higher education & training

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

MARKING GUIDELINE

NATIONAL CERTIFICATE (VOCATIONAL)

GOVERNANCE
NQF LEVEL 3

4 November 2022

This marking guideline consists of 6 pages.

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SECTION A

QUESTION 1

1.1 (a) legislative
(b) executive
(c) judiciary (3)

1.2 (a) 85(1)
(b) authority
(c) president (3)

1.3 (a) National Assembly
(b) the National Council of Provinces (2)

1.4 (a) provincial
(b) local (2)
[10]

QUESTION 2

2.1 False
2.2 True
2.3 True
2.4 True
2.5 True
2.6 False
2.7 False
2.8 False
2.9 True
2.10 True

(10 × 1) **[10]**

QUESTION 3

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

(10 × 1) **[10]**

TOTAL SECTION A: 30

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SECTION B

QUESTION 4

4.1 **Note to the assessor: Any FIVE of the following:**

- It can be defined to include all public institutions involved in regulating the welfare of people.✓ Government is the authority✓ that includes:
- The legislature✓ consisting of the National Assembly✓ and the National Council of Provinces.✓
- The executive council/committee,✓ which is the government of the day✓ and performs the governing functions.✓ It is made up of the executive institutions, that is, the departments of state✓ and non-departmental institutions.✓ (5)

4.2
- The National Assembly✓ may remove the president by a resolution✓ adopted with a supporting vote✓ of at least two-thirds of its members.✓ This may only be done on the grounds of:
- A serious violation of the constitution✓ or the law✓
- Serious misconduct✓
- The inability to perform the functions✓
- Anyone who has been removed as president may not receive any benefits✓ and may not serve in any public office✓ (10)

4.3 The Executive Council comprises:
- The premier✓ as head of the Council✓
- No fewer than five✓ members, no more than 10✓ members appointed from among the members of the provincial legislature✓ (5)

[20]

QUESTION 5

5.1 Item 6 of schedule 6A✓ of the constitution makes for a floor-crossing period.✓ During this period, members of the National Assembly✓ could change political parties✓ without losing their seats in the National Assembly.✓ During September of the second and fourth year after the general elections✓ members have a period of 15 days during which they are allowed to change political parties.✓ (7)

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5.2 Telkom

- In the 1990s, Telkom partnered with Vodaphone✓ to launch South Africa's first mobile operations.✓
- By 2018, Telkom faced competition from the second fixed network operator, Neotel, as well as three mobile operators (Vodacom, MTN and Cell C).✓
- Telkom is a wireline and wireless telecommunications provider in South Africa.✓
- It operates in more than 38 countries across Africa using copper loops, microwave, fibre optic loops and wireless connections.✓

Transnet

- Transnet plays a vital role in everyday life,✓ the national economy✓ and economies of several other African states✓ that use the networks and harbours✓ within South Africa to transfer their imports and exports.✓

(5 × 2) (10)

5.3 It is a member of the community✓ who witnessed a crime or knows about a crime that is committed✓ and supplies this information to the South African Police Service.✓ (3)

[20]

QUESTION 6

Note to the assessor: Any TEN of the following:

Kings and queens✓

- Kingship or queenship refers to the position held by a king or a queen.✓
- A king or a queen is a senior traditional leader✓ under whose authority or within whose area of jurisdiction authority is exercised✓ in accordance with customary law.✓

Principal traditional leadership✓

- Principal traditional leadership applies when a traditional leader has authority, or an area of jurisdiction,✓ under which senior traditional leaders exercise authority in accordance with customary law.✓

Senior traditional leaders✓

- A senior traditional leader of a specific traditional community who exercises authority over a number of headmen and headwomen in accordance with customary law✓ or within whose area of jurisdiction a number of headmen or headwomen exercise authority.✓

Headmen and headwomen✓

- Section 11 of the Traditional Leadership and Governance Framework Amendment Act, Act 23 of 2009, stipulate that, whenever a position of a senior traditional leader, headman or headwoman is to be filled, the royal family✓ concerned must identify a person who qualifies in terms of the customary law to assume the position.✓

