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 10 pages.

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MARKING GUIDELINES FOR EXAMINERS

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

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

3. The answers provided in this marking guideline 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 (the students) life experiences.

4. Content should be marked and not grammar.

SECTION A

QUESTION 1

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

(10 × 2) **[20]**

QUESTION 2

2.1 B
2.2 H
2.3 D
2.4 E
2.5 J
2.6 G
2.7 F
2.8 C
2.9 A
2.10 I

(10 × 2) **[20]**

TOTAL SECTION A: 40

SECTION B

QUESTION 3

3.1 3.1.1 The public protector 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 that conduct to the public.
May not investigate any court decision.

(Any appropriate 3 × 2) (6)

3.1.2
- 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 appropriate institution
- Appointment and recognition of diplomatic officers
- Negotiation and signing of international agreements
- Proclamation of referenda
- Pardons offenders
- Appointment of deputy president and members of cabinet
- Dismissal of deputy president and ministers
- Management of the cabinet
- Formulation and execution of policies of the national government
- Allocation of functions to Executive deputy president

(Any appropriate 6 × 2) (12)

3.2 3.2.1
- It is the highest law and every person, government institution and President must follow the principles of the Constitution.
- No one is above the law, not even the President.
- No discrimination and every citizen should be treated equally regardless of gender, race, religion, culture.
- Contains a Bill of Rights, which ensures that people are guaranteed their rights and freedom.

(Any appropriate 1 × 2) (2)

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3.2.2
- Heals the divisions of the past and create a society based on democratic values, social justice and basic human rights.
- Lay 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.
- Improve the quality of life of all citizens and free the potential of all people.
- The constitution has supremacy over Parliament.
- The constitution guarantees equal rights for all citizens of the RSA.
- The Constitution 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.
- It entrenches various interest of the community, for example an electoral system of proportional representation, etc.
- Build a united and democratic South Africa able to take its rightful place as a sovereign state in the family of nations.

(Any appropriate 6 × 2) (12)

3.2.3 Administers the law, but cannot enact laws or manage executive activities **(**Any appropriate 1 × 2) (2)

3.2.4
- What the status, powers and functions of national or provincial bodies are when there is a dispute between them.
- Whether a bill before Parliament or a provincial legislature is constitutional.
- Whether a law of Parliament or a provincial law is constitutional.
- If amendments to the Constitution are constitutional.
- Whether another court was correct when it found that the behaviour of the President is unconstitutional.
- If the working of Parliament is constitutional.
- If a provincial constitution or amendments to a provincial constitution is constitutional.

(Any appropriate 3 × 2) (6)

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QUESTION 4

4.1 4.1.1
- Central
- National level of government

(Any appropriate 1 × 2) (2)

4.1.2
- Ministers appear in Parliament to answer questions on activities of his/her department
- Necessary for them to be well informed on the executive and administrative activities of their department to answer questions in Parliament

(Any appropriate 2 × 2) (4)

4.1.3
- Functions as a member of Cabinet
- Functions as political office bearer
- Functions as leader of the ruling political party

(Any appropriate 3 × 1) (3)

4.1.4
- Unrehabilitated insolvent
- Mental derangement
- Sentenced to imprisonment for more than a year without the option of a fine
- A person will lose membership when they are 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 NCOP 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 may become members)

(Any appropriate 5 × 2) (10)

4.1.5
- Must be a South African citizen
- 18 years and older
- Registered to vote
- 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 the Parliament
- Not subject to any disqualifications contained in the Act

(Any appropriate 5 × 1) (5)

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4.1.6
- Population
- Individuals
- Interest and pressure groups
- Legislative institutions
- Political executive institutions
- Cabinet Secretariat
- Central directive, research and coordinating institutions
- Commission of enquiry
- International institutions
- Officials
- Newspaper and media

(Any appropriate 6 × 1) (6)

4.2 4.2.1
- Council consists of a chairperson and 19 representatives.
- Council and Chairperson are elected by an electoral college constituted by the members of the Houses of Traditional Leaders of the different provinces.

