

KWAZULU-NATAL OFFICE OF THE PREMIER



RATIONALISATION OF LAWS PROJECT: REVISION OF THE KWAZULU-NATAL STATUTE BOOK

FINAL REPORT

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1 PREFACE

The Provincial Rationalisation of Laws Project forms an important part of strengthening governance in KwaZulu-Natal and was referred to by the Premier in his Budget Speech delivered on 26 April 2005 as an “ambitious” Project in which KwaZulu-Natal has “taken the lead in the country”.¹

In order to maintain the momentum of the Project, the continued support of, and co-operation in, this Project by the Members of the Executive Council was essential to its ultimate success.

Herewith follows a short exposition on the -

- a) background;
- b) aim;
- c) objectives;
- d) principles pertaining to role players and resources; and
- e) scope and funding,

of the Project.

2 BACKGROUND TO THE RATIONALISATION OF LAWS PROJECT

On the establishment of the new democratic state on 27 April 1994, the Province of KwaZulu-Natal came into being, amalgamating the province of Natal and the self-governing territory of KwaZulu.

Natal was established in 1910 as one of South Africa’s four provinces in terms of the 1909 Union of South Africa Constitution. Until 1994 it was administered by the Natal

¹ Circular Letter by the Office of the Premier to the Members of the Executive Council dated 23 September 2005

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Provincial Administration, headed by an Administrator (who was appointed by the national government). The Natal Provincial Legislature, which was abolished in 1986, was empowered to enact provincial ordinances and subordinate legislation. The Provincial Executive Council consisted of the Administrator and Members of Executive Council (MECs) appointed from the majority party in the Provincial Legislature. From 1986 to 1994 the Administrator issued proclamations as all provincial legislative powers were vested in him.

Some of this old legislation still forms part of the body of law currently applicable in KwaZulu-Natal.

In the self-governing territory of KwaZulu, prior to 1972, separate governance structures (Tribal Authorities, Regional Authorities and Territorial Authorities) had been established in terms of the Black Authorities Act of 1951. These institutions were responsible for the day-to-day administration of their jurisdictional areas in terms of principal legislation enacted by the national Parliament, and subordinate legislation issued by the Head of State and the Minister responsible for the administration of affairs pertaining to Black South Africans. In 1972, in terms of the Constitution of the National States Act of 1971, a Legislative Assembly was established for the national state – as it was referred to in 1972 – of KwaZulu. A Cabinet was appointed, consisting of a Chief Minister and members of the majority political party in the KwaZulu Legislative Assembly. Self-governing status was accorded in 1977.

This resulted in an increase in the number of functional domains reserved for the exclusive legislative, executive and administrative powers of the KwaZulu Government.

Similarly, much of the legislation pertaining to the former KwaZulu, or enacted by the KwaZulu Legislative Assembly, still forms part of the body of law currently applicable in KwaZulu-Natal.

2.1 NEED FOR THE RATIONALISATION OF LAWS PROJECT

The new province of KwaZulu-Natal amalgamated two administrations – the KwaZulu Administration centred in Ulundi and the Natal Administration located in Pietermaritzburg. These two sites had been retained from 1994 to 2002 as capitals for legislative, executive and administrative purposes. However, in May 2002 the Provincial Legislature resolved that Pietermaritzburg would be its only seat.

In terms of the Constitution, 1996, the provinces (including the Province of KwaZulu-Natal) have extensive legislative authority, amongst others, to pass legislation with regard to any matter within a functional area listed in Schedules 4 and 5 to the Constitution. The 1993 Constitution similarly gave provinces the power to legislate on a variety of matters. This legislative competence of the new provinces since 1994 added to the body of law in the province.

The plethora of old order and new legislation in provinces created many legal and practical problems and could be solved only by a concerted effort to rationalise the KwaZulu-Natal Statute Book. The provincial Rationalisation of Laws Project aimed to address this issue and forms an important part of strengthening governance in the province.

A feasibility study identified various areas requiring further attention, **including, amongst others:**

- a) Assignment of pre-27 April 1994 (old order) legislation

The assignment process has given rise to a number of problems, including the following:

- The extent of the assignment was often not spelled out clearly; and
- There exists no guarantee that all relevant pre-27 April 1994 legislation was in actual fact assigned. The assigned principal SA, Natal and

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KwaZulu self-governing territory legislation included also the (indirect) assignment of subordinate legislation issued in terms thereof.

b) Consistency provisions of the 1996 Constitution

The 1996 Constitution determines that old order legislation is only valid in so far as it is consistent with the provisions of the Constitution. This necessarily implies that the review of the KwaZulu-Natal Statute Book should also analyse the constitutionality of any existing statutory provision that might be considered for retention, amendment or re-enactment.

c) Apportionment of powers between the spheres of government

The impact of the 1996 Constitution provides for a different approach to the distribution of powers within the national, provincial and local spheres of government (compared to that provided in the 1993 Constitution).

d) Saved subordinate legislation

The State President did not use his power to reduce or repeal this body of subordinate legislation. The effect has been that the major part of this saved subordinate legislation has now in all probability obtained the character of national legislation that can now possibly only be amended or repealed by Parliament. At the inception of the Rationalisation of Laws Project, there existed no inventory of such saved subordinate (now principal) legislation. (Some parts of this formerly subordinate, now principal, legislation may be applicable to KwaZulu-Natal.)

e) Local government legislation

Clarity had to be obtained as regards the rationalisation of local government legislation. In order to deal with pre 05 December 2002 local government principal and subordinate legislation in a meaningful manner, the rationalisation process was to be done holistically to take into account linkages between local government legislation and legislation pertaining to

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other KwaZulu-Natal provincial departments. (An example of said linkage is the need to coordinate, from a developmental perspective, local government legislation with legislation pertaining to housing, water, the environment, land, health etc.)

f) **Municipal By-laws**

Within the context of the proposed time frame for the execution of the rationalisation project, the identification, analysis and rationalisation of municipal by-laws issued by pre-05 December 2000 local government structures are excluded. It was recommended that a separate process should be executed by all individual local authorities. This separate process was to be informed by the envisaged Rationalisation of KwaZulu-Natal Legislation Programme.

g) **Provincial powers in respect of national laws not assigned to provinces**

Clarity needed to be obtained as regards the question whether the KwaZulu-Natal Provincial Legislature was competent to repeal, amend or replace pre- and post-27 April 1994 non-assigned legislation falling within the functional areas specified in Schedules 4 or 5 of the 1996 Constitution.

h) **Absence of legislation**

It would appear that a number of KwaZulu-Natal Provincial Departments had no pre-1994 legislation assigned to them. In a few cases such departments also did not have any post-27 April 1994 legislation allocated to them. Clarity was to be obtained as regards the legal basis (delegation, mandate, agency agreements etc) of the administrative actions performed by said departments since 27 April 1994.

i) **Non-assigned legislation**

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There was (and still is) uncertainty as to the exact legal status of principal and subordinate pre-27 April 1994 legislation that should have been assigned to KwaZulu-Natal. Policy decisions are required as to the mechanisms involved in the possible transfer of said legislation to the Province of KwaZulu-Natal.

j) Mandates, Agency Agreements, Delegations, Powers of Attorney and specific references in national legislation

Specific powers and functions contained in pre-27 April 1994 national legislation was transferred by the national departments concerned to the KwaZulu-Natal provincial government by means of delegations, powers of attorney, mandates or agency agreements. In addition, some post-27 April 1994 national acts contain explicit provisions vesting specific powers and functions in provincial governments. A complete audit of all instances of the said transfer mechanisms was done as a prerequisite for the initialisation of the KwaZulu-Natal Rationalisation Programme. In addition, an audit was done of the legal framework, mechanisms, instances and content of the allocation by the Premier of KwaZulu-Natal to a MEC, and the re-allocation of a part of parts of said legislation to another MEC. In this context, the provisions of the Public Finance Management Act No. 1 of 1999 were taken into account for purposes of statutory clarity.

k) Determination of provincial legislative competence

A common understanding and a uniform policy was needed as regards the interpretation of the ambit of provincial legislative competence to enact amending, repealing or enact new legislation, with reference to the functional domains specified in Schedule 6 of the 1993 Constitution and Schedules 4 and 5 of the 1996 Constitution.

l) Duplication of functions

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The duplication of functions that occurs when different forms of legislation allocate similar functions to more than one KwaZulu-Natal Provincial Department, had to be resolved.

m) Pending legislation and policy initiatives

Legislative and/or policy initiatives undertaken during the implementation of the Rationalisation of the KwaZulu-Natal Legislation Programme were referred to the KwaZulu-Natal Premier's Office to ensure compatibility with the Programme.

This list was not deemed to be exhaustive.

2.2 PROJECT AIM

The aim of the Project, as stated above, was to establish a Statute Book for the Province –

- that is aligned to the Constitution, 1996;
- that addresses the current needs of the Province in a coherent and comprehensive manner;
- that is free from obsolete and ideologically determined references and components;
- that will be accessible; and
- that will promote legal certainty, smooth administration and enhanced service delivery.

The Project has also assisted in the skills transfer to Public Sector Lawyers Forum (PSLF) and has provided a worthwhile learning process in respect of the process and methodology of the rationalisation exercise.

This has promoted the PSLF in the processes of rationalisation and harmonisation of provincial legislation on a sustained and continuous basis, even after the completion of this Project (end March 2007).

2.3 OBJECTIVES

The objectives of the Project, which translated into activities and tasks that were undertaken to achieve the overall aim or objective, were as follows:

- The identification, inventorisation, categorisation and review of all laws currently applicable in the Province of KwaZulu-Natal (KZN).
- The testing of all such legislation considered for possible retention, amendment or re-enactment against the Constitution, 1996.
- The identification of post 1994 laws enacted in other Provinces which may assist the KZN legislative and rationalisation project.
- The identification of principles which will underpin the rationalisation project.
- Ensuring the alignment of existing KZN legislation earmarked for retention with the Constitution, recent national and provincial legislation and KZN policy initiatives.
- Resolving the problem of duplication of functions in different provincial Departments.
- Ensuring the compatibility of KZN provincial legislation with national framework legislation.
- Ensuring the compatibility of KZN subordinate legislation with the enabling legislation.
- Making recommendations on the amendment and re-enactment of existing legislation earmarked for retention.
- Making recommendations on the repeal of all obsolete KZN legislation.
- Making recommendations on the drafting of new KZN provincial legislation.
- Formulating draft legislation to give effect to the objectives listed above.
- Investigating the feasibility of the codification of all legislation applicable in KZN and the establishment of a KZN Code of Law.

- Facilitating building of capacity in, and transfer of skills to, officers in the respective provincial Departments.

2.4 METHODOLOGY

There are many essential stages to a project of this nature and magnitude, which result in a well-informed and objective product. At the outset, there was a thorough search for all legislation, which pertained to each department in the province. Thereafter, all such legislation was analysed and sorted by those, which had to be repealed, amended or retained. Once this had been finalised, legislation was drafted in order to cater for any *lacunae* in the law resulting from the repeal or amendment of existing legislation.

The effect of this project resulted in each department ensuring the alignment of legislation with the Constitution and portrayed a fair reflection to its commitment to remedying the atrocious injustices of the past.

The monthly meetings and end-of-phase workshops in respect of the Project were prioritised and attended by all KZN Public Sector Lawyers. Draft calendars were distributed. At these meetings, the head of the legal component of each Department made (and presented) a detailed progress report in relation to the implementation of the Rationalisation process in the Department, as well as any provincial public entity or parastatal body for which the Department or MEC concerned is responsible.

In depth evaluation of overall compliance with each of the eleven individual phases and the mini-phases was done by BE@UP, which included evaluation of all documents submitted by individual departments prior to monthly meetings and workshops. The shortcomings and gaps were discussed with the Departments in the monthly meetings and workshops and recommendations were made.

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From a supervision and control perspective, the Project was administered centrally by –

- MEXCO;
- Office of the Premier (CD: State Law Advisory Services);
- Provincial Lead Advisor (Business Enterprises at the University of Pretoria – Prof Nic Olivier).

The performance of the actual work (that is the legal, technical and administrative work involved) was done in individual provincial Departments with the heads of Departmental legal components assuming primary responsibility. Where individual Departments lacked capacity, they were free to appoint consultants to assist them under the control and direction of the head of the legal services component in the Provincial Department. Such consultants worked with public service lawyers attached to the respective provincial Departments to ensure building of capacity and transfer of skills.

A key objective of the Project was skills transfer to public sector lawyers and line function officials on the establishment of Provincial Departments in KZN.

The Project, in its broad and overarching sense, was co-ordinated by the Chief Directorate: State Law Advisory Services (CD: SLAS) in the Office of the Premier using the mechanisms of monthly meetings and end of phase workshops attended by the KZN Public Sector Lawyers' Forum. It is also important to confirm that any other process of rationalisation of laws which may have commenced in individual Departments was welcomed and was fed into, and integrated with, this Project. The responsibility to effect this integration naturally lay with the line function Department.

All costs pertaining to the rationalisation process in individual Departments were carried by individual Departments.

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Each provincial Department budgeted for, and administered, the attendant financial and administrative aspects pertaining to the process in that particular Department, including subsistence and travelling expenses of Departmental staff and consultants appointed by the Department concerned.

Equipment, stationery, secretarial services and all other resources, facilities and infrastructure were provided by the provincial Department concerned.

Proposed new legislation emanating from the process of the Rationalisation of Laws, as well as any proposed amendment or repeal of existing legislation forming the currently applicable body of law in the Province, was referred to the Provincial Chief State Law Advisor for legal editing and certification before introduction into the Provincial Legislature.

As part of the initiative of MEXCO (the meeting of the Director-General and Heads of Department) and the Office of the Premier to co-operate with private sector lawyers in promoting the broad objectives of Black Economic Empowerment, the 2005 Certificate Course in Legislative Drafting was also extended to members of the Black Lawyers Association (BLA) and the National Association of Democratic Lawyers (NADEL) who wished to attend.

It was, and is, the intention of the KZN Provincial Government that members of NADEL and the BLA who successfully completed the Legislative Drafting Certificate Course would receive preference when Provincial Departments outsourced and allocated legal work to be done in relation to the provincial Rationalisation of Laws Project.

The Project was therefore seen and experienced as a flagship Project in respect of public service transformation and empowerment in KZN.

3 DESCRIPTION OF THE RATIONALISATION PROJECT

3.1 INTRODUCTION

It must be understood that rationalisation of laws is not an event or a once-off exercise, but is a continuous and ongoing process.

To ensure the long-term sustainability of this process, all legal administration officers in Departments (KZN Public Sector Lawyers) had to participate in, and contribute to, the process to ensure that the necessary capacity is built and that skills are transferred.

MEXCO had approved the Project in principle and all Heads of Department were aware of, and are committed to, the process. Furthermore, the full co-operation and commitment of all KZN Public Sector Lawyers were required.

After completion of this Project, the process of rationalisation of laws will be pursued by individual Departments on a continuous and ongoing basis. Heads of Department will be directly responsible and accountable for the ongoing rationalisation process in their respective Departments. Constant evaluation and revision of the legal framework within which a Department functions is imperative in the light of changed circumstances and new policies. The Provincial Government cannot allow ourselves to again slip into the legal quagmire in which we found ourselves.

