higher education & training

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

MARKING GUIDELINE

NATIONAL CERTIFICATE

PUBLIC ADMINISTRATION N4

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This marking guideline consists of 12 pages.

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MARKING GUIDELINES FOR EXAMINERS/MARKERS

1. Examiners are reminded that the subject Public Administration lends itself to broad interpretations and therefore broad ranges of answers.

2. The memorandum serves as a guideline to examiners/markers and is not intended to be absolute or prescriptive.

3. The answers provided in this memorandum are therefore NOT exhaustive and examiners/markers are requested to use their discretion when marking. Answers provided by students should also be assessed within the context of their life experiences.

4. Content should be marked, and not grammar.

SECTION A

QUESTION 1

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

(10 × 2) **[20]**

QUESTION 2

2.1
- Population
- Individuals
- Interest and pressure groups
- Legislative institutions
- Political executive institutions
- Cabinet secretariat
- Central directive, research and co-ordinating institutions
- Commission of enquiry
- International institutions
- Officials
- Newspapers and media
- Other states: International influences

(Any 4 × 1) (4)

2.2
- A particular territory
- Independent from any other state
- People are part of a community
- Permanent rules in the form of a constitution
- Public institution to ensure law and order
- Government is chosen by the people of the country to rule them

(Any 4 × 2) (8)

2.3 2.3.1
- Administration carried out within government institutions
- Is a specific activity where something must be done
- Is a system of structures and processes
- Takes place within a society
- Aim is to make proper laws and regulations for the society
- Puts laws and regulations into place and applies it to the society

(Any 2 × 2) (4)

2.3.2
- Comes from the Greek words *demos*, which means people, and *kratein*, which means to govern
- Citizens have the opportunity to choose and identify people they send to Parliament by means of regular and general elections
- Means government of the people for the people and by the people
- Few people are vested with the authority to make decisions that people are compelled to obey
- In a democratic state people are given many rights that are guaranteed by legislation
- Leaders must not abuse their authority for their own benefit
- Democracy is based on many principles such as the rule of law and the division of authority of the state (Any 2 × 2) (4)

[20]

TOTAL SECTION A: 40

SECTION B

QUESTION 3

3.1 3.1.1

- Must be a South African citizen
- 18 years and older
- Must have a legal voter document (ID)
- A permanent resident of the country
- A person who is a child of a citizen before the commencement of the new Constitution and who has entered the country to become a permanent resident
- A person who has been in the country since 31 December 1978
- Not a South African but granted the right to vote by Parliament
- Not subject to any disqualifications contained in the Act

(Any 4 × 1) (4)

3.1.2

- The place where people will cast their votes
- Should not be in a building used by the defence force, police or a political party
- Electoral officers are in charge of voting stations (Any 1 × 2) (2)

3.1.3

- Disposable polling booths – used to cast your vote in secrecy
- Ballot boxes – must be checked before voting to ensure that they are empty; used to cast ballot papers
- Copies of voting list – responsibility of every individual to check that his/her name appears on all and on the correct voting lists in his/her constituency
- Ballot papers – usually consists of abbreviated names of registered parties, a sign or symbol of each party in colour and the name and photograph of the leader of the party
- Indelible ink – used to mark the thumbs of the voters
- Stationery – the electoral officer must provide pens, pencils, rulers and any other writing material that will be required
- Shredding machine – used to shred spoilt papers
- First-aid and emergency equipment – the electoral officer must ensure that there is sufficient first-aid and emergency equipment available in the case of an emergency (Any 4 × 1) (4)

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3.1.4
- Identity document is scanned and checked
- Voter's list will be checked and your details crossed out
- The base of the thumbnail on the right hand is checked for invisible ink
- A drop of ink is placed on the base of the thumbnail
- Voter receives two ballot papers for the National Assembly and Provincial Legislator
- Voter marks party of his/her choice in voting booth
- Voter places National Assembly ballot paper in the national ballot box
- Voter places the Provincial Legislator ballot paper in the provincial ballot box
- Voter leaves voting station (Any 10 × 1) (10)

3.2 3.2.1
- Eastern Cape
- KwaZulu-Natal
- Limpopo
- North West
- Free State
- Mpumalanga (Any 6 × 1) (6)