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The premier of the province concerned is informed of the particulars of the person identified and of the reasons for the identification of the person.✓ The premier must then recognise the person identified as a traditional leader, headman or headwoman.✓ **[10]**

TOTAL SECTION B: 50

SECTION C

QUESTION 7

Note to the assessor: ONE mark for each department mentioned and THREE marks for the discussions each. Not more than TWENTY points altogether. Learners may use their own words to express their understanding of facts.

a) Department of Social Development✓
- Think about insufficient housing in urban areas. This leads to hijacking of buildings and the building of informal settlements and the crimes which are planned and executed from these areas. This is not only an issue of crime, but also about housing.✓
- The Minister of Housing also has the responsibility to solve the problem. The police cannot do anything about the housing dilemma.✓
- They can, however, build a healthy relationship with the Minister of Housing by supplying them with information to make their job easier and which might solve the problem in the long term.✓

b) Department of Justice✓
- The Minister of Justice is responsible for seeing that the Justice Department (South African courts) is functioning optimally. We read on a daily basis of the overcrowded court rolls and the inefficiency in bringing suspected criminals to trial effectively.✓
- The SAPS can therefore work as hard as they can to investigate crimes and bring the accused suspects before the court, but if the courts are ineffective, the criminals will be discharged and be back on the streets the next day.✓
- Sometimes the court officials accuse the police of poor investigation work and then throw the cases out of court as a result of insufficient evidence.✓
- Sometimes suspected criminals are even discharged because the case dockets are not at court.✓
- Close liaison and cooperation between the police and state prosecutors is therefore necessary if the Justice Department would like to perform optimally in the fight against crime.✓

c) Department of Correctional Services (DCS)✓
- The Department of Correctional Services is one of the departments which form part of the criminal justice system. After an offender is convicted in court and sentenced, they are sent to jail to serve their sentence.✓
- The DCS is the responsible government department to keep offenders in safe custody, to rehabilitate them, to train them, to reintegrate them into society and make sure that they don't fall back to crime after their release.✓

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- The effectiveness with which DCS is performing its duties will ultimately determine whether a convicted criminal will be rehabilitated and reintegrated into society or whether they will fall back to criminality.✓
- Effective jail time will therefore either have a deterrent effect on a criminal, preventing them from going back to crime, or it could serve as a training school for new and better ways and methods to commit a crime without getting caught.✓
- Effective cooperation and communication between the SAPS and the DCS is therefore of utmost importance.✓

d) Metropolitan/Municipal police services and local law enforcement✓
- Some metropolitan (category A) municipalities have a metropolitan police service.✓ Local municipalities (category B) can only perform the functions as laid out in legislation for local municipalities.✓ They can have a municipal police service according to the constitution, but this is not currently applied.✓
- To enforce by-laws and create a safe and healthy environment, these municipalities create law enforcement and local traffic departments.✓ Municipal law enforcement officers are functioning as peace officers as stipulated in the Criminal Procedure Act.✓

e) The South African National Defence Force (SANDF)✓
- Since it was authorised by the president in 1996, the SANDF has mainly cooperated with the SAPS in three fields.✓
- Border control through companies deployed along the Zimbabwe, Mozambique, Swaziland and Lesotho borders.✓
- Rural protection.✓
- Combatting serious crime,✓ namely
  i. Urban terrorism
  ii. Stabilising of areas where violence is endemic
  iii. The safeguarding of major events
- Aircraft and ships are used where and when required to assist the SAPS✓

f) Business Against Crime (BAC)✓
- The partnership with government continues to grow in its acceptance, influence and international recognition as a unique and effective approach to address crime-combatting strategies. This NGO runs various projects to assist the SAPS to combat crime.✓

g) Integrated Justice System (IJS)✓
- The goal of the IJS is the transformation of the current justice system into a modern, efficient, effective and integrated process. In this way, the justice system can deliver swift justice through improved business processes that are supported by a modern technology infrastructure across all criminal justice programmes.✓
- The programme will ensure that:
- Criminals are effectively managed through the process of investigation, prosecution and incarceration.✓
- State resources are optimised and are effective.✓ **[20]**

TOTAL SECTION C: 20
GRAND TOTAL: 100

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