3.2 SCOPE AND FUNDING

It was originally envisaged that the Project would be funded jointly by Province and IPSP/ DfID. It was therefore decided that certain outputs relating to the Project will be funded by IPSP/ DfID and the remaining outputs by Province. The prescribed tender processes for both the IPSP and Provincial portions of the Project were followed.

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In relation to the **IPSP/ DfID-funded portion** of the Project (covering Phases 1 – 3) for **R750 000-00 donor funding**, the contract with the successful tenderer (Business Enterprises at the University of Pretoria) was concluded on 15 August 2004. This contract ran from **30 August 2004 to end of May 2005**.

In relation to the **Provincial portion** of the Project (covering Phases 4 - 11) for an approximate **R 2,2 million Provincial funding**, which commenced in the **2005/2006 financial year** and runs until **March 2007**, a separate contact was entered into with the successful tenderer (**Business Enterprises at the University of Pretoria**). **R 1,1 million Provincial funding** was allocated for the **2005/2006 financial year** and a further **R 1,1 million Provincial funding** was requested and allocated for the **2006/2007 financial year**.

Details as to the different Phases of the Project, the outputs required for each Phase, the responsibilities, deliverables and due dates, were presented to public sector lawyers attached to various Provincial Departments at the launch of the Project on 30 August 2004.

3.3 PHASES

An agreed Project Plan was compiled, which was assented to by both the client and the service provider. All necessary tasks were identified and timelines established for their completion. The project plan was detailed as follows -

- **Phase 1:** Preparation and establishment of structures and obtaining copies of all legislation
- **Phase 2:** Inventorisation
- **Phase 3:** Functions determination (Matching exercise)
- **Phase 4:** Analysis and Identification of Gaps, etc
- **Phase 5:** Drafting and Legal Editing of new principal Legislation
- **Phase 6:** Enactment Process
- **Phase 7:** Subordinate Legislation

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- **Phase 8:** Finalisation of Subordinate Legislation
- **Phase 9:** Promulgation (Publication in *Gazette*)
- **Phase 10:** Restructuring of Departments and budgets
- **Phase 11:** Commencement and Publication of Statute Book.

3.3.1 OUTPUTS AND ACTIVITIES

3.3.1.1 OUTPUT 1:

The review and rationalisation of all existing laws currently applicable in the Province

Activity No	Detailed Activities
01	Identify, inventorise, categorise and review all laws currently applicable in the Province
02	Test all such laws considered for possible retention, amendment or re-enactment against the Constitution
03	Identify post 1994 laws enacted in other Provinces which may assist the KZN legislative and rationalisation project

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3.3.1.2 OUTPUT 2:

The identification of principles which will underpin the rationalisation project

Activity No	Detailed Activities
01	Identify principles which will underpin the rationalisation project
02	Facilitate acceptance by the respective line function Departments of principles identified
03	<p>Specific areas requiring further attention when dealing with the principles are:</p> <ul style="list-style-type: none"> • Assignment of old order legislation • Consistency with the provisions of the Constitution • Apportionment of powers between the spheres of government • Local government laws • Municipal By-laws • Provincial powers in respect of National laws not assigned to Provinces • No national legislation assigned or delegated to certain Departments • Determination of Provincial legislative competence • Duplication of functions • Pending legislation and policy initiatives • Possible consolidation and re-enactment of existing laws

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3.3.1.3 OUTPUT 3:

Ensuring the alignment of existing KZN legislation earmarked for retention with the Constitution, recent National and Provincial legislation and KZN policy initiatives

Activity No	Detailed Activities
01	Test existing KZN legislation against the Constitution, national and provincial legislation and KZN policy initiatives
02	Identify and resolve the problem of duplication of functions in different Provincial Departments
03	Test compatibility of KZN Provincial legislation with national framework legislation
04	Ensure compatibility of KZN subordinate legislation with principal enabling legislation

3.3.1.4 OUTPUT 4:

Making recommendations on –

- The amendment and re-enactment of existing legislation earmarked for retention;
- The repeal of all obsolete KZN legislation; and
- The drafting of new KZN Provincial legislation

Activity No	Detailed Activities
01	Make recommendations on the amendment and re-enactment of existing laws (or specific provisions in such laws) earmarked for retention
02	Make recommendations on the repeal of all KZN laws identified as being obsolete
03	Make recommendations for new KZN laws to be enacted

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3.3.1.5 OUTPUT 5:

The actual production of draft legislation for submission to the Provincial Chief State Law Advisor for certification to give effect to the recommendations contemplated in Output 4 above

Activity No	Detailed Activities
01	Draft laws to give effect to the recommendations contemplated in Output 4 in consultation with line function provincial Departments
02	Submit draft laws (Bills) to the Provincial Chief State Law Advisor for Legal editing and certification
03	Individual Departments submit certified Bills to the Provincial Executive for approval in principle for submission to the Provincial Legislature

3.3.1.6 OUTPUT 6:

Facilitating building of capacity in, and transfer of skills to, officers in the respective provincial Departments

Activity No	Detailed Activities
01	Close co-operation and working with public sector lawyers in individual Provincial Departments in the rationalisation project
02	Holding of workshops and seminars to transfer skills to public sector lawyers in the Province

3.3.2 EXPECTED FINAL OUTCOMES AND DELIVERABLES

The output or results can be expressed in three possible ways:

- completion of tasks/activities carried out (for example, new systems designed and so on)
- changes to the way the organisation operates or the way in which the people in the organisation behave
- measures of benefits/impact from the consultancy (for example, efficiency improvements, reduction in operating costs, increased productivity)

This is also the “bottom line” in respect of outcomes and deliverables. The IPSP portion of the Project covered Outputs 1, 2 and 3, as well as that component of Output 6 relating to the performance of Outputs 1, 2 and 3.

3.3.3 REPORTING BY INDIVIDUAL DEPARTMENTS

The Departments had to report as follows:

1. Submit an electronic copy of the report to BE@UP one week before the monthly meetings, containing the following:
 - Team members
 - Summary of reported work (not in first report but subsequent reports)
 - Work in progress
 - Challenges
 - How were the challenges being addressed?
 - Successes experienced
 - What was outstanding
 - Expected completion date.

2. Submit an electronic copy of the report to BE@UP one week before workshop containing all the activities contained in the monthly reports of that particular phase.

3. Submit an electronic copy of the PowerPoint presentation to BE@UP one week before the workshop based on the submitted report, keeping the following in mind:
 - Points should be brief
 - Light backgrounds and dark text should preferably be used.

4. Presentation of Work in Progress at the workshops.

3.3.4 REPORTING BY THE PROJECT MANAGER

The Project was coordinated by the Chief Directorate: State Law Advisory Services in the Office of the Premier using the mechanism of the KwaZulu-Natal Public Sector Lawyers' Forum (PSLF).

The consultant reported monthly to the Chief Directorate: State Law Advisory Services in the Office of the Premier and the KwaZulu-Natal Public Sector Lawyers' Forum.

The Chief Directorate: State Law Advisory Services in the Office of the Premier reported to the Director-General of the Province and to MEXCO (the Management Executive Committee of the KwaZulu-Natal Provincial Government comprising all Heads of Department and chaired by the Director-General) on a regular basis.

3.3.5 RESPONSIBILITIES OF THE LEAD ADVISOR (BE@UP)

- Drafting of project business plan (including the milestones and due dates within each of the eleven main phases)
- Drafting of project budgets
- Training of departmental officials on how to implement the phases and sub-phases of project
- Training of consultants on how to implement the phases and sub-phases of project (for those departments which, on account of not having sufficient in-house capacity, will appoint consultants)
- Drafting of agendas
- Drafting of minutes
- Establishing for KZN Government a complete set of legislation (principal and subordinate) provided by the individual departments, properly sorted and indexed
- Drafting of proformas

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- In-depth evaluation of all documents submitted by individual departments prior to monthly meetings and three monthly workshops
- Quality control
- Evaluation of draft legislation as drafted by each individual department
- Drafting of monthly reports per department on work done and reports submitted by each individual department, highlighting, amongst others, shortcomings and gaps, and containing recommendations
- Drafting of overall report at the end of each phase to be submitted to MEXCO and Cabinet
- Evaluation of overall compliance with each of the eleven individual phases as well as the mini-phases
- Presentations to MEXCO and Cabinet (including preparation)
- Preparation for monthly meetings and three monthly workshops (for attendance – see below)
- Compilation of documentation to be distributed prior to each meeting and/or workshop
- Transferring of rationalisation of legislation skills to KZN officials
- Transferring of drafting of legislation skills to KZN officials
- Transferring of project management and co-ordination skills to KZN officials.

3.3.6 ADMINISTRATIVE ARRANGEMENTS

The following administrative arrangements were the responsibility of the coordinator, BE@UP:

- **Monthly Meetings –**
 - Were held every last Friday of the month.
 - Date, time (starting and ending) and venue were mentioned in the invitation
 - Refreshments and finger lunch were provided
- **Workshops –**
 - Were held at the end of each phase.

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- Date, time (starting and ending) and venue were mentioned in the invitation
 - All departments were responsible for own travel and accommodation arrangements, including payment
 - Computer and data projector were provided for all presentations
 - Departments had to bring electronic copy of PowerPoint presentation, including hard copies for all delegates.
 - All documents submitted a week before were discussed.
 - Discussions were minuted but departments/delegates were required to take notes.
 - Final reports were required to be submitted by individual departments a week later.
- **Invitations** – were sent out two weeks before monthly meetings and workshops, including supporting documentation.
 - **Agenda** – was sent out with the invitations.
 - **Minutes** – were sent out two days after the monthly meetings and workshops.
 - **Attendance register** – were signed by all delegates at all monthly meetings and workshops and delegates were required to update their contact details at all monthly meetings and workshops if necessary.
 - **Template** – was sent out two days after the monthly meetings and workshops.

4 OVERVIEW: EXECUTION OF THE PROJECT

4.1 PROGRESS

Since the launch of the Project on 30 August 2004, good progress was made in accordance with the Project Plan. The Project continued into **2007**.

In line with the intention of the KZN Provincial Government that members of NADEL and the BLA had successfully completed the Legislative Drafting Certificate Course

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should receive preference when Provincial Departments outsourced and allocated legal work to be done in respect of the provincial Rationalisation of Laws Project, a number of such NADEL and BLA affiliated lawyers have become involved in the execution of the Rationalisation of Laws Project.

It is important to note that the Project may be seen as a **pilot project** in the sense that the other provinces in South Africa (facing a similar legacy of legal issues and problems) have not yet embarked on an extensive Rationalisation of Laws Project or exercise.

The KZN Rationalisation of Laws Project has therefore provided lessons for other provinces and could set the **benchmark for best practice** in this regard for other provinces to emulate.

The continued support of, and co-operation in, this Project by Members of the Executive Council was essential. Members of the Executive Council were requested to release legal personnel to allow them to attend the various workshops and meetings related to the implementation of the Project which required a concerted team effort to ensure success.

4.2 COMPLIANCE WITH THE PROJECT PLAN

4.2.1 PHASES 1 – 3

A comparison between the Project Plan (see above) and the Project Impact Assessment (see above), indicates that there has been full compliance with the objectives as set out per phase. Meetings took place on dates as agreed upon between members of the KwaZulu-Natal Public Sector Lawyers' Forum. In addition, the detailed deliverables as indicated for each of the individual phases were also produced.

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As regards capacity building, the project has also been successful in so far as that KZN Provincial Government Officials responsible for Legal Services in their respective departments, were been exposed to, and took the responsibility for, the identification, obtaining copies of, and detailed analysis of the legislation pertaining to their departments (whether pre-1994, emanating from the RSA Parliament, the Natal Provincial Council or the KwaZulu Legislative Assembly), as well as post-1994 RSA and Provincial (KZN) legislation. Related legal instruments such as delegations, assignments, service level agreements, powers of attorney, administrative directives, etc. were also collected and analysed.

At policy level, relevant policies, at both National and Provincial level, were also identified, obtained and analysed in order to determine the policy framework for the eventual drafting of new KwaZulu-Natal Provincial legislation that would be aligned to the RSA Constitution, binding national policy framework, binding national statutory provisions as well as provincial policies, priorities and best practices.

As regards the involvement of members of NADEL and BLA in assisting individual departments, the project has also been successful in that a number of such NADEL/BLA members were appointed either as service providers or as a member (or members) of service providers. This has resulted in such members obtaining access to KZN Provincial Government work as well as in participating in a key legislative formulation process.

4.2.2 CONCLUSION AS REGARDS PHASES 1 – 3

Taking into account the objectives and aims of Rationalisation of Laws Project, the specific deliverables (per phase), the quantifiable outputs and the quality of the outcome (reports submitted on a regular basis by the individual departments), the successful skills transfer to KZN Provincial Government Officials and the involvement of NADEL and BLA service providers, indicate that the project has delivered as regards all its key performance areas. As envisaged, the successful

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completion of the IPSP-funded part of the project provided a sound platform for the finalisation of the project, of which the other main components were:

- the determination of day to day functions being performed by individual officials at various levels within each of the KZN departments – the status quo;
- the linking of such functions to existing legislation (where that exists), the identification of gaps, duplications, shortcomings, etc.;
- the drafting of new KwaZulu-Natal legislation, both principal and subordinate,
- the concomitant repeal of all redundant legislation (including that that has not been aligned to the RSA Constitution;
- the submission of such draft legislation accompanied by explanatory memoranda and Cabinet memoranda through the offices of respective Heads of Department to Cabinet; and
- after in principle approval by Cabinet, the submission of certified Bills to the KZN Provincial Legislature.

A number of consultative processes were undertaken by the KZN Provincial Legislature (in line with its normal practice), after which various pieces of legislation were finalised. This process of submitting certified Bills to the KZN Provincial Legislature will continue as and when draft legislation is finalised by individual KZN Provincial Government departments

The implementation of the rationalised KZN Statute Book will go hand in hand with the restructuring of KZN Provincial Government departments in order to link the departmental structures to the roles, powers, functions and duties as determined in the KZN Statute Book.