3.2.2
- The Constitution made provision for the establishment of Provincial Houses of Traditional Leaders in six provinces
- Makes proposals to the Provincial Legislature or government in respect of matters relating to traditional authorities, indigenous law or traditions and customs of the traditional communities
- A provincial bill is referred to the Provincial House of Traditional Leaders for comment by the speaker of the Provincial Legislature
- If the House is opposed to the bill, it is not passed by the Provincial Legislature (Any 2 × 2) (4)

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3.2.3
- Heals the divisions of the past and creates a society based on democratic values, social justice and basic human rights
- Lays the foundation for a democratic and open society in which government is based on the will of the people and every citizen is equally protected by the law
- Improves the quality of life of all citizens and frees the potential of all people
- Has supremacy over Parliament
- Guarantees equal rights for all citizens of the Republic of South Africa
- Contains a Bill of Rights that regulates the relationship between state and citizen
- Makes provision for the formation of a government of national unity
- The former four provinces are replaced by nine provinces, each of which obtains its own provincial government
- Entrenches various interests of the community, for example an electoral system of proportional representation
- Builds a united and democratic South Africa able to take its rightful place as a sovereign state in the family of nations

(Any 5 × 2) (10)
[40]

QUESTION 4

4.1 4.1.1
- Receives and investigates complaints from the public against government or state agencies or officials
- Investigates any conduct in state affairs or public administration at any level of government that is improper (maladministration, abuse of power, violations of human rights, dishonesty)
- Must report on such conduct to the public
- May not investigate any court decision (Any 4 × 2) (8)

4.1.2
- Chairperson of the National Assembly
- Presides over National Assembly meetings
- In charge of the proceedings of the National Assembly

(Any 1 × 2) (2)

4.1.3
- The National Assembly consists of 400 members.
- Two hundred seats are allocated on the basis of national elections according to the percentage of votes of each party.
- Two hundred seats are allocated to the various provinces as follows:

  - Gauteng: 43
  - KwaZulu-Natal: 40
  - Eastern Cape: 28
  - Western Cape: 21
  - Limpopo: 20
  - Free State: 15
  - North West: 15
  - Mpumalanga: 14
  - Northern Cape: 4

- A speaker and a deputy speaker are chosen among the members of the National Assembly.
- Each political party will choose a leader for the National Assembly, called the chief whip.
- Each political party may choose additional whips at the ratio of 1 whip to every 8,69 members.
- Political parties that are too small to have a whip can attend meetings of the whips.
- The majority party can appoint a deputy whip.
- They are elected every five years. (Any 6 × 2) (12)

4.1.4
- Unrehabilitated insolvent
- Mental derangement
- Sentenced to imprisonment for more than a year without the option of a fine
- Absent without permission for a long time
- Anyone convicted of an offence and sentenced to more than 12 months' imprisonment without the option of a fine, either in the Republic or outside
- Permanent delegates to the National Council of Provinces or members of a Provincial Legislature or municipal council
- Anyone who is in the service of the state and receives remuneration for that appointment or service (president, deputy president, ministers, deputy ministers) (Any 5 × 2) (10)

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4.2 4.2.1
- These courts have jurisdiction in all constitutional matters, except matters on which only the Constitutional Court can decide.
- These courts are also vested in provinces with appellate divisions.
- They hear matters that are so serious that the lower courts would not be competent to make a proper judgement.
- These courts can sentence offenders to life imprisonment unless prescribed by the law.
- Decisions are binding on magistrate's courts within the area of jurisdiction.
- High court judges are appointed by the president after consultations. (Any 2 × 2) (4)

4.2.2
- Exist to pronounce judgement on the less serious criminal and civil matters that appear daily
- Various types of magistrate's courts that pronounce judgment on a great variety of matters, for example ordinary magistrate's court, children's court and regional magistrate's court

(Any 2 × 2) (4)
[40]

QUESTION 5

5.1 5.1.1
- Assents to bills
- Refers bills back for consideration
- Convenes meetings of Cabinet
- Appoints commissions of enquiry and ambassadors
- Refers disputes that might occur in Parliament to the Constitutional Court or other relevant institution
- Appoints diplomatic officers
- Negotiates and signs international agreements
- Proclaims referenda
- Pardons offenders
- Appoints deputy president and members of Cabinet
- Dismisses deputy president and ministers
- Manages Cabinet
- Formulates and executes policies of the national government
- Allocates functions to executive deputy president (Any 5 × 2) (10)

