higher education & training

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

MARKING GUIDELINE

NATIONAL CERTIFICATE (VOCATIONAL)

INTRODUCTION TO GOVERNANCE
NQF LEVEL 2

27 February 2020

This marking guideline consists of 5 pages.

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SECTION A

QUESTION 1

1.1 True
1.2 True
1.3 False
1.4 True
1.5 False
1.6 False
1.7 True
1.8 True
1.9 True
1.10 True

(10 × 1) **[10]**

QUESTION 2

2.1 indirect democracy
2.2 governance
2.3 Constitutional Court
2.4 1988
2.5 government
2.6 three spheres
2.7 constitution
2.8 fundamental freedom
2.9 parliament
2.10 legislature

(10 × 1) **[10]**

QUESTION 3

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

(10 × 1) **[10]**

TOTAL SECTION A: 30

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SECTION B

QUESTION 4

4.1 Accountability is one of the basic principles underpinning the constitutional democracy of South Africa.✓ It means that a person or organisation is responsible for his, her or its actions✓ and for explaining it if asked. In case of the South African government, this means that the government is responsible for the effects of its actions✓ and must be willing to explain it or be criticised for it.✓ The government must provide information to the people of South Africa about what it does and how it has spent tax payers' money.✓ This is the reason why ministers, who represent government departments, must report to parliament on a regular basis.✓ (6)

4.2 Social rights are human rights✓ that guarantee that the government✓ will provide basic necessities✓ such as water and housing.✓ Economic rights guarantee that the government✓ will ensure that all workers are treated in a fair way.✓ For these types of rights, people felt that the government needed certain positive actions to ensure that people have access to these rights.✓(4 + (8)

4.3
- Constitutional Court
- Supreme court
- High court
- Magistrate courts
- Traditional courts
- Number of other courts, such as the small claims court (6)

[20]

TOTAL SECTION B: 20

SECTION C

QUESTION 5

5.1 Yes✓ – When people are dissatisfied with the responses of the government they will and have the right to react with a protest.✓ (2)

5.2 Yes – The community protested for electricity.✓
No – Some of the community members used the protest as an excuse to loot the shops.✓ (2)

5.3
- Public violence
- Theft
- Victimisation
- Intimidation (Any 2 × 1) (2)

5.4 Human rights refer to those rights that are shared by all human beings.✓ A human right allows one to do something, for example the right to vote in an election.✓ Fundamental freedoms are those freedoms that are basic to the existence of all human beings.✓ Freedom means the ability to do what one wants without being controlled or restricted by anyone.✓ (2 + 2) (4)

5.5 Responsiveness means reacting quickly✓ to something in a positive way.✓ In the case of the government, it must respond quickly and positively to the needs of South Africans.✓ For example in the case of severe drought, the government must assist farmers.✓ When people are dissatisfied with the responses of the government they will react with protest✓ and this affects the credibility of the government and places them at risk of not being re-elected.✓ (6)

5.6
- Providing democratic and accountable government✓ to everybody in the municipality✓
- Providing basic services such as electricity,✓ water and sanitation to all communities✓
- Promoting the social and economic development✓ of people in the municipality✓
- Promoting an environment that is safe and healthy for people who live there✓
- Seeing to it that all communities and other groups,✓ such as religious groups, participate in all local matters✓ (9)

5.7
- Services must be provided to South Africans on an equal basis.
- The needs of South Africans must be addressed.
- The public must participate in decisions that affect them, for example deciding where a new road must be built.
- Transparency must be part of all activities.
- Information on activities by the government must be provided to everybody. (5)

[30]

TOTAL SECTION C: 30

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SECTION D

QUESTION 6

6.1

- Constitutional matters: A constitutional matter includes any issue involving the meaning, protection and enforcement of the constitution.✓ This includes the Bill of Rights.✓ The Constitutional Court has been established in terms of the constitution and is the highest court to hear cases about constitutional matters.✓ Constitutional issues include the relationship between the state and citizens,✓ including legislation controlling electoral activities and the conduct of government employees and institutions.✓

- Criminal matters: A criminal matter includes any issue where a person is suspected of having committed a crime.✓ Such matters are investigated by the SAPS.✓ If enough evidence is found, such person is then prosecuted and he/she is called the accused.✓ In a criminal trial, the state must prove that the accused was responsible for the crime.✓ The accused may give evidence that he/she should not be found guilty.✓

- Civil matters: A civil matter includes any issue where two or more people disagree on whether the rights of one of them have been affected by someone's actions.✓ The person, against whom the case is heard, is called the defendant.✓ The claimant must prove her/his case.✓ The defendant is allowed to provide evidence showing why the claim should not succeed. Once the court has heard the arguments from both sides (i.e. the claimant and the defendant) it makes a ruling.✓ The court also says who should pay the cost of the lawyers.✓ (3 × 5) (15)

6.2 The highest and most important court in South Africa is the Constitutional Court.✓ It consists of a president,✓ a deputy president✓ and nine other judges.✓ In all cases that come before the Constitutional Court at least eight judges must be involved in considering the matter.✓ (5)

[20]

TOTAL SECTION D: 20
GRAND TOTAL: 100

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