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4.3 USE OF SERVICE PROVIDERS AND INTERNS BY INDIVIDUAL DEPARTMENTS

NAME OF DEPARTMENT	SERVICE PROVIDER USED Y/N	SERVICE PROVIDER: AMONGST OTHERS 1 OR MORE HDI MEMBERS Y/N	SERVICE PROVIDER: AMONGST OTHERS, BLA/NADEL MEMBERSHIP Y/N	INTERNS APPOINTED Y/N	INTERNS = HDI Y/N	INTERNS = BLA/NADEL Y/N
1. Department of Agriculture and Environmental Affairs + Ezemvelo KZN Wildlife	Y	N	N	N	N/A	N/A
2. Department of Arts, Culture and Tourism	N	N/A	N/A	N	N/A	N/A
3. Department of Community Safety and Liaison	N	N/A	N/A	N	N/A	N/A
4. Department of Economic Development	Y	Y	Y	N/A	N/A	N/A
5. Department of Education	N	N/A	N/A	N	N/A	N/A
6. Department of Health	Y	Y	Y	Y	Y	Y
7. Department of Housing	Y	Y	Y	N	N/A	N/A
8. Department of Local Government and Traditional Affairs	Y	Y	Y	Y	Y	Y
9. Office of the Premier (Directorate: Legal Administration)	N	N/A	N/A	N	N/A	N/A
10. Office of the Premier (CD: State Law Advisory Services)	N	N/A	N/A	N	N/A	N/A
11. Provincial Treasury	Y	Y	Y	N	N/A	N/A
12. Department of Sports and Recreation	N	N/A	N/A	N	N/A	N/A
13. Department of Transport	N	N/A	N/A	N	N/A	N/A
14. Department of Welfare and Population Development	Y	Y	Y	N	N/A	N/A
15. Department of Works	N	N/A	N/A	N	N/A	N/A
16. Overall coordination: Office of the Premier (CD: State Law Advisory Services)	Y	Y	Y	N	N/A	N/A

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4.4 OVERVIEW OF THE OVERALL EXECUTION OF THE PROJECT

PHASE	DURATION	MEETING/ WORKSHOP DATE	MEETING VENUE	ATTENDANCE (YES/NO)	DOCUMENTATION TO BE SUBMITTED	FINAL DATE FOR SUBMISSION	SUBMITTED (YES/NO)
Phase 1	16/08/2004 – 05/12/2004	04 – 08/10/2004 01 – 04/11/2004	Didima Drakensberg Sun	See Section 4.4 below for individual departments	1. Phase 1 Work in Progress PowerPoint Presentation 2. Phase 1 PowerPoint Presentation (Final) 3. Phase 1 Text Report (Final) 4. Comments Proforma A – P	05/12/2004	See Section 4.4 below for individual departments
Phase 2	06/12/2004 – 31/03/2005	04/02/2005 ¹³ – 18/03/2005	Pietermaritzburg The Nest Hotel	See Section 4.4 below for individual departments	1. Phase 2 PowerPoint Presentation (Final) 2. Phase 2 Text Report (Final) 3. Indexing Proforma A - P	31/03/2005	See Section 4.4 below for individual departments
Phase 3	01/04/2005 – 19/06/2005	26/04/2005 23 – 26/05/2005	Ascot Inn Drakensberg Sun	See Section 4.4 below for individual departments	1. Phase 3 PowerPoint Presentation (Final) 2. Phase 3 Text Report (Final) 3. Functions Proforma 4. Brief Work in Progress PowerPoint Presentation 5. Organogram of Department	19/06/2005	See Section 4.4 below for individual departments
Phase 4	20/06/2005 – 05/09/2005	11/07/2005 28/08/2005 – 01/09/2005	Assagay Hotel Granny Mouse	See Section 4.4 below for individual departments	1. Phase 4 Work in Progress PowerPoint Presentation 2. Phase 4 Text Report (Final) 3. Alignment Proforma	05/09/2005	See Section 4.4 below for individual departments
Phase 5	15/09/2005 – 04/12/2005	06/10/2005 21 – 24/11/2005	Rob Roy Inn Granny Mouse	See Section 4.4 below for individual departments	1. Phase 5 Work in Progress PowerPoint Presentation 2. Phase 5 PowerPoint Presentation (Final)	04/12/2005	See Section 4.4 below for individual departments

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PHASE	DURATION	MEETING/ WORKSHOP DATE	MEETING VENUE	ATTENDANCE (YES/NO)	DOCUMENTATION TO BE SUBMITTED	FINAL DATE FOR SUBMISSION	SUBMITTED (YES/NO)
					3. Principal Legislation (Draft) 4. Principal Legislation (Final Draft) 5. Subordinate Legislation (Final Draft)		
Phase 6 A, B & C (Consolidated with Phases 7 & 8)	05/12/2005 – 16/07/2006	01/02/2006 13 – 16/03/2006 16 – 17/05/2006 11 – 14/06/2006	Granny Mouse Granny Mouse Granny Mouse Didima	See Section 4.4 below for individual departments	1. Draft legislation to CD: SLAS for certification 2. Certified legislation to Cabinet 3. Portfolio Committee & Parliamentary process	16/07/2006	See Section 4.4 below for individual departments
Phase 7 & 8	17/07/2006 – 30/11/2006	25/07/2006 18 – 20/09/2006 21 – 22/11/2006 08/02/2007 27/03/2007	Granny Mouse Granny Mouse Didima Granny Mouse Granny Mouse	See Section 4.4 below for individual departments	1. Work in Progress PowerPoint Presentation 2. List of Principal Legislation 3. Explanatory Memorandum 4. Subordinate Legislation 5. Explanatory Memorandum 6. List of International Agreements	30/11/2006	See Section 4.4 below for individual departments
Phase 9 & 10	01/12/2006 – 28/01/2007	28/01/2007	Not applicable	See Section 4.4 below for individual departments	Not applicable	28/01/2007	See Section 4.4 below for individual departments
Phase 11	29/01/2007 – 08/02/2007	06/02/2007	Not applicable	See Section 4.4 below for individual departments	Not applicable	08/02/2007	See Section 4.4 below for individual departments
Close Out	09/02/2007 –	30/03/2007	Not applicable	See Section 4.4	Not applicable	30/03/2007	See Section

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PHASE	DURATION	MEETING/ WORKSHOP DATE	MEETING VENUE	ATTENDANCE (YES/NO)	DOCUMENTATION TO BE SUBMITTED	FINAL DATE FOR SUBMISSION	SUBMITTED (YES/NO)
Report	30/03/2007			below for individual departments			4.4 below for individual departments

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4.5 OVERVIEW OF EXECUTION PER DEPARTMENT

4.5.1 DEPARTMENT OF AGRICULTURE AND ENVIRONMENTAL AFFAIRS + *EZEMVELO* KZN WILDLIFE

PHASE	DURATION	MEETING/ WORKSHOP DATE	MEETING VENUE	ATTENDANCE (YES/NO)	DOCUMENTATION TO BE SUBMITTED	FINAL DATE FOR SUBMISSION	SUBMITTED (YES/NO)
Phase 1	16/08/2004 – 05/12/2004	04 – 08/10/2004 01 – 04/11/2004	Didima Drakensberg Sun	Y Y	1. Phase 1 Work in Progress PowerPoint Presentation 2. Phase 1 PowerPoint Presentation (Final) 3. Phase 1 Text Report (Final) 4. Comments Proforma A - P	05/12/2004	Y
Phase 2	06/12/2004 – 31/03/2005	04/02/2005 14 – 18/03/2005	Pietermaritzburg The Nest Hotel	Y Y	1. Phase 2 PowerPoint Presentation (Final) 2. Phase 2 Text Report (Final) 3. Indexing Proforma A - P	31/03/2005	Y Y Y
Phase 3	01/04/2005 – 19/06/2005	26/04/2005 23 – 26/05/2005	Ascot Inn Drakensberg Sun	Y Y	1. Phase 3 PowerPoint Presentation (Final) 2. Phase 3 Text Report (Final) 3. Functions Proforma 4. Brief Work in Progress PowerPoint Presentation 5. Organogram of Department	19/06/2005	Y Y Y
Phase 4	20/06/2005 – 05/09/2005	11/07/2005 28/08/2005 – 31/08/2005	Assagay Hotel Granny Mouse	Y Y	1. Phase 4 Work in Progress PowerPoint Presentation 2. Phase 4 Text Report (Final) 3. Alignment Proforma	05/09/2005	Y Y Y
Phase 5	15/09/2005 – 04/12/2005	06/10/2005 21 – 24/11/2005	Rob Roy Inn Granny Mouse	Y Y	1. Phase 5 Work in Progress PowerPoint Presentation 2. Phase 5 PowerPoint Presentation (Final)	04/12/2005	Y Y

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PHASE	DURATION	MEETING/ WORKSHOP DATE	MEETING VENUE	ATTENDANCE (YES/NO)	DOCUMENTATION TO BE SUBMITTED	FINAL DATE FOR SUBMISSION	SUBMITTED (YES/NO)
					3. Principal Legislation (Draft) 4. Principal Legislation (Final Draft) 5. Subordinate Legislation (Final Draft)		Y Y N
Phase 6 A, B & C (Consolidated with Phases 7 & 8)	05/12/2005 – 16/07/2006	01/02/2006 13 – 16/03/2006 16 – 17/05/2006 12 – 14/06/2006	Granny Mouse Granny Mouse Granny Mouse Didima	Y Y Y Y	1. Draft legislation to CD: SLAS for certification 2. Certified legislation to Cabinet 3. Portfolio Committee & Parliamentary process	16/07/2006	Consolidated with Phase 7 & 8
Phase 7 & 8	17/07/2006 – 30/11/2006	25/07/2006 18 – 20/09/2006 21 – 22/11/2006 08/02/2007 27/03/2007	Granny Mouse Granny Mouse Didima Granny Mouse Granny Mouse	Y Y Y Y Y	1. Work in Progress PowerPoint Presentation 2. Principal Legislation 3. Explanatory Memorandum 4. Subordinate Legislation 5. Explanatory Memorandum 6. List of International Agreements	30/11/2006	Y Y ORALLY N N Y
Phase 9 & 10	01/12/2006 – 28/01/2007	28/01/2007	Not applicable	Not applicable	Not applicable	28/01/2007	Not applicable
Phase 11	29/01/2007 – 08/02/2007	06/02/2007	Not applicable	Not applicable	Not applicable	08/02/2007	Not applicable
Close Out Report	09/02/2007 – 30/03/2007	30/03/2007	Not applicable	Not applicable	Not applicable	30/03/2007	Not applicable

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4.5.2 DEPARTMENT OF ARTS, CULTURE AND TOURISM

PHASE	DURATION	MEETING/ WORKSHOP DATE	MEETING VENUE	ATTENDANCE (YES/NO)	DOCUMENTATION TO BE SUBMITTED	FINAL DATE FOR SUBMISSION	SUBMITTED (YES/NO)
Phase 1	16/08/2004 – 05/12/2004	04 – 08/10/2004 01 – 04/11/2004	Didima Drakensberg Sun	N/A N/A (Official only appointed on 1March 2005)	1. Phase 1 Work in Progress PowerPoint Presentation 2. Phase 1 PowerPoint Presentation (Final) 3. Phase 1 Text Report (Final) 4. Comments Proforma A – P	05/12/2004	Y
Phase 2	06/12/2004 – 31/03/2005	04/02/2005 14 – 18/03/2005	Pietermaritzburg The Nest Hotel	N/A N/A	1. Phase 2 PowerPoint Presentation (Final) 2. Phase 2 Text Report (Final) 3. Indexing Proforma A - P	31/03/2005	N N N
Phase 3	01/04/2005 – 19/06/2005	26/04/2005 23 – 26/05/2005	Ascot Inn Drakensberg Sun	N/A Y	1. Phase 3 PowerPoint Presentation (Final) 2. Phase 3 Text Report (Final) 3. Functions Proforma 4. Brief Work in Progress PowerPoint Presentation 5. Organogram of Department	19/06/2005	Y Y Y
Phase 4	20/06/2005 – 05/09/2005	11/07/2005 28/08/2005 – 31/08/2005	Assagay Hotel Granny Mouse	Y Y	1. Phase 4 Work in Progress PowerPoint Presentation 2. Phase 4 Text Report (Final) 3. Alignment Proforma	05/09/2005	Y Y Y
Phase 5	15/09/2005 – 04/12/2005	06/10/2005 21 – 24/11/2005	Rob Roy Inn Granny Mouse	APOLOGY Y	1. Phase 5 Work in Progress PowerPoint Presentation 2. Phase 5 PowerPoint Presentation (Final)	04/12/2005	N Y

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PHASE	DURATION	MEETING/ WORKSHOP DATE	MEETING VENUE	ATTENDANCE (YES/NO)	DOCUMENTATION TO BE SUBMITTED	FINAL DATE FOR SUBMISSION	SUBMITTED (YES/NO)
					3. Principal Legislation (Draft) 4. Principal Legislation (Final Draft) 5. Subordinate Legislation (Final Draft)		Y Y Y
Phase 6 A, B & C (Consolidated with Phases 7 & 8)	05/12/2005 – 16/07/2006	01/02/2006 13 – 16/03/2006 16 – 17/05/2006 12 – 14/06/2006	Granny Mouse Granny Mouse Granny Mouse Didima	APOLOGY APOLOGY Y Y	1. Draft legislation to CD: SLAS for certification 2. Certified legislation to Cabinet 3. Portfolio Committee & Parliamentary process	16/07/2006	Consolidated with Phase 7 & 8
Phase 7 & 8	17/07/2006 – 30/11/2006	25/07/2006 18 – 20/09/2006 21 – 22/11/2006 08/02/2007 27/03/2007	Granny Mouse Granny Mouse Didima Granny Mouse Granny Mouse	APOLOGY APOLOGY Y APOLOGY Y	1. Work in Progress PowerPoint Presentation 2. Principal Legislation 3. Explanatory Memorandum 4. Subordinate Legislation 5. Explanatory Memorandum 6. List of International Agreements	30/11/2006	Y N N N Y
Phase 9 & 10	01/12/2006 – 28/01/2007	28/01/2007	Not applicable	Not applicable	Not applicable	28/01/2007	Not applicable
Phase 11	29/01/2007 – 08/02/2007	06/02/2007	Not applicable	Not applicable	Not applicable	08/02/2007	Not applicable
Close Out Report	09/02/2007 – 30/03/2007	30/03/2007	Not applicable	Not applicable	Not applicable	30/03/2007	Not applicable

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The Department of Arts, Culture and Tourism was unable to participate in the Rationalisation programme from its inception, as the Manager for Legal Services was only appointed as from 1 March 2005. Furthermore, the Department's full participation in the programme was challenged through lack of human resources as well as of settled policy to guide the legislative drafting process.