5.1.2
- Are political heads and submit policy proposals to Cabinet
- Make proposals for their department to Cabinet
- Ensure that legislation is approved to fulfil these objectives
- Make proposals about objectives for their department

(Any 3 × 2) (6)

5.1.3
- Agriculture, Forestry and Fisheries
- Basic Education
- Communications
- Correctional Services
- Economic Development
- Environmental Affairs
- Health
- Home Affairs
- National Treasury
- Arts and Culture
- Defence
- Energy
- Higher Education and Training
- Human Settlement
- International Relations and Co-operations
- Labour
- Mineral Resources
- Police
- Public Enterprises
- Public Service and Administration
- Public Works
- Science and Technology
- Trade and Industry
- Transport
- Social Development
- Sports and Recreation
- Traditional Affairs
- Water Affairs
- The Presidency
- Rural Development and Land Reform
- State Security Energy
- Statistics South Africa (Any 8 × 1) (8)

5.1.4
- Carries out all activities assigned by the president or Constitution
- Assists the president
- Has the same tasks as members of Cabinet
- Is accountable collectively (with members of Cabinet) and individually to Parliament (Any 2 × 2) (4)

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5.1.5 Executive authority
- Includes activities in the preparation of the writing of laws
- Includes the running of different state departments within government
- Here laws are carried out
- Not involved in enacting legislation or in administering justice

Legislative authority
- Includes the writing of laws
- Monitors the executive authority
- The legislator who enacts laws may not also execute them or administer justice (Any 2 × 2) (4)

5.2
- Makes bylaws provided that they are consistent with national or provincial legislation
- Prescribes procedures for levies and recovery of rates and taxes
- Prescribes how municipal income will be spent to provide the necessary services to maintain the well-being of all citizens
- Ensures that national and provincial policies are enforced on local level
- Municipalities have the right to govern on their own initiative subject to national and provincial legislation and the Constitution
- The municipality makes by-laws on various matters. These matters are for example on tourism, refuse removal, health services, storm-water drainage and many other matters
- A municipal council may decide on its own working method by establishing committees, although decisions must be taken by a full council (Any 4 × 2) (8)

[40]

QUESTION 6

6.1 6.1.1
- Municipal level of government
- Local level of government (Any 1 × 2) (2)

6.1.2
- Water is an essential service.
- The municipality is involved with the provisioning of this service.
- People cannot survive without water for very long, therefore it has to be attended to as soon as possible.
- For health and safety reasons, this service needs to be constantly provided by municipalities. (Any 2 × 2) (4)

6.1.3
- Represent the wards
- Accountable to the people for what happens in the municipality
- Must look after the interests of the residents in that area
- Must be available to citizens to discuss their unhappiness
- Must report back every four months to their constituencies
- Must be honest and act in a transparent manner
- Must always act in the best interest of the community
- Attend meetings regularly
- Not use their position or privileges or confidential information for private gain
- Not request, solicit or accept any reward, gift or favour for any reason
- Must not interfere or obstruct in the management or administration of any department unless given instructions by council to do so (Any 5 × 2) (10)

6.2 6.2.1
- Consists of 30 to 100 members
- Elected on a proportional basis in a general election
- The premier is the head of the province and the Provincial Legislature
- Term of office is five years (Any 3 × 2) (6)

6.2.2
- Constitution is the highest law
- National laws or Acts of Parliament are higher than the laws passed by provincial government
- Provincial governments are subordinate to national government (Any 1 × 2) (2)

6.2.3
- Where an Act of Parliament deals with matters that cannot be regulated effectively by provincial legislation
- Where an Act of Parliament deals with matters that require being regulated or co-ordinated by uniform norms or standards that apply generally throughout the Republic of South Africa
- Where an Act of Parliament is necessary to set minimum standards across the nation for the rendering of public services
- Where an Act of Parliament is necessary for the maintenance of economic enmity, wealth and security services, protection of the environment, promotion of provincial commerce and other important services to be regulated by national law (Any 4 × 2) (8)

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6.3
- Generic administrative functions
- Auxiliary functions
- Instrumental functions
- Line functions (Any 4 × 2) (8)

[40]

TOTAL SECTION B: 160
GRAND TOTAL: 200

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