Advance the interests of Provincial houses of traditional leadership, traditional leadership, and their communities at the national government level.
- Participate in international matters that have to do with customs, traditions and matters of common interest and influence government legislative processes at national level. (3)

7.3 7.3.1 **NOTE TO ASSESSOR: Any ONE of the following:**

<u>The desire to commit a crime</u>:
- Some criminologists and psychologists are of the opinion that a person could be born with the desire to commit crimes. ✓
- The way they were brought up plays an important role in a person's desire to commit crimes when they reach the juvenile or adult stage.✓

The opportunity to commit a crime:

- A crime can only be committed if the opportunity to commit such a crime exists.✓
- A person can have all the desire in the world to commit a crime, but if the opportunity to commit such a crime does not exist, such a person cannot commit a crime.✓
- If a person who does not want to commit a crime sees the opportunity to commit a crime, he or she might be tempted to take the opportunity and commit that crime, even though he or she otherwise would not have committed it.✓

Combination of a desire and opportunity:

- It is clear from the above-mentioned examples that both the desire and the opportunity to commit the crime must exist before a crime can be committed successfully.✓

(3 × 1) (3)

7.3.2 **Note to Assessor: Any THREE of the following:**

- Economic strain and deprivation
- Low education levels
- High rates of urbanisation
- Multicultural societies
- High levels of gun ownership
- High levels of substance abuse
- Outgoing lifestyles
- Population structures
- Countries in socio-economic and political transition
- Repeat victimisation risk

(3 × 1) (3)
[15]

TOTAL SECTION C: 30

SECTION D

QUESTION 8

NOTE TO ASSESSOR: Answer must be in tabular form as indicated below. Allow for the student's own interpretation of the question as well as appropriate examples.

Any TWENTY marks of the following – no marks are given for headings. [20]

			Three Arms (Trias Politica)		
			Legislature	**Executive**	**Judiciary**
Three spheres of government	**National**	**Composition**	Parliament (elected at national election): National Assembly (NA) has 350–400 elected representatives; National Council of Provinces (NCOP) has 90 representatives (10 per province) ✓	Cabinet: President, Deputy President Various ministers✓	Different courts throughout South Africa✓
		Functions	Makes, amends and scraps national laws, and holds executive accountable. ✓	Plans/drafts national laws and implements laws that are passed✓	Decides on disputes where laws have been broken and hands out punishment. ✓
		Examples	NA and NCOP make laws like the law on state information✓	Implements laws and runs the country through departments like Home Affairs and the South African Police Service (SAPS). ✓	Constitutional Court✓ Supreme Court of Appeal✓ High Courts (11) ✓ Magistrate's Courts✓ District Courts✓ Special Courts (e.g., Small Claims, Labour, etc.) ✓ Traditional Courts✓
	Provincial	**Composition**	30–80 members are elected on separate ballot at national election. ✓	Premier and executive council (5–10 members selected from provincial legislature by premier) ✓	
		Functions	Makes provincial laws✓	Plans/drafts provincial laws and implements laws that are passed✓	
		Examples	Laws about provincial education or sport✓	Implements laws and runs the country through departments like the Western Cape Education Department (WCED) ✓	
	Local	**Composition**	Municipal council (Elected at municipal election): Fully proportional OR 50/50 proportionally elected and ward representative✓	Municipal council: Mayor and executive committee OR executive mayor and mayoral committee (10). ✓	
		Functions	Makes by-laws for different municipalities✓	Plans/drafts by-laws and implements laws that are passed. ✓	
		Examples	Laws about street trading and property taxes. ✓	Implements laws and runs the municipality through departments like Finance✓	

[20]

TOTAL SECTION D: 20
GRAND TOTAL: 100

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