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4.5.3 DEPARTMENT OF COMMUNITY SAFETY AND LIAISON (PREVIOUSLY SAFETY AND SECURITY)

PHASE	DURATION	MEETING/ WORKSHOP DATE	MEETING VENUE	ATTENDANCE (YES/NO)	DOCUMENTATION TO BE SUBMITTED	FINAL DATE FOR SUBMISSION	SUBMITTED (YES/NO)
Phase 1	16/08/2004 – 05/12/2004	04 – 08/10/2004 01 – 04/11/2004	Didima Drakensberg Sun	N N	1. Phase 1 Work in Progress PowerPoint Presentation 2. Phase 1 PowerPoint Presentation (Final) 3. Phase 1 Text Report (Final) 4. Comments Proforma A – P	05/12/2004	N
Phase 2	06/12/2004 – 31/03/2005	04/02/2005 14 – 18/03/2005	Pietermaritzburg The Nest Hotel	Y Y	1. Phase 2 PowerPoint Presentation (Final) 2. Phase 2 Text Report (Final) 3. Indexing Proforma A – P	31/03/2005	Y Y Y
Phase 3	01/04/2005 – 19/06/2005	26/04/2005 23 – 26/05/2005	Ascot Inn Drakensberg Sun	N Y	1. Phase 3 PowerPoint Presentation (Final) 2. Phase 3 Text Report (Final) 3. Functions Proforma 4. Brief Work in Progress PowerPoint Presentation 5. Organogram of Department	19/06/2005	Y Y Y
Phase 4	20/06/2005 – 05/09/2005	11/07/2005 28/08/2005 – 31/08/2005	Assagay Hotel Granny Mouse	Y N	1. Phase 4 Work in Progress PowerPoint Presentation 2. Phase 4 Text Report (Final) 3. Alignment Proforma	05/09/2005	Y Y Y
Phase 5	15/09/2005 – 04/12/2005	06/10/2005 21 – 24/11/2005	Rob Roy Inn Granny Mouse	N N	1. Phase 5 Work in Progress PowerPoint Presentation 2. Phase 5 PowerPoint Presentation (Final)	04/12/2005	N/A N/A

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PHASE	DURATION	MEETING/ WORKSHOP DATE	MEETING VENUE	ATTENDANCE (YES/NO)	DOCUMENTATION TO BE SUBMITTED	FINAL DATE FOR SUBMISSION	SUBMITTED (YES/NO)
					3. Principal Legislation (Draft) 4. Principal Legislation (Final Draft) 5. Subordinate Legislation (Final Draft)		N/A N/A N/A
Phase 6 A, B & C (Consolidated with Phases 7 & 8)	05/12/2005 – 16/07/2006	01/02/2006 13 – 16/03/2006 16 – 17/05/2006 12 – 14/06/2006	Granny Mouse Granny Mouse Granny Mouse Didima	N Y Y Y	1. Draft legislation to CD: SLAS for certification 2. Certified legislation to Cabinet 3. Portfolio Committee & Parliamentary process	16/07/2006	Consolidated with Phase 7 & 8
Phase 7 & 8	17/07/2006 – 30/11/2006	25/07/2006 18 – 20/09/2006 21 – 22/11/2006 08/02/2007 27/03/2007	Granny Mouse Granny Mouse Didima Granny Mouse Granny Mouse	Y Y Y APOLOGY Y	1. Work in Progress PowerPoint Presentation 2. Principal Legislation 3. Explanatory Memorandum 4. Subordinate Legislation 5. Explanatory Memorandum 6. List of International Agreements	30/11/2006	Y Y Y N/A N/A Y
Phase 9 & 10	01/12/2006 – 28/01/2007	28/01/2007	Not applicable	Not applicable	Not applicable	28/01/2007	Not applicable
Phase 11	29/01/2007 – 08/02/2007	06/02/2007	Not applicable	Not applicable	Not applicable	08/02/2007	Not applicable
Close Out Report	09/02/2007 – 30/03/2007	30/03/2007	Not applicable	Not applicable	Not applicable	30/03/2007	Not applicable

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The Department had already finalised the KZN Peace Act Repeal Bill in 2005, after which it was submitted to the Chief Directorate: State Law Advisory Services for certification. The certified Bill was then submitted to Cabinet on 21 June 2006 and to the Portfolio Committee on 19 September 2006, where it was approved on 20 February 2007.

On 1 March 2007, the KZN Peace Act Repeal Bill, 2005, was placed on the order paper for the House.

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4.5.4 DEPARTMENT OF ECONOMIC DEVELOPMENT AND TOURISM

PHASE	DURATION	MEETING/ WORKSHOP DATE	MEETING VENUE	ATTENDANCE (YES/NO)	DOCUMENTATION TO BE SUBMITTED	FINAL DATE FOR SUBMISSION	SUBMITTED (YES/NO)
Phase 1	16/08/2004 – 05/12/2004	04 – 08/10/2004 01 – 04/11/2004	Didima Drakensberg Sun	Y Y	1. Phase 1 Work in Progress PowerPoint Presentation 2. Phase 1 PowerPoint Presentation (Final) 3. Phase 1 Text Report (Final) 4. Comments Proforma A – P	05/12/2004	Y
Phase 2	06/12/2004 – 31/03/2005	04/02/2005 14 – 18/03/2005	Pietermaritzburg The Nest Hotel	Y Y	1. Phase 2 PowerPoint Presentation (Final) 2. Phase 2 Text Report (Final) 3. Indexing Proforma A - P	31/03/2005	Y Y Y
Phase 3	01/04/2005 – 19/06/2005	26/04/2005 23 – 26/05/2005	Ascot Inn Drakensberg Sun	Y Y	1. Phase 3 PowerPoint Presentation (Final) 2. Phase 3 Text Report (Final) 3. Functions Proforma 4. Brief Work in Progress PowerPoint Presentation 5. Organogram of Department	19/06/2005	Y Y Y
Phase 4	20/06/2005 – 05/09/2005	11/07/2005 28/08/2005 – 31/08/2005	Assagay Hotel Granny Mouse	Y Y	1. Phase 4 Work in Progress PowerPoint Presentation 2. Phase 4 Text Report (Final) 3. Alignment Proforma	05/09/2005	Y Y Y
Phase 5	15/09/2005 – 04/12/2005	06/10/2005 21 – 24/11/2005	Rob Roy Inn Granny Mouse	Y Y	1. Phase 5 Work in Progress PowerPoint Presentation 2. Phase 5 PowerPoint Presentation (Final)	04/12/2005	Y Y

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PHASE	DURATION	MEETING/ WORKSHOP DATE	MEETING VENUE	ATTENDANCE (YES/NO)	DOCUMENTATION TO BE SUBMITTED	FINAL DATE FOR SUBMISSION	SUBMITTED (YES/NO)
					3. Principal Legislation (Draft) 4. Principal Legislation (Final Draft) 5. Subordinate Legislation (Final Draft)		Y Y Y
Phase 6 A, B & C (Consolidated with Phases 7 & 8)	05/12/2005 – 16/07/2006	01/02/2006 13 – 16/03/2006 16 – 17/05/2006 12 – 14/06/2006	Granny Mouse Granny Mouse Granny Mouse Didima	APOLOGY Y Y Y	1. Draft legislation to CD: SLAS for certification 2. Certified legislation to Cabinet 3. Portfolio Committee & Parliamentary process	16/07/2006	Consolidated with Phase 7 & 8
Phase 7 & 8	17/07/2006 – 30/11/2006	25/07/2006 18 – 20/09/2006 21 – 22/11/2006 08/02/2007 27/03/2007	Granny Mouse Granny Mouse Didima Granny Mouse Granny Mouse	Y Y Y APOLOGY Y	1. Work in Progress PowerPoint Presentation 2. Principal Legislation 3. Explanatory Memorandum 4. Subordinate Legislation 5. Explanatory Memorandum 6. List of International Agreements	30/11/2006	Y Y ORALLY N N N
Phase 9 & 10	01/12/2006 – 28/01/2007	28/01/2007	Not applicable	Not applicable	Not applicable	28/01/2007	Not applicable
Phase 11	29/01/2007 – 08/02/2007	06/02/2007	Not applicable	Not applicable	Not applicable	08/02/2007	Not applicable
Close Out Report	09/02/2007 – 30/03/2007	30/03/2007	Not applicable	Not applicable	Not applicable	30/03/2007	Not applicable

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4.5.5 DEPARTMENT OF EDUCATION

PHASE	DURATION	MEETING/ WORKSHOP DATE	MEETING VENUE	ATTENDANCE (YES/NO)	DOCUMENTATION TO BE SUBMITTED	FINAL DATE FOR SUBMISSION	SUBMITTED (YES/NO)
Phase 1	16/08/2004 – 05/12/2004	04 – 08/10/2004 01 – 04/11/2004	Didima Drakensberg Sun	Y Y	1. Phase 1 Work in Progress PowerPoint Presentation 2. Phase 1 PowerPoint Presentation (Final) 3. Phase 1 Text Report (Final) 4. Comments Proforma A - P	05/12/2004	N
Phase 2	06/12/2004 – 31/03/2005	04/02/2005 14 – 18/03/2005	Pietermaritzburg The Nest Hotel	Y Y	1. Phase 2 PowerPoint Presentation (Final) 2. Phase 2 Text Report (Final) 3. Indexing Proforma A - P	31/03/2005	Y Y Y
Phase 3	01/04/2005 – 19/06/2005	26/04/2005 23 – 26/05/2005	Ascot Inn Drakensberg Sun	Y Y	1. Phase 3 PowerPoint Presentation (Final) 2. Phase 3 Text Report (Final) 3. Functions Proforma 4. Brief Work in Progress PowerPoint Presentation 5. Organogram of Department	19/06/2005	Y Y ² Y
Phase 4	20/06/2005 – 05/09/2005	11/07/2005 28/08/2005 – 31/08/2005	Assagay Hotel Granny Mouse	Y Y	1. Phase 4 Work in Progress PowerPoint Presentation 2. Phase 4 Text Report (Final) 3. Alignment Proforma	05/09/2005	Y Y Y
Phase 5	15/09/2005 – 04/12/2005	06/10/2005 21 – 24/11/2005	Rob Roy Inn Granny Mouse	Y Y	1. Phase 5 Work in Progress PowerPoint Presentation 2. Phase 5 PowerPoint Presentation (Final)	04/12/2005	N Y

² Text Report collapsed into Functions Proformas

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PHASE	DURATION	MEETING/ WORKSHOP DATE	MEETING VENUE	ATTENDANCE (YES/NO)	DOCUMENTATION TO BE SUBMITTED	FINAL DATE FOR SUBMISSION	SUBMITTED (YES/NO)
					3. Principal Legislation (Draft) 4. Principal Legislation (Final Draft) 5. Subordinate Legislation (Final Draft)		N Y N
Phase 6 A, B & C (Consolidated with Phases 7 & 8)	05/12/2005 – 16/07/2006	01/02/2006 13 – 16/03/2006 16 – 17/05/2006 12 – 14/06/2006	Granny Mouse Granny Mouse Granny Mouse Didima	Y Y N Y	1. Draft legislation to CD: SLAS for certification 2. Certified legislation to Cabinet 3. Portfolio Committee & Parliamentary process	16/07/2006	Consolidated with Phase 7 & 8
Phase 7 & 8	17/07/2006 – 30/11/2006	25/07/2006 18 – 20/09/2006 21 – 22/11/2006 08/02/2007 27/03/2007	Granny Mouse Granny Mouse Didima Granny Mouse Granny Mouse	N APOLOGY N N N	1. Work in Progress PowerPoint Presentation 2. Principal Legislation 3. Explanatory Memorandum 4. Subordinate Legislation 5. Explanatory Memorandum 6. List of International Agreements	30/11/2006	Y N N N N
Phase 9 & 10	01/12/2006 – 28/01/2007	28/01/2007	Not applicable	Not applicable	Not applicable	28/01/2007	Not applicable
Phase 11	29/01/2007 – 08/02/2007	06/02/2007	Not applicable	Not applicable	Not applicable	08/02/2007	Not applicable
Close Out Report	09/02/2007 – 30/03/2007	30/03/2007	Not applicable	Not applicable	Not applicable	30/03/2007	Not applicable

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4.5.6 DEPARTMENT OF HEALTH

PHASE	DURATION	MEETING/ WORKSHOP DATE	MEETING VENUE	ATTENDANCE (YES/NO)	DOCUMENTATION TO BE SUBMITTED	FINAL DATE FOR SUBMISSION	SUBMITTED (YES/NO)
Phase 1	16/08/2004 – 05/12/2004	04 – 08/10/2004 01 – 04/11/2004	Didima Drakensberg Sun	Y Y	1. Phase 1 Work in Progress PowerPoint Presentation 2. Phase 1 PowerPoint Presentation (Final) 3. Phase 1 Text Report (Final) 4. Comments Proforma A – P	05/12/2004	Y
Phase 2	06/12/2004 – 31/03/2005	04/02/2005 14 – 18/03/2005	Pietermaritzburg The Nest Hotel	Y Y	1. Phase 2 PowerPoint Presentation (Final) 2. Phase 2 Text Report (Final) 3. Indexing Proforma A – P	31/03/2005	Y Y N
Phase 3	01/04/2005 – 19/06/2005	26/04/2005 23 – 26/05/2005	Ascot Inn Drakensberg Sun	Y Y	1. Phase 3 PowerPoint Presentation (Final) 2. Phase 3 Text Report (Final) 3. Functions Proforma 4. Brief Work in Progress PowerPoint Presentation 5. Organogram of Department	19/06/2005	N N N N N
Phase 4	20/06/2005 – 05/09/2005	11/07/2005 28/08/2005 – 31/08/2005	Assagay Hotel Granny Mouse	N APOLOGY	1. Phase 4 Work in Progress PowerPoint Presentation 2. Phase 4 Text Report (Final) 3. Alignment Proforma	05/09/2005	N N N
Phase 5	15/09/2005 – 04/12/2005	06/10/2005 21 – 24/11/2005	Rob Roy Inn Granny Mouse	N Y	1. Phase 5 Work in Progress PowerPoint Presentation 2. Phase 5 PowerPoint Presentation (Final)	04/12/2005	N N

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PHASE	DURATION	MEETING/ WORKSHOP DATE	MEETING VENUE	ATTENDANCE (YES/NO)	DOCUMENTATION TO BE SUBMITTED	FINAL DATE FOR SUBMISSION	SUBMITTED (YES/NO)
					3. Principal Legislation (Draft) 4. Principal Legislation (Final Draft) 5. Subordinate Legislation (Final Draft)		N N N
Phase 6 A, B & C (Consolidated with Phases 7 & 8)	05/12/2005 – 16/07/2006	01/02/2006 13 – 16/03/2006 16 – 17/05/2006 12 – 14/06/2006	Granny Mouse Granny Mouse Granny Mouse Didima	Y Y Y Y	1. Draft legislation to CD: SLAS for certification 2. Certified legislation to Cabinet 3. Portfolio Committee & Parliamentary process	16/07/2006	Consolidated with Phase 7 & 8
Phase 7 & 8	17/07/2006 – 30/11/2006	25/07/2006 18 – 20/09/2006 21 – 22/11/2006 08/02/2007 27/03/2007	Granny Mouse Granny Mouse Didima Granny Mouse Granny Mouse	Y Y Y Y Y	1. Work in Progress PowerPoint Presentation 2. Principal Legislation 3. Explanatory Memorandum 4. Subordinate Legislation 5. Explanatory Memorandum 6. List of International Agreements	30/11/2006	Y N N N Y
Phase 9 & 10	01/12/2006 – 28/01/2007	28/01/2007	Not applicable	Not applicable	Not applicable	28/01/2007	Not applicable
Phase 11	29/01/2007 – 08/02/2007	06/02/2007	Not applicable	Not applicable	Not applicable	08/02/2007	Not applicable
Close Out Report	09/02/2007 – 30/03/2007	30/03/2007	Not applicable	Not applicable	Not applicable	30/03/2007	Not applicable

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4.5.7 DEPARTMENT OF HOUSING

PHASE	DURATION	MEETING/ WORKSHOP DATE	MEETING VENUE	ATTENDANCE (YES/NO)	DOCUMENTATION TO BE SUBMITTED	FINAL DATE FOR SUBMISSION	SUBMITTED (YES/NO)
Phase 1	16/08/2004 – 05/12/2004	04 – 08/10/2004 01 – 04/11/2004	Didima Drakensberg Sun	Y Y	1. Phase 1 Work in Progress PowerPoint Presentation 2. Phase 1 PowerPoint Presentation (Final) 3. Phase 1 Text Report (Final) 4. Comments Proforma A – P	05/12/2004	Y
Phase 2	06/12/2004 – 31/03/2005	04/02/2005 14 – 18/03/2005	Pietermaritzburg The Nest Hotel	Y Y	1. Phase 2 PowerPoint Presentation (Final) 2. Phase 2 Text Report (Final) 3. Indexing Proforma A - P	31/03/2005	Y N Y
Phase 3	01/04/2005 – 19/06/2005	26/04/2005 23 – 26/05/2005	Ascot Inn Drakensberg Sun	APOLOGY Y	1. Phase 3 PowerPoint Presentation (Final) 2. Phase 3 Text Report (Final) 3. Functions Proforma 4. Brief Work in Progress PowerPoint Presentation 5. Organogram of Department	19/06/2005	Y Y Y
Phase 4	20/06/2005 – 05/09/2005	11/07/2005 28/08/2005 – 31/08/2005	Assagay Hotel Granny Mouse	Y Y	1. Phase 4 Work in Progress PowerPoint Presentation 2. Phase 4 Text Report (Final) 3. Alignment Proforma	05/09/2005	Y Y Y
Phase 5	15/09/2005 – 04/12/2005	06/10/2005 21 – 24/11/2005	Rob Roy Inn Granny Mouse	Y Y	1. Phase 5 Work in Progress PowerPoint Presentation 2. Phase 5 PowerPoint Presentation (Final)	04/12/2005	Y Y