(Any appropriate 2 × 2) (4)

4.2.2
- To advise and make recommendations to the national government with regards to any matter pertaining to traditional authorities, indigenous law and custom
- To advise the President on matters of national interest
- The council has the power to delay parliamentary bills in respect of traditional needs.
- They are the representative body for traditional leaders in Parliament

(Any appropriate 3 × 2) (6)
[40]

QUESTION 5

5.1 5.1.1
- The Constitution recognises local government as a sphere of government
- Often called the cornerstone of democracy and therefore forms a strong structure on which society is built
- Ensure that national and provincial policies are enforced on local level
- Government closest to the people to understand their needs.
- To provide democratic and accountable government for local communities
- To ensure the provision of services to communities
- To promote social and economic development
- To promote a safe and healthy environment for communities
- To encourage the involvement of communities in mattes of local government

(Any appropriate 5 × 2) (10)

5.1.2
- Mayor
- Deputy Mayor
- Councillors

(Any appropriate 3 × 1) (3)

5.1.3
- The Municipal Council makes bylaws provided that they are consistent with the national or provincial legislation.
- Prescribe procedures to levy and recover rates and taxes.
- Prescribe how municipal income will be spent to provide the necessary services to maintain the well-being of all citizens.
- Ensure that national and provincial policies are enforced on local level.
- Municipalities have the right to govern on their own initiative subject to national, provincial legislation and the Constitution State Corporation.
- The municipality make 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 appropriate 5 × 2) (10)

5.1.4
- Identity document is scanned and checked
- Voter's list will be checked and your details crossed out
- The base of thumbnail on 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 NA and provincial
- Voter marks party of his choice in voting booth
- Voter places NA ballot paper in the national ballot box
- Voter places the provincial ballot paper in the provincial ballot box
- Voter leaves voting station

(Any appropriate 10 × 1) (10)

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5.2
- To appoint or dismiss executive council members
- To convene executive meetings
- To assent to and sign Provincial Bills
- To refer a Bill to the Provincial legislature for further consideration
- To refer a Bill to the Constitutional Court for a decision on the Bill's constitutionality
- To appoint commissions of enquiry
- To assent to the provincial constitution
- To implement provincial legislation
- To implement national legislation
- To administer the province
- To develop and implement provincial policy
- To summon the Provincial Legislature for an extraordinary meeting to conduct urgent matters
- To dissolve the provincial legislature and to call an election after a vote of no confidence in the Executive council has been passed by the Legislature
- To call a referenda of the province
- To coordinate the provincial administration and its departments
- To assign powers and functions to the Executive council
- To appoint or dismiss executive council members

(Any appropriate 7 × 1) (7)

[40]

QUESTION 6

6.1 6.1.1
- Policy making
- Organising
- Financing
- Staffing/Personnel provisioning and utilisation
- Determination of work methods and procedure
- Control (Any appropriate 6 × 1) (6)

6.1.2
- Officials are subordinate to the political authority and can only carry out activities with the authorisation of the political authority.
- Officials are publicly accountable for all deeds and misdeeds.
- Funds are obtained from the public must be administered with the greatest responsibility
- All administrative activities must meet the requirements of the law and justice
- Values of the community, religion, culture must be respected in the execution of State policy.
- Civil servants and political office bearers must maintain high ethical standards and norms and aim at honesty and effectiveness in their activities

(Any appropriate 3 × 2) (6)

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6.1.3
- The child's first contact with welfare services is gained within the family, where care is taken of the aged, the ill and helpless children.
- The family is the child's first contact with the system of protection, where the family protects its members and property
- The family serves as a first status symbol, as he/she belongs to a group with a cultural and social background
- The child will not only receive parental care, help support and emotional security, but also skills to cope in the community.
- The child learns to develop interpersonal relationships which will determine whether the world is friendly or hostile.
- The parent introduces the child to a variety of groups in his/her environment and to the characteristics of each of these groups.
- The child is taught to love his/her neighbour, to sacrifice his/her personal needs for the benefit of the group.
- The child is introduced to social restrictions such as acceptable behavioural norms, limits of tolerance of what is right and wrong, moral standards, attitude.
- Family prepares him/her to accept his/her responsibilities in the community.

(Any appropriate 3 × 2) (6)

6.2 6.2.1
- Consists of 30–100 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 appropriate 4 × 2) (8)

6.2.2
- Agriculture
- Cultural affairs
- Education excluding universities of technology and universities
- Health services
- Housing
- Language policy
- Police and protection services
- Public transport
- Tourism
- Local Government
- Discuss and pass bills
- Gambling (except lotteries)
- Environment
- Public works
- Regional planning and development
- Tourism
- Traditional leaders
- Urban and rural development

(Any appropriate 4 × 2) (8)

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6.3 6.3.1
- The interim constitution made provision for the establishment of a government of national unity for South Africa during the formal transformation process.
- The interim constitution was the supreme authority during the transformation process until the new and final constitution was adopted. (Any appropriate 1 × 2) (2)

6.3.2
- One of the houses of Parliament
- Found at national level and part of the Legislature

(Any appropriate 1 × 2) (2)

6.3.3 A piece of legislation which has not been passed by Parliament of which has not come into effect

(Any appropriate 1 × 2) (2)
[40]

TOTAL SECTION B: 160
GRAND TOTAL: 200

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