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PHASE	DURATION	MEETING/ WORKSHOP DATE	MEETING VENUE	ATTENDANCE (YES/NO)	DOCUMENTATION TO BE SUBMITTED	FINAL DATE FOR SUBMISSION	SUBMITTED (YES/NO)
					3. Principal Legislation (Draft) 4. Principal Legislation (Final Draft) 5. Subordinate Legislation (Final Draft)		N Y N
Phase 6 A, B & C (Consolidated with Phases 7 & 8)	05/12/2005 – 16/07/2006	01/02/2006 13 – 16/03/2006 16 – 17/05/2006 12 – 14/06/2006	Granny Mouse Granny Mouse Granny Mouse Didima	APOLOGY Y Y Y	1. Draft legislation to CD: SLAS for certification 2. Certified legislation to Cabinet 3. Portfolio Committee & Parliamentary process	16/07/2006	Consolidated with Phase 7 & 8
Phase 7 & 8	17/07/2006 – 30/11/2006	25/07/2006 18 – 20/09/2006 21 – 22/11/2006 08/02/2007 27/03/2007	Granny Mouse Granny Mouse Didima Granny Mouse Granny Mouse	Y Y Y APOLOGY Y	1. Work in Progress PowerPoint Presentation 2. Principal Legislation 3. Explanatory Memorandum 4. Subordinate Legislation 5. Explanatory Memorandum 6. List of International Agreements	30/11/2006	Y Y ORALLY N N N
Phase 9 & 10	01/12/2006 – 28/01/2007	28/01/2007	Not applicable	Not applicable	Not applicable	28/01/2007	Not applicable
Phase 11	29/01/2007 – 08/02/2007	06/02/2007	Not applicable	Not applicable	Not applicable	08/02/2007	Not applicable
Close Out Report	09/02/2007 – 30/03/2007	30/03/2007	Not applicable	Not applicable	Not applicable	30/03/2007	Not applicable

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4.5.8 DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS (PREVIOUSLY TRADITIONAL AND LOCAL GOVERNMENT AFFAIRS)

PHASE	DURATION	MEETING/ WORKSHOP DATE	MEETING VENUE	ATTENDANCE (YES/NO)	DOCUMENTATION TO BE SUBMITTED	FINAL DATE FOR SUBMISSION	SUBMITTED (YES/NO)
Phase 1	16/08/2004 – 05/12/2004	04 – 08/10/2004 01 – 04/11/2004	Didima Drakensberg Sun	Y Y	1. Phase 1 Work in Progress PowerPoint Presentation 2. Phase 1 PowerPoint Presentation (Final) 3. Phase 1 Text Report (Final) 4. Comments Proforma A - P	05/12/2004	Y
Phase 2	06/12/2004 – 31/03/2005	04/02/2005 14 – 18/03/2005	Pietermaritzburg The Nest Hotel	Y Y	1. Phase 2 PowerPoint Presentation (Final) 2. Phase 2 Text Report (Final) 3. Indexing Proforma A - P	31/03/2005	Y Y Y
Phase 3	01/04/2005 – 19/06/2005	26/04/2005 23 – 26/05/2005	Ascot Inn Drakensberg Sun	Y Y	1. Phase 3 PowerPoint Presentation (Final) 2. Phase 3 Text Report (Final) 3. Functions Proforma 4. Brief Work in Progress PowerPoint Presentation 5. Organogram of Department	19/06/2005	Y Y N
Phase 4	20/06/2005 – 05/09/2005	11/07/2005 28/08/2005 – 31/08/2005	Assagay Hotel Granny Mouse	Y Y	1. Phase 4 Work in Progress PowerPoint Presentation 2. Phase 4 Text Report (Final) 3. Alignment Proforma	05/09/2005	N N N
Phase 5	15/09/2005 – 04/12/2005	06/10/2005 21 – 24/11/2005	Rob Roy Inn Granny Mouse	Y Y	1. Phase 5 Work in Progress PowerPoint Presentation 2. Phase 5 PowerPoint Presentation (Final)	04/12/2005	Y N

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PHASE	DURATION	MEETING/ WORKSHOP DATE	MEETING VENUE	ATTENDANCE (YES/NO)	DOCUMENTATION TO BE SUBMITTED	FINAL DATE FOR SUBMISSION	SUBMITTED (YES/NO)
					3. Principal Legislation (Draft) 4. Principal Legislation (Final Draft) 5. Subordinate Legislation (Final Draft)		N N N
Phase 6 A, B & C (Consolidated with Phases 7 & 8)	05/12/2005 – 16/07/2006	01/02/2006 13 – 16/03/2006 16 – 17/05/2006 11 – 14/06/2006	Granny Mouse Granny Mouse Granny Mouse Didima	Y Y Y Y	1. Draft legislation to CD: SLAS for certification 2. Certified legislation to Cabinet 3. Portfolio Committee & Parliamentary process	16/07/2006	Consolidated with Phase 7 & 8
Phase 7 & 8	17/07/2006 – 30/11/2006	25/07/2006 18 – 20/09/2006 21 – 22/11/2006 08/02/2007 27/03/2007	Granny Mouse Granny Mouse Didima Granny Mouse Granny Mouse	Y Y Y Y Y	1. Work in Progress PowerPoint Presentation 2. Principal Legislation 3. Explanatory Memorandum 4. Subordinate Legislation 5. Explanatory Memorandum 6. List of International Agreements	30/11/2006	Y Y Y Y N
Phase 9 & 10	01/12/2006 – 28/01/2007	28/01/2007	Not applicable	Not applicable	Not applicable	28/01/2007	Not applicable
Phase 11	29/01/2007 – 08/02/2007	06/02/2007	Not applicable	Not applicable	Not applicable	08/02/2007	Not applicable
Close Out Report	09/02/2007 – 30/03/2007	30/03/2007	Not applicable	Not applicable	Not applicable	30/03/2007	Not applicable

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4.5.9 OFFICE OF THE PREMIER (DIRECTORATE: LEGAL ADMINISTRATION)

PHASE	DURATION	MEETING/ WORKSHOP DATE	MEETING VENUE	ATTENDANCE (YES/NO)	DOCUMENTATION TO BE SUBMITTED	FINAL DATE FOR SUBMISSION	SUBMITTED (YES/NO)
Phase 1	16/08/2004 – 05/12/2004	04 – 08/10/2004 01 – 04/11/2004	Didima Drakensberg Sun	Y Y	1. Phase 1 Work in Progress PowerPoint Presentation 2. Phase 1 PowerPoint Presentation (Final) 3. Phase 1 Text Report (Final) 4. Comments Proforma A – P	05/12/2004	Y
Phase 2	06/12/2004 – 31/03/2005	04/02/2005 14 – 18/03/2005	Pietermaritzburg The Nest Hotel	Y Y	1. Phase 2 PowerPoint Presentation (Final) 2. Phase 2 Text Report (Final) 3. Indexing Proforma A – P	31/03/2005	Y Y Y
Phase 3	01/04/2005 – 19/06/2005	26/04/2005 23 – 26/05/2005	Ascot Inn Drakensberg Sun	Y Y	1. Phase 3 PowerPoint Presentation (Final) 2. Phase 3 Text Report (Final) 3. Functions Proforma 4. Brief Work in Progress PowerPoint Presentation 5. Organogram of Department	19/06/2005	Y Y Y
Phase 4	20/06/2005 – 05/09/2005	11/07/2005 28/08/2005 – 31/08/2005	Assagay Hotel Granny Mouse	Y Y	1. Phase 4 Work in Progress PowerPoint Presentation 2. Phase 4 Text Report (Final) 3. Alignment Proforma	05/09/2005	N N N
Phase 5	15/09/2005 – 04/12/2005	06/10/2005 21 – 24/11/2005	Rob Roy Inn Granny Mouse	Y Y	1. Phase 5 Work in Progress PowerPoint Presentation 2. Phase 5 PowerPoint Presentation (Final)	04/12/2005	X Y

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PHASE	DURATION	MEETING/ WORKSHOP DATE	MEETING VENUE	ATTENDANCE (YES/NO)	DOCUMENTATION TO BE SUBMITTED	FINAL DATE FOR SUBMISSION	SUBMITTED (YES/NO)
					3. Principal Legislation (Draft) 4. Principal Legislation (Final Draft) 5. Subordinate Legislation (Final Draft)		Y (2) Y N
Phase 6 A, B & C (Consolidated with Phases 7 & 8)	05/12/2005 – 16/07/2006	01/02/2006 13 – 16/03/2006 16 – 17/05/2006 12 – 14/06/2006	Granny Mouse Granny Mouse Granny Mouse Didima	Y Y Y Y	1. Draft legislation to CD: SLAS for certification 2. Certified legislation to Cabinet 3. Portfolio Committee & Parliamentary process	16/07/2006	Consolidated with Phase 7 & 8
Phase 7 & 8	17/07/2006 – 30/11/2006	25/07/2006 18 – 20/09/2006 21 – 22/11/2006 08/02/2007	Granny Mouse Granny Mouse Didima Granny Mouse	Y ³ See Footnote	1. Work in Progress PowerPoint Presentation 2. Principal Legislation 3. Explanatory Memorandum 4. Subordinate Legislation 5. Explanatory Memorandum 6. List of International Agreements	30/11/2006	Y Y ORALLY N N N
Phase 9 & 10	01/12/2006 – 28/01/2007	28/01/2007	Not applicable	Not applicable	Not applicable	28/01/2007	Not applicable
Phase 11	29/01/2007 – 08/02/2007	06/02/2007	Not applicable	Not applicable	Not applicable	08/02/2007	Not applicable
Close Out Report	09/02/2007 – 30/03/2007	30/03/2007	Not applicable	Not applicable	Not applicable	30/03/2007	Not applicable

³ Premier's Office CD: Legal Administration has become part of CD: State Law Advisory Services

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4.5.10 OFFICE OF THE PREMIER (CHIEF DIRECTORATE: STATE LAW ADVISORY SERVICES)

PHASE	DURATION	MEETING/ WORKSHOP DATE	MEETING VENUE	ATTENDANCE (YES/NO)	DOCUMENTATION TO BE SUBMITTED	FINAL DATE FOR SUBMISSION	SUBMITTED (YES/NO)
Phase 1	16/08/2004 – 05/12/2004	04 – 08/10/2004 01 – 04/11/2004	Didima Drakensberg Sun	Y Y	1. Phase 1 Work in Progress PowerPoint Presentation 2. Phase 1 PowerPoint Presentation (Final) 3. Phase 1 Text Report (Final) 4. Comments Proforma A – P	05/12/2004	N/A
Phase 2	06/12/2004 – 31/03/2005	04/02/2005 14 – 18/03/2005	Pietermaritzburg The Nest Hotel	Y Y	1. Phase 2 PowerPoint Presentation (Final) 2. Phase 2 Text Report (Final) 3. Indexing Proforma A - P	31/03/2005	N/A N/A N/A
Phase 3	01/04/2005 – 19/06/2005	26/04/2005 23 – 26/05/2005	Ascot Inn Drakensberg Sun	Y Y	1. Phase 3 PowerPoint Presentation (Final) 2. Phase 3 Text Report (Final) 3. Functions Proforma 4. Brief Work in Progress PowerPoint Presentation 5. Organogram of Department	19/06/2005	N/A N/A N/A
Phase 4	20/06/2005 – 05/09/2005	11/07/2005 28/08/2005 – 31/08/2005	Assagay Hotel Granny Mouse	Y Y	1. Phase 4 Work in Progress PowerPoint Presentation 2. Phase 4 Text Report (Final) 3. Alignment Proforma	05/09/2005	Y Y Y
Phase 5	15/09/2005 – 04/12/2005	06/10/2005 21 – 24/11/2005	Rob Roy Inn Granny Mouse	Y Y	1. Phase 5 Work in Progress PowerPoint Presentation 2. Phase 5 PowerPoint Presentation (Final)	04/12/2005	N/A N/A

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PHASE	DURATION	MEETING/ WORKSHOP DATE	MEETING VENUE	ATTENDANCE (YES/NO)	DOCUMENTATION TO BE SUBMITTED	FINAL DATE FOR SUBMISSION	SUBMITTED (YES/NO)
					3. Principal Legislation (Draft) 4. Principal Legislation (Final Draft) 5. Subordinate Legislation (Final Draft)		Y N/A N/A
Phase 6 A, B & C (Consolidated with Phases 7 & 8)	05/12/2005 – 16/07/2006	01/02/2006 13 – 16/03/2006 16 – 17/05/2006 12 – 14/06/2006	Granny Mouse Granny Mouse Granny Mouse Didima	Y Y Y Y	1. Draft legislation to CD: SLAS for certification 2. Certified legislation to Cabinet 3. Portfolio Committee & Parliamentary process	16/07/2006	Consolidated with Phase 7 & 8
Phase 7 & 8	17/07/2006 – 30/11/2006	25/07/2006 18 – 20/09/2006 21 – 22/11/2006 08/02/2007 27/03/2007	Granny Mouse Granny Mouse Didima Granny Mouse Granny Mouse	Y Y Y Y Y	1. Work in Progress PowerPoint Presentation 2. Principal Legislation 3. Explanatory Memorandum 4. Subordinate Legislation 5. Explanatory Memorandum 6. List of International Agreements	30/11/2006	Y Y ORALLY Y ORALLY Y
Phase 9 & 10	01/12/2006 – 28/01/2007	28/01/2007	Not applicable	Not applicable	Not applicable	28/01/2007	Not applicable
Phase 11	29/01/2007 – 08/02/2007	06/02/2007	Not applicable	Not applicable	Not applicable	08/02/2007	Not applicable
Close Out Report	09/02/2007 – 30/03/2007	30/03/2007	Not applicable	Not applicable	Not applicable	30/03/2007	Not applicable

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4.5.11 PROVINCIAL TREASURY

PHASE	DURATION	MEETING/ WORKSHOP DATE	MEETING VENUE	ATTENDANCE (YES/NO)	DOCUMENTATION TO BE SUBMITTED	FINAL DATE FOR SUBMISSION	SUBMITTED (YES/NO)
Phase 1	16/08/2004 – 05/12/2004	04 – 08/10/2004 01 – 04/11/2004	Didima Drakensberg Sun	Y Y	1. Phase 1 Work in Progress PowerPoint Presentation 2. Phase 1 PowerPoint Presentation (Final) 3. Phase 1 Text Report (Final) 4. Comments Proforma A – P	05/12/2004	N
Phase 2	06/12/2004 – 31/03/2005	04/02/2005 14 – 18/03/2005	Pietermaritzburg The Nest Hotel	N Y	1. Phase 2 PowerPoint Presentation (Final) 2. Phase 2 Text Report (Final) 3. Indexing Proforma A – P	31/03/2005	Y Y Y
Phase 3	01/04/2005 – 19/06/2005	26/04/2005 23 – 26/05/2005	Ascot Inn Drakensberg Sun	Y Y	1. Phase 3 PowerPoint Presentation (Final) 2. Phase 3 Text Report (Final) 3. Functions Proforma 4. Brief Work in Progress PowerPoint Presentation 5. Organogram of Department	19/06/2005	Y Y N Y
Phase 4	20/06/2005 – 05/09/2005	11/07/2005 28/08/2005 – 31/08/2005	Assagay Hotel Granny Mouse	Y Y	1. Phase 4 Work in Progress PowerPoint Presentation 2. Phase 4 Text Report (Final) 3. Alignment Proforma	05/09/2005	Y Y Y
Phase 5	15/09/2005 – 04/12/2005	06/10/2005 21 – 24/11/2005	Rob Roy Inn Granny Mouse	Y N	1. Phase 5 Work in Progress PowerPoint Presentation 2. Phase 5 PowerPoint Presentation (Final)	04/12/2005	Y N

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PHASE	DURATION	MEETING/ WORKSHOP DATE	MEETING VENUE	ATTENDANCE (YES/NO)	DOCUMENTATION TO BE SUBMITTED	FINAL DATE FOR SUBMISSION	SUBMITTED (YES/NO)
					3. Principal Legislation (Draft) 4. Principal Legislation (Final Draft) 5. Subordinate Legislation (Final Draft)		N N N
Phase 6 A, B & C (Consolidated with Phases 7 & 8)	05/12/2005 – 16/07/2006	01/02/2006 13 – 16/03/2006 16 – 17/05/2006 12 – 14/06/2006	Granny Mouse Granny Mouse Granny Mouse Didima	N N Y N	1. Draft legislation to CD: SLAS for certification 2. Certified legislation to Cabinet 3. Portfolio Committee & Parliamentary process	16/07/2006	Consolidated with Phase 7 & 8
Phase 7 & 8	17/07/2006 – 30/11/2006	25/07/2006 18 – 20/09/2006 21 – 22/11/2006 08/02/2007 27/03/2007	Granny Mouse Granny Mouse Didima Granny Mouse Granny Mouse	N N N N N	1. Work in Progress PowerPoint Presentation 2. Principal Legislation 3. Explanatory Memorandum 4. Subordinate Legislation 5. Explanatory Memorandum 6. List of International Agreements	30/11/2006	N N N N N
Phase 9 & 10	01/12/2006 – 28/01/2007	28/01/2007	Not applicable	Not applicable	Not applicable	28/01/2007	Not applicable
Phase 11	29/01/2007 – 08/02/2007	06/02/2007	Not applicable	Not applicable	Not applicable	08/02/2007	Not applicable
Close Out Report	09/02/2007 – 30/03/2007	30/03/2007	Not applicable	Not applicable	Not applicable	30/03/2007	Not applicable

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4.5.12 DEPARTMENT OF SPORTS AND RECREATION

PHASE	DURATION	MEETING/ WORKSHOP DATE	MEETING VENUE	ATTENDANCE (YES/NO)	DOCUMENTATION TO BE SUBMITTED	FINAL DATE FOR SUBMISSION	SUBMITTED (YES/NO)
Phase 1	16/08/2004 – 05/12/2004	04 – 08/10/2004 01 – 04/11/2004	Didima Drakensberg Sun	Y ⁴ Y	1. Phase 1 Work in Progress PowerPoint Presentation 2. Phase 1 PowerPoint Presentation (Final) 3. Phase 1 Text Report (Final) 4. Comments Proforma A – P	05/12/2004	Y
Phase 2	06/12/2004 – 31/03/2005	04/02/2005 14 – 18/03/2005	Pietermaritzburg The Nest Hotel	Y Y	1. Phase 2 PowerPoint Presentation (Final) 2. Phase 2 Text Report (Final) 3. Indexing Proforma A – P	31/03/2005	Y Y Y
Phase 3	01/04/2005 – 19/06/2005	26/04/2005 22 – 27/05/2005	Ascot Inn Drakensberg Sun	Y Y	1. Phase 3 PowerPoint Presentation (Final) 2. Phase 3 Text Report (Final) 3. Functions Proforma 4. Brief Work in Progress PowerPoint Presentation 5. Organogram of Department	19/06/2005	Y Y Y
Phase 4	20/06/2005 – 05/09/2005	11/07/2005 28/08/2005 – 31/08/2005	Assagay Hotel Granny Mouse	Y Y	1. Phase 4 Work in Progress PowerPoint Presentation 2. Phase 4 Text Report (Final)	05/09/2005	Y Y

⁴ As the KZN Department of Sports and Recreation does not currently have a Legal Services Directorate, a legal advisor from the Premier's Office Chief Directorate: State Law Advisory Services was requested to assist this Department during the project. I have only missed 3 PSLF meetings. Shouldn't we reflect Y in respect of the meetings which I attended as caretaker for the Department?

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PHASE	DURATION	MEETING/ WORKSHOP DATE	MEETING VENUE	ATTENDANCE (YES/NO)	DOCUMENTATION TO BE SUBMITTED	FINAL DATE FOR SUBMISSION	SUBMITTED (YES/NO)
					3. Alignment Proforma		Y
Phase 5	15/09/2005 – 04/12/2005	06/10/2005 21 – 24/11/2005	Rob Roy Inn Granny Mouse	Y Y	1. Phase 5 Work in Progress PowerPoint Presentation 2. Phase 5 PowerPoint Presentation (Final) 3. Principal Legislation (Draft) 4. Principal Legislation (Final Draft) 5. Subordinate Legislation (Final Draft)	04/12/2005	Y Y Y Y N
Phase 6 A, B & C (Consolidated with Phases 7 & 8)	05/12/2005 – 16/07/2006	01/02/2006 13 – 16/03/2006 16 – 17/05/2006 12 – 14/06/2006	Granny Mouse Granny Mouse Granny Mouse Didima	Y Y Y Y	1. Draft legislation to CD: SLAS for certification 2. Certified legislation to Cabinet 3. Portfolio Committee & Parliamentary process	16/07/2006	Consolidated with Phase 7 & 8
Phase 7 & 8	17/07/2006 – 30/11/2006	25/07/2006 18 – 20/09/2006 21 – 22/11/2006 08/02/2007 27/03/2007	Granny Mouse Granny Mouse Didima Granny Mouse Granny Mouse	Y Y Y N N	1. Work in Progress PowerPoint Presentation 2. Principal Legislation 3. Explanatory Memorandum 4. Subordinate Legislation 5. Explanatory Memorandum 6. List of International Agreements	30/11/2006	Y N N N N
Phase 9 & 10	01/12/2006 – 28/01/2007	28/01/2007	Not applicable	Not applicable	Not applicable	28/01/2007	Not applicable
Phase 11	29/01/2007 – 08/02/2007	06/02/2007	Not applicable	Not applicable	Not applicable	08/02/2007	Not applicable
Close Out Report	09/02/2007 – 30/03/2007	30/03/2007	Not applicable	Not applicable	Not applicable	30/03/2007	Not applicable

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4.5.13 DEPARTMENT OF TRANSPORT

PHASE	DURATION	MEETING/ WORKSHOP DATE	MEETING VENUE	ATTENDANCE (YES/NO)	DOCUMENTATION TO BE SUBMITTED	FINAL DATE FOR SUBMISSION	SUBMITTED (YES/NO)
Phase 1	16/08/2004 – 05/12/2004	04 – 08/10/2004 01 – 04/11/2004	Didima Drakensberg Sun	Y Y	1. Phase 1 Work in Progress PowerPoint Presentation 2. Phase 1 PowerPoint Presentation (Final) 3. Phase 1 Text Report (Final) 4. Comments Proforma A – P	05/12/2004	Y
Phase 2	06/12/2004 – 31/03/2005	04/02/2005 14 – 18/03/2005	Pietermaritzburg The Nest Hotel	Y Y	1. Phase 2 PowerPoint Presentation (Final) 2. Phase 2 Text Report (Final) 3. Indexing Proforma A – P	31/03/2005	Y N N
Phase 3	01/04/2005 – 19/06/2005	26/04/2005 23 – 26/05/2005	Ascot Inn Drakensberg Sun	Y Y	1. Phase 3 PowerPoint Presentation (Final) 2. Phase 3 Text Report (Final) 3. Functions Proforma 4. Brief Work in Progress PowerPoint Presentation 5. Organogram of Department	19/06/2005	Y Y N
Phase 4	20/06/2005 – 05/09/2005	11/07/2005 28/08/2005 – 31/08/2005	Assagay Hotel Granny Mouse	APOLOGY Y	1. Phase 4 Work in Progress PowerPoint Presentation 2. Phase 4 Text Report (Final) 3. Alignment Proforma	05/09/2005	Y N Y
Phase 5	15/09/2005 – 04/12/2005	06/10/2005 21 – 24/11/2005	Rob Roy Inn Granny Mouse	Y Y	1. Phase 5 Work in Progress PowerPoint Presentation 2. Phase 5 PowerPoint Presentation (Final)	04/12/2005	N Y

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PHASE	DURATION	MEETING/ WORKSHOP DATE	MEETING VENUE	ATTENDANCE (YES/NO)	DOCUMENTATION TO BE SUBMITTED	FINAL DATE FOR SUBMISSION	SUBMITTED (YES/NO)
					3. Principal Legislation (Draft) 4. Principal Legislation (Final Draft) 5. Subordinate Legislation (Final Draft)		N N N
Phase 6 A, B & C (Consolidated with Phases 7 & 8)	05/12/2005 – 16/07/2006	01/02/2006 13 – 16/03/2006 16 – 17/05/2006 12 – 14/06/2006	Granny Mouse Granny Mouse Granny Mouse Didima	N N Y N	1. Draft legislation to CD: SLAS for certification 2. Certified legislation to Cabinet 3. Portfolio Committee & Parliamentary process	16/07/2006	Consolidated with Phase 7 & 8
Phase 7 & 8	17/07/2006 – 30/11/2006	25/07/2006 18 – 20/09/2006 21 – 22/11/2006 08/02/2007 27/03/2007	Granny Mouse Granny Mouse Didima Granny Mouse Granny Mouse	N N APOLOGY APOLOGY Y	1. Work in Progress PowerPoint Presentation 2. Principal Legislation 3. Explanatory Memorandum 4. Subordinate Legislation 5. Explanatory Memorandum 6. List of International Agreements	30/11/2006	N N N N
Phase 9 & 10	01/12/2006 – 28/01/2007	28/01/2007	Not applicable	Not applicable	Not applicable	28/01/2007	Not applicable
Phase 11	29/01/2007 – 08/02/2007	06/02/2007	Not applicable	Not applicable	Not applicable	08/02/2007	Not applicable
Close Out Report	09/02/2007 – 30/03/2007	30/03/2007	Not applicable	Not applicable	Not applicable	30/03/2007	Not applicable

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4.5.14 DEPARTMENT OF WELFARE AND POPULATION DEVELOPMENT (PREVIOUSLY SOCIAL DEVELOPMENT)

PHASE	DURATION	MEETING/ WORKSHOP DATE	MEETING VENUE	ATTENDANCE (YES/NO)	DOCUMENTATION TO BE SUBMITTED	FINAL DATE FOR SUBMISSION	SUBMITTED (YES/NO)
Phase 1	16/08/2004 – 05/12/2004	04 – 08/10/2004 01 – 04/11/2004	Didima Drakensberg Sun	Y Y	1. Phase 1 Work in Progress PowerPoint Presentation 2. Phase 1 PowerPoint Presentation (Final) 3. Phase 1 Text Report (Final) 4. Comments Proforma A - P	05/12/2004	N
Phase 2	06/12/2004 – 31/03/2005	04/02/2005 14 – 18/03/2005	Pietermaritzburg The Nest Hotel	Y Y	1. Phase 2 PowerPoint Presentation (Final) 2. Phase 2 Text Report (Final) 3. Indexing Proforma A - P	31/03/2005	Y N N
Phase 3	01/04/2005 – 19/06/2005	26/04/2005 23 – 26/05/2005	Ascot Inn Drakensberg Sun	N Y	1. Phase 3 PowerPoint Presentation (Final) 2. Phase 3 Text Report (Final) 3. Functions Proforma 4. Brief Work in Progress PowerPoint Presentation 5. Organogram of Department	19/06/2005	N N Y N N
Phase 4	20/06/2005 – 05/09/2005	11/07/2005 28/08/2005 – 31/08/2005	Assagay Hotel Granny Mouse	N Y	1. Phase 4 Work in Progress PowerPoint Presentation 2. Phase 4 Text Report (Final) 3. Alignment Proforma	05/09/2005	N N Y
Phase 5	15/09/2005 – 04/12/2005	06/10/2005 21 – 24/11/2005	Rob Roy Inn Granny Mouse	Y Y	1. Phase 5 Work in Progress PowerPoint Presentation 2. Phase 5 PowerPoint Presentation (Final) 3. Principal Legislation (Draft) 4. Principal Legislation (Final Draft)	04/12/2005	N N N N

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PHASE	DURATION	MEETING/ WORKSHOP DATE	MEETING VENUE	ATTENDANCE (YES/NO)	DOCUMENTATION TO BE SUBMITTED	FINAL DATE FOR SUBMISSION	SUBMITTED (YES/NO)
					5. Subordinate Legislation (Final Draft)		N
Phase 6 A, B & C (Consolidated with Phases 7 & 8)	05/12/2005 – 16/07/2006	01/02/2006 13 – 16/03/2006 16 – 17/05/2006 12 – 14/06/2006	Granny Mouse Granny Mouse Granny Mouse Didima	N Y Y Y	1. Draft legislation to CD: SLAS for certification 2. Certified legislation to Cabinet 3. Portfolio Committee & Parliamentary process	16/07/2006	Consolidated with Phase 7 & 8
Phase 7 & 8	17/07/2006 – 30/11/2006	25/07/2006 18 – 20/09/2006 21 – 22/11/2006 08/02/2007 27/03/2007	Granny Mouse Granny Mouse Didima Granny Mouse Granny Mouse	Y Y Y N Y	1. Work in Progress PowerPoint Presentation 2. Principal Legislation 3. Explanatory Memorandum 4. Subordinate Legislation 5. Explanatory Memorandum 6. List of International Agreements	30/11/2006	Y N N N Y
Phase 9 & 10	01/12/2006 – 28/01/2007	28/01/2007	Not applicable	Not applicable	Not applicable	28/01/2007	Not applicable
Phase 11	29/01/2007 – 08/02/2007	06/02/2007	Not applicable	Not applicable	Not applicable	08/02/2007	Not applicable
Close Out Report	09/02/2007 – 30/03/2007	30/03/2007	Not applicable	Not applicable	Not applicable	30/03/2007	Not applicable

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4.5.15 DEPARTMENT OF WORKS (PREVIOUSLY PUBLIC WORKS)

PHASE	DURATION	MEETING/ WORKSHOP DATE	MEETING VENUE	ATTENDANCE (YES/NO)	DOCUMENTATION TO BE SUBMITTED	FINAL DATE FOR SUBMISSION	SUBMITTED (YES/NO)
Phase 1	16/08/2004 – 05/12/2004	04/02/2005 14 – 18/03/2005	Didima Drakensberg Sun	N Y	1. Phase 1 Work in Progress PowerPoint Presentation 2. Phase 1 PowerPoint Presentation (Final) 3. Phase 1 Text Report (Final) 4. Comments Proforma A - P	05/12/2004	Y
Phase 2	06/12/2004 – 31/03/2005	04/02/2005 13 – 18/03/2005	Pietermaritzburg The Nest Hotel	N N	1. Phase 2 PowerPoint Presentation (Final) 2. Phase 2 Text Report (Final) 3. Indexing Proforma A - P	31/03/2005	Y Y Y
Phase 3	01/04/2005 – 19/06/2005	26/04/2005 23 – 26/05/2005	Ascot Inn Drakensberg Sun	N N	1. Phase 3 PowerPoint Presentation (Final) 2. Phase 3 Text Report (Final) 3. Functions Proforma 4. Brief Work in Progress PowerPoint Presentation 5. Organogram of Department	19/06/2005	Y Y Y
Phase 4	20/06/2005 – 05/09/2005	11/07/2005 28/08/2005 – 31/08/2005	Assagay Hotel Granny Mouse	N N	1. Phase 4 Work in Progress PowerPoint Presentation 2. Phase 4 Text Report (Final) 3. Alignment Proforma	05/09/2005	Y Y Y
Phase 5	15/09/2005 – 04/12/2005	06/10/2005 21 – 24/11/2005	Rob Roy Inn Granny Mouse	Y Y	1. Phase 5 Work in Progress PowerPoint Presentation 2. Phase 5 PowerPoint Presentation (Final) 3. Principal Legislation (Draft) 4. Principal Legislation (Final Draft)	04/12/2005	N N N N

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PHASE	DURATION	MEETING/ WORKSHOP DATE	MEETING VENUE	ATTENDANCE (YES/NO)	DOCUMENTATION TO BE SUBMITTED	FINAL DATE FOR SUBMISSION	SUBMITTED (YES/NO)
					5. Subordinate Legislation (Final Draft)		N
Phase 6 A, B & C (Consolidated with Phases 7 & 8)	05/12/2005 – 16/07/2006	01/02/2006 13 – 16/03/2006 16 – 17/05/2006 12 – 14/06/2006	Granny Mouse Granny Mouse Granny Mouse Didima	APOLOGY Y Y Y	1. Draft legislation to CD: SLAS for certification 2. Certified legislation to Cabinet 3. Portfolio Committee & Parliamentary process	16/07/2006	Consolidated with Phase 7 & 8
Phase 7 & 8	17/07/2006 – 30/11/2006	25/07/2006 18 – 20/09/2006 21 – 22/11/2006 08/02/2007 27/02/2007	Granny Mouse Granny Mouse Didima Granny Mouse Granny Mouse	N Y N APOLOGY Y	1. Work in Progress PowerPoint Presentation 2. Principal Legislation 3. Explanatory Memorandum 4. Subordinate Legislation 5. Explanatory Memorandum 6. List of International Agreements	30/11/2006	Y Y ORALLY N N N
Phase 9 & 10	01/12/2006 – 28/01/2007	28/01/2007	Not applicable	Not applicable	Not applicable	28/01/2007	Not applicable
Phase 11	29/01/2007 – 08/02/2007	06/02/2007	Not applicable	Not applicable	Not applicable	08/02/2007	Not applicable
Close Out Report	09/02/2007 – 30/03/2007	30/03/2007	Not applicable	Not applicable	Not applicable	30/03/2007	Not applicable

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5 LIST OF LEGISLATION DRAFTED AND SUBMITTED TO DATE AS UPDATED BY ALL KZN PROVINCIAL DEPARTMENTS

DEPARTMENT	LEGISLATION ENACTED 2004 - 2007 (Acts)	CERTIFIED LEGISLATION (Bills) SUBMITTED TO PROVINCIAL LEGISLATURE	LEGISLATION CERTIFIED BY CD: SLAS (Bills)	DRAFT LEGISLATION IN PROGRESS	OTHER POSSIBLE LEGISLATION IDENTIFIED	REMARKS (Also see note on specific concerns at end of table)
Agriculture and Environmental Affairs and <i>Ezemvelo</i> KZN Wildlife	None	None	None	1. KZN Integrated Waste Management Bill, 2007 + Regulations 2. KZN Biodiversity Conservation Bill, 2007 3. KZN Wildlife Bill, 2007 4. KZN Agricultural Development Bill	1. KZN Agricultural Environment Development Trust Bill	1. Technical rationalisation (alignment with Constitution and post-1994 frameworks + enabling provisions for Phases 3 + 4 (Departmental functions) must be prioritised) 2. Policy processes to underpin new legislation have commenced
Arts, Culture and Tourism	None	None	None	1. KZN Sharks Board Ordinance Amendment Bill, 2007 2. PTC Regulations in terms of the KZN Tourism Act	1. KZN Geographical Names Committee Bill 2. KZN Arts and Culture Council Bill 3. KZN Tourism	1. Technical rationalisation (alignment with Constitution and post-1994 frameworks + enabling provisions for Phases 3 + 4)

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DEPARTMENT	LEGISLATION ENACTED 2004 - 2007 (Acts)	CERTIFIED LEGISLATION (Bills) SUBMITTED TO PROVINCIAL LEGISLATURE	LEGISLATION CERTIFIED BY CD: SLAS (Bills)	DRAFT LEGISLATION IN PROGRESS	OTHER POSSIBLE LEGISLATION IDENTIFIED	REMARKS (Also see note on specific concerns at end of table)
				3. KZN Arts and Culture Development Fund Bill 4. KZN Archives Bill (or Archives Amendment Bill) 5. KZN Sharks Board Bill, 2007	Amendment Bill 4. KZN Languages Bill 8. KZN Public Libraries and Information Services Bill 6. Resolution on Archives challenge	(Departmental functions) must be prioritised) 2. National Cultural Policy Review Process - only envisaged to be finalised within the next 2 years - to culminate in a White Paper setting out new national policy in respect of all arts, culture, heritage and language issues could impact upon and delay provincial policy formulation and new provincial legislation in respect of museums, heritage, geographical names, archives and libraries etc 3. Policy processes

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RATIONALISATION OF LAWS PROJECT 2004 – 2007**

DEPARTMENT	LEGISLATION ENACTED 2004 - 2007 (Acts)	CERTIFIED LEGISLATION (Bills) SUBMITTED TO PROVINCIAL LEGISLATURE	LEGISLATION CERTIFIED BY CD: SLAS (Bills)	DRAFT LEGISLATION IN PROGRESS	OTHER POSSIBLE LEGISLATION IDENTIFIED	REMARKS (Also see note on specific concerns at end of table)
						to underpin new legislation have commenced
Community Safety and Liaison	None	The KZN Peace Act Repeal Bill, 2005, was submitted Cabinet on 21 June 2006, and to the Portfolio Committee on 17 October 2006, where it was approved on 20 February 2007. The Bill was placed on the order paper for the House on 1 March 2007.	1. KZN Peace Act Repeal Bill, 2005	None	1. KZN Volunteer-based Crime Prevention Bill	1. Crime Prevention Strategy 2. Technical rationalisation (alignment with Constitution and post-1994 frameworks + enabling provisions for Phases 3 + 4 (Departmental functions) must be prioritised)
Economic Development	None	1. KZN Liquor Licensing Bill, 2004	None, other than Bills already certified and introduced in the Provincial Legislature (see column immediately to the left)	1. KZN Dube Trade Port Bill, 2007 2. KZN Business Rehabilitation Trust Fund Amendment Bill, 2007 3. KZN Trade and Investment Bill, 2007	1. KZN Businesses Bill 2. KZN Informal Economy Bill 3. KZN Consumer Protection Bill	1. Technical rationalisation (alignment with Constitution and post-1994 frameworks + enabling provisions for Phases 3 + 4 (Departmental functions) must be prioritised)

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DEPARTMENT	LEGISLATION ENACTED 2004 - 2007 (Acts)	CERTIFIED LEGISLATION (Bills) SUBMITTED TO PROVINCIAL LEGISLATURE	LEGISLATION CERTIFIED BY CD: SLAS (Bills)	DRAFT LEGISLATION IN PROGRESS	OTHER POSSIBLE LEGISLATION IDENTIFIED	REMARKS (Also see note on specific concerns at end of table)
				4. KZN Film Commission Bill, 2007		2. Policy processes to underpin new legislation have commenced
Education	None	None	None	1. KZN Education Bill	1. KZN Education Council Bill	1. Technical rationalisation (alignment with Constitution and post-1994 frameworks + enabling provisions for Phases 3 + 4 (Departmental functions) must be prioritised) 2. Policy processes to underpin new legislation have commenced
Health	None	None	None	1. KZN Health Care Bill, 2007	None	1. Technical rationalisation (alignment with Constitution and post-1994 frameworks + enabling provisions)

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DEPARTMENT	LEGISLATION ENACTED 2004 - 2007 (Acts)	CERTIFIED LEGISLATION (Bills) SUBMITTED TO PROVINCIAL LEGISLATURE	LEGISLATION CERTIFIED BY CD: SLAS (Bills)	DRAFT LEGISLATION IN PROGRESS	OTHER POSSIBLE LEGISLATION IDENTIFIED	REMARKS (Also see note on specific concerns at end of table)
						for Phases 3 + 4 (Departmental functions) must be prioritised) 2. Policy processes to underpin new legislation have commenced
Housing	None	None	1. KZN Elimination and Prevention of Re-emergence of Slums Bill, 2006	1. KZN Housing Amendment Bill, 2007 2. KZN Housing Tribunal Regulations	None	1. Technical rationalisation (alignment with Constitution and post-1994 frameworks + enabling provisions for Phases 3 + 4 (Departmental functions) must be prioritised) 2. Policy processes to underpin new legislation have commenced
Local Government and Traditional Affairs	1. KZN Cemeteries and Crematoria Amendment Act,	1. KZN Local Government Laws Repeal Bill, 2006	1. KZN Rationalisation of Planning and	1. KZN Local Government Bill, 2007	1. KwaZulu Code of Zulu Law and the Natal Code of Zulu	1. Much technical rationalisation has been done

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DEPARTMENT	LEGISLATION ENACTED 2004 - 2007 (Acts)	CERTIFIED LEGISLATION (Bills) SUBMITTED TO PROVINCIAL LEGISLATURE	LEGISLATION CERTIFIED BY CD: SLAS (Bills)	DRAFT LEGISLATION IN PROGRESS	OTHER POSSIBLE LEGISLATION IDENTIFIED	REMARKS (Also see note on specific concerns at end of table)
	<p>2005 (Act No. 2 of 2005)</p> <p>2. KZN Traditional Leadership and Governance Act, 2005 (Act No. 5 of 2005)</p> <p>3. KZN Pound Act, 2006 (Act No. 3 of 2006)</p>	<p>2. KZN uMsekeli Municipal Support Services Ordinance Repeal Bill, 2006</p> <p>3. Regulations on the Cemeteries and Crematoria Act, 2005 (submitted to Portfolio Committee for comment)</p>	<p>Development Laws Bill, 2006</p> <p>2. Natal Town Planning Ordinance Amendment Bill, 2006</p>	<p>2. Draft Standard By-laws (completed, to be published for public comment)</p> <p>3. KZN Planning and Development Bill, 2007 (to be published for public comment)</p> <p>4. KZN Traditional Leadership and Governance Amendment Bill, 2007</p> <p>5. KZN Rationalisation of Planning and Development Laws Bill, 2006 (completed and published for public comment)</p> <p>6. Natal Town Planning Ordinance</p>	<p>Law</p> <p>2. Amendment of Natal Local Authorities Ordinance, 1974 (Ordinance No. 25 of 1974)</p> <p>3. KZN Cemeteries and Crematoria Amendment Bill</p>	<p>2. Policy processes to underpin new legislation have been undertaken</p> <p>3. Briefing Document on local government in KwaZulu-Natal scheduled for completion in March 2007</p>

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DEPARTMENT	LEGISLATION ENACTED 2004 - 2007 (Acts)	CERTIFIED LEGISLATION (Bills) SUBMITTED TO PROVINCIAL LEGISLATURE	LEGISLATION CERTIFIED BY CD: SLAS (Bills)	DRAFT LEGISLATION IN PROGRESS	OTHER POSSIBLE LEGISLATION IDENTIFIED	REMARKS (Also see note on specific concerns at end of table)
				Amendment Bill, 2006 (completed and published for public comment)		
Office of the Premier	1. KZN Youth Commission Act, 2005 (Act No. 7 of 2005)	1. Draft Constitution of KwaZulu-Natal, 2004 2. KZN Royal Household Trust Bill, 2005	1. KZN Provincial Public Protector Act Repeal Bill, 2005 2. KZN Internal Audit Act Repeal Bill, 2006 3. KZN Gaming and Betting Bill, 2006 4. KZN Commissions Amendment Bill, 2006	1. KZN Heritage Bill, 2007 2. KZN Museums Bill, 2007 3. KZN Delegation of Powers Bill, 2007 4. KZN Transversal Appeals and Reviews Bill, 2007 5. KZN Premier's Good Governance and Development Trust Bill, 2007 6. KZN Promotion of Good Governance Bill, 2007	1. KZN Good Governance Bill 2. KZN Provincial Aids Council Bill 3. KZN King Senzangakhona Stadium Company Bill	1. Technical rationalisation (alignment with Constitution and post-1994 frameworks + enabling provisions for Phases 3 + 4 (Departmental functions) must be prioritised) 2. Policy processes to underpin new legislation have commenced 3. National Cultural Policy Review Process - only envisaged to be finalised within the next 2 years - to culminate in a White

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DEPARTMENT	LEGISLATION ENACTED 2004 - 2007 (Acts)	CERTIFIED LEGISLATION (Bills) SUBMITTED TO PROVINCIAL LEGISLATURE	LEGISLATION CERTIFIED BY CD: SLAS (Bills)	DRAFT LEGISLATION IN PROGRESS	OTHER POSSIBLE LEGISLATION IDENTIFIED	REMARKS (Also see note on specific concerns at end of table)
						Paper setting out new national policy in respect of all arts, culture, heritage and language issues could impact upon and delay provincial policy formulation and new provincial legislation in respect of museums, heritage, geographical names, archives and libraries etc
Provincial Treasury	1. KZN Procurement Act Repeal Act, 2005 (Act No. 4 of 2005)	None, other than the legislation already submitted to, and enacted by, the Provincial Legislature (see column immediately to the left)	None	None	None	1. Public Private Partnerships Manual 2. KZN Public Entities Manual 3. KZN Supply Chain Management Manual 4. Technical rationalisation (alignment with Constitution and

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DEPARTMENT	LEGISLATION ENACTED 2004 - 2007 (Acts)	CERTIFIED LEGISLATION (Bills) SUBMITTED TO PROVINCIAL LEGISLATURE	LEGISLATION CERTIFIED BY CD: SLAS (Bills)	DRAFT LEGISLATION IN PROGRESS	OTHER POSSIBLE LEGISLATION IDENTIFIED	REMARKS (Also see note on specific concerns at end of table)
						post-1994 frameworks + enabling provisions for Phases 3 + 4 (Departmental functions) must be prioritised)
Sport and Recreation	None	None	None	1. KZN Sport and Recreation Bill, 2007 (draft Bill was submitted in 2006; however, the Department of Sport and Recreation decided that a policy process should be initiated prior to the drafting of legislation)	1. Enabling legislation for the transfer of funds in support of provincial and local sport (waiting for policy finalisation)	1. 2010 FIFA World Cup Strategy 2. Technical rationalisation (alignment with Constitution and post-1994 frameworks + enabling provisions for Phases 3 + 4 (Departmental functions) must be prioritised) 3. Policy processes to underpin new legislation have not commenced
Transport	1. KZN Public Transport Act, 2005	None, other than the legislation already	None	1. KZN Provincial Roads (Amendment)		1. 2010 FIFA World Cup Transport

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DEPARTMENT	LEGISLATION ENACTED 2004 - 2007 (Acts)	CERTIFIED LEGISLATION (Bills) SUBMITTED TO PROVINCIAL LEGISLATURE	LEGISLATION CERTIFIED BY CD: SLAS (Bills)	DRAFT LEGISLATION IN PROGRESS	OTHER POSSIBLE LEGISLATION IDENTIFIED	REMARKS (Also see note on specific concerns at end of table)
	(Act No. 3 of 2005)	submitted to, and enacted by, the Provincial Legislature (see column immediately to the left)		Bill 2.KZN Public Transport Act Regulations (currently with CD: SLAS)		Strategy 2. Master Transport Strategy 3. Technical rationalisation (alignment with Constitution and post-1994 frameworks + enabling provisions for Phases 3 + 4 (Departmental functions) must be prioritised)
Welfare and Population Development	None	1. KZN Welfare Bill, 2006	None, other than Bills already certified and introduced in the Provincial Legislature (see column immediately to the left)	1. KZN Developmental Social Welfare Services Bill, 2007	1. KZN Poverty Alleviation Bill	1. Technical rationalisation (alignment with Constitution and post-1994 frameworks + enabling provisions for Phases 3 + 4 (Departmental functions) must be prioritised)

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DEPARTMENT	LEGISLATION ENACTED 2004 - 2007 (Acts)	CERTIFIED LEGISLATION (Bills) SUBMITTED TO PROVINCIAL LEGISLATURE	LEGISLATION CERTIFIED BY CD: SLAS (Bills)	DRAFT LEGISLATION IN PROGRESS	OTHER POSSIBLE LEGISLATION IDENTIFIED	REMARKS (Also see note on specific concerns at end of table)
						2. Policy processes to underpin new legislation have commenced
Works	None	None	1. KZN Land Administration Bill, 2005	None	None	1. Disposal of Immovable Property Strategy and Legislation 2. Provincial State Land Register 3. Asset Register 4. Technical rationalisation (alignment with Constitution and post-1994 frameworks + enabling provisions for Phases 3 + 4 (Departmental functions) must be prioritised)

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6 LIST OF POSSIBLE LEGISLATION IDENTIFIED BY THE KZN PUBLIC SECTOR LAWYERS' FORUM

List of all possible legislation that may be drafted by individual Departments as a further outcome of the KZN Premier's Office Rationalisation of Laws Project

PROPOSED TITLE OF PROPOSED LEGISLATION IDENTIFIED	RESPONSIBLE DEPARTMENT
<p>1. KZN Transversal Appeals and Reviews Bill, 2007 <i>(Not yet certified. Bill identified by the Rationalisation of Laws Project in the process of formulation. Bill is the responsibility of the Office of the Premier)</i></p>	Office of the Premier
<p>2. KZN Delegation of Powers Bill, 2007 <i>(Not yet certified. Bill identified by the Rationalisation of Laws Project in the process of formulation. Bill is the responsibility of the Office of the Premier)</i></p>	Office of the Premier
<p>3. KZN Heritage Bill, 2007 <i>(Not yet certified. CD: SLAS has been working directly with officials from Amafa aKwaZulu-Natali. Various drafts of the Bill have been produced. The 8th Draft of the 2005/ 2006 version of the Bill, dated 6 September 2005, has been submitted to the DG to give direction on policy issues and the way forward. National Cultural Policy Review Process - only envisaged to be finalised within the next 2 years - to culminate in a White Paper setting out new national policy in respect of all arts, culture, heritage and language issues could impact upon and delay provincial policy formulation and provincial legislation in respect of museums., heritage, geographical names, archives and libraries etc. Bill is the responsibility of the Office of the Premier. 9th Draft in progress)</i></p>	Office of the Premier
<p>4. KZN Museums Bill, 2007 <i>(Not yet certified. CD: SLAS working with line functionaries attached to the Office of the Premier. National Cultural Policy Review Process - only envisaged to be finalised within the next 2 years - to culminate in a White Paper setting out new national policy in respect of all arts, culture, heritage and language issues could impact upon, and delay, provincial policy formulation and provincial legislation in respect of museums., heritage, geographical names, archives and libraries etc. Bill is the responsibility of the Office of the Premier. 5th Draft in progress)</i></p>	Office of the Premier
<p>5. KZN Provincial Aids Council Bill, 2007 <i>(Not yet certified. CD: SLAS waiting on submission of draft Bill from the Office of the Premier - indications are that the Bill will not be proceeded with)</i></p>	Office of the Premier
<p>6. KZN King Senzangakhona Stadium Company Bill, 2007 <i>(Not yet certified. Bill is the responsibility of the Office of the Premier. CD:</i></p>	Office of the Premier

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PROPOSED TITLE OF PROPOSED LEGISLATION IDENTIFIED	RESPONSIBLE DEPARTMENT
<i>SLAS has drafted a Bill for discussion with the DG - indications are that the Bill will not be proceeded with)</i>	
7. KZN Premier's Good Governance and Development Trust Bill, 2007 <i>(Not yet certified. Bill is the responsibility of the Office of the Premier. CD: SLAS has drafted a Bill for discussion with the DG - indications are that the Bill will not be proceeded with)</i>	Office of the Premier
8. KZN Promotion of Good Governance Bill, 2007 <i>(Not yet certified. Bill is the responsibility of the Office of the Premier. The concept for this Bill emanated from the KZN Rationalisation of Laws Project. CD: SLAS has produced various drafts for discussion purposes. A 6th Draft of the 2006 version of this Bill dated 6 February 2006 was produced for presentation to, and discussion by, the KZN Public Sector Lawyers' Forum)</i>	Office of the Premier
9. KZN Biodiversity Conservation Bill, 2007/ KZN Wildlife Bill, 2007 <i>(CD: SLAS waiting on submission of draft Bill from Department of Agriculture and Environment Affairs and Ezemvelo KZN Wildlife)</i>	Department of Agriculture and Environment Affairs
10. KZN Agriculture Environment Development Trust Bill, 2007 <i>(CD: SLAS waiting on submission of draft Bill from Department of Agriculture and Environment Affairs)</i>	Department of Agriculture and Environment Affairs
11. KZN Agricultural Development Bill, 2007 <i>(CD: SLAS waiting on submission of draft Bill from Department of Agriculture and Environment Affairs)</i>	Department of Agriculture and Environment Affairs
12. KZN Integrated Waste Management Bill, 2007 <i>(CD: SLAS waiting on submission of draft Bill from Department of Agriculture and Environment Affairs)</i>	Department of Agriculture and Environment Affairs
13. KZN (Provincial) Geographical Names Committee Bill, 2007 <i>(CD: SLAS waiting on submission of draft Bill from Department of Arts, Culture and Tourism. National Cultural Policy Review Process - only envisaged to be finalised within the next 2 years - to culminate in a White Paper setting out new national policy in respect of all arts, culture, heritage and language issues could impact upon, and delay, provincial policy formulation and provincial legislation in respect of museums., heritage, geographical names, archives and libraries etc)</i>	Department of Arts, Culture and Tourism
14. KZN Arts and Culture Council Bill, 2007 <i>(CD: SLAS waiting on submission of draft Bill from Department of Arts, Culture and Tourism. Bill may only be proceeded with after finalisation of National and Provincial policy on the subject matter of the Bill. National Cultural Policy Review Process - only envisaged to be finalised within the next 2 years - to culminate in a White Paper setting out new national policy in respect of all arts, culture, heritage and language issues could impact upon,</i>	Department of Arts, Culture and Tourism

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<i>and delay, provincial policy formulation and provincial legislation in respect of museums., heritage, geographical names, archives and libraries etc)</i>	
15. KZN Arts and Culture Development Fund Bill, 2007 <i>(CD: SLAS waiting on submission of draft Bill from Department of Arts, Culture and Tourism)</i>	Department of Arts, Culture and Tourism
16. KZN Tourism (Amendment) Bill, 2007 <i>(CD: SLAS waiting on submission of draft Bill from Department of Arts, Culture and Tourism)</i>	Department of Arts, Culture and Tourism
17. KZN (Provincial) Archives (Amendment) Bill, 2007 <i>(CD: SLAS waiting on submission of draft Bill from Department of Arts, Culture and Tourism. National Cultural Policy Review Process - only envisaged to be finalised within the next 2 years - to culminate in a White Paper setting out new national policy in respect of all arts, culture, heritage and language issues could impact upon, and delay, provincial policy formulation and provincial legislation in respect of museums., heritage, geographical names, archives and libraries etc)</i>	Department of Arts, Culture and Tourism
18. KZN Languages Bill, 2007 <i>(CD: SLAS waiting on submission of draft Bill from Department of Arts, Culture and Tourism. National Cultural Policy Review Process - only envisaged to be finalised within the next 2 years - to culminate in a White Paper setting out new national policy in respect of all arts, culture, heritage and language issues could impact upon, and delay, provincial policy formulation and provincial legislation in respect of museums., heritage, geographical names, archives and libraries etc)</i>	Department of Arts, Culture and Tourism
19. KZN Sharks Board Bill, 2007 <i>(CD: SLAS waiting on submission of draft Bill from Department of Arts, Culture and Tourism. Pending finalisation of provincial Policy framework, only technical amendments to the Natal Sharks Board Ordinance may be proceeded with in 2007/2008)</i>	Department of Arts, Culture and Tourism
20. KZN Public Libraries and Information Services Bill, 2007 <i>(CD: SLAS waiting on submission of draft Bill from Department of Arts, Culture and Tourism. Bill may only be proceeded with after finalisation of National and Provincial policy on the subject matter of the Bill and National political intervention in respect of constitutional challenges facing service delivery in this sector. National Cultural Policy Review Process - only envisaged to be finalised within the next 2 years - to culminate in a White Paper setting out new national policy in respect of all arts, culture, heritage and language issues could impact upon ,and delay, provincial policy formulation and provincial legislation in respect of museums., heritage, geographical names, archives and libraries etc)</i>	Department of Arts, Culture and Tourism
21. KZN Volunteer-based Crime Prevention Bill, 2007	Department of

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PROPOSED TITLE OF PROPOSED LEGISLATION IDENTIFIED	RESPONSIBLE DEPARTMENT
<i>(CD: SLAS waiting on submission of draft Bill from Department of Community Safety and Liaison)</i>	Community Safety and Liaison
22. KZN Film Commission Bill, 2007 <i>(CD: SLAS waiting on submission of draft Bill from Department of Economic Development)</i>	Department of Economic Development
23. KZN Business Rehabilitation Trust Fund Act Repeal Bill, 2007 <i>(CD: SLAS waiting on submission of draft Bill from Department of Economic Development)</i>	Department of Economic Development
24. KZN Businesses Bill, 2007 <i>(CD: SLAS waiting on submission of draft Bill from Department of Economic Development)</i>	Department of Economic Development
25. KZN Informal Economy Bill, 2007 <i>(CD: SLAS waiting on submission of draft Bill from Department of Economic Development)</i>	Department of Economic Development
26. KZN Consumer Protection Bill, 2007 <i>(CD: SLAS waiting on submission of draft Bill from Department of Economic Development. Indications are that the provincial Bill may not be proceeded with in the light of the all-encompassing national legislation on consumer protection)</i>	Department of Economic Development
27. KZN Trade and Investment Bill, 2007 <i>(CD: SLAS received draft Bill in March 2007 from Department of Economic Development for legal editing and certification)</i>	Department of Economic Development
28. KZN Small Industries Corporation Bill, 2007 <i>(CD: SLAS waiting on submission of draft Bill from Department of Economic Development)</i>	Department of Economic Development
29. KZN Dube Trade Port Bill, 2007 <i>(CD: SLAS waiting on submission of draft Bill from Department of Economic Development)</i>	Department of Economic Development
30. KZN Education (Amendment) Bill, 2007 or KZN Education Council Bill, 2007 <i>(CD: SLAS waiting on submission of draft Bill from Department of Education. Bill to be shelved until 2007 pending finalisation of Provincial policy framework)</i>	Department of Education
31. KZN Health Care Bill, 2007	Department of

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<i>(CD: SLAS waiting on submission of draft Bill from Department of Health)</i>	Health
32. KZN Housing (Amendment) Bill, 2007 <i>(CD: SLAS waiting on submission of draft Bill from Department of Housing)</i>	Department of Housing
33. KZN Local Government Bill, 2007 <i>(CD: SLAS waiting on submission of draft Bill from Department of Local Government and Traditional Affairs. Bill will only be proceeded with in 2007/ 2008 after finalisation of the provincial Policy process and the development of a provincial White Paper on Local Government)</i>	Department of Local Government and Traditional Affairs
34. KZN Traditional Leadership and Governance Amendment Bill, 2007 <i>(Not yet certified. CD: SLAS waiting on submission of draft Bill from the Department of Local Government and Traditional Affairs)</i>	Department of Local Government and Traditional Affairs
35. KZN Planning and Development Bill, 2007 <i>(Not yet certified. CD: SLAS waiting on submission of draft Bill from the Department of Local Government and Traditional Affairs)</i>	Department of Local Government and Traditional Affairs
36. KZN Cemeteries and Crematoria (Amendment) Bill, 2007 <i>(CD: SLAS waiting on submission of draft Bill from Department of Local Government and Traditional Affairs)</i>	Department of Local Government and Traditional Affairs
37. KZN Developmental Social Welfare Services Bill, 2007 <i>(CD: SLAS waiting on submission of draft Bill from Department of Social Welfare and Population Development)</i>	Department of Social Welfare and Population Development
38. KZN Sports Council Bill, 2007 or KZN Sport and Recreation Bill, 2007 <i>(CD: SLAS waiting on submission of draft Bill from Department of Sport and Recreation)</i>	Department of Sport and Recreation
39. KZN Provincial Roads (Amendment) Bill, 2007 <i>(CD: SLAS waiting on submission of draft Bill from Department of Transport)</i>	Department of Transport

7 CHALLENGES

The following constraints were experienced during the execution of the Rationalisation of Laws Project:

1. Serious constraints were experienced by Public Sector Lawyers due to a lack of settled policy within a number of Provincial Departments in terms of which new provincial legislation is to be drafted.

In principle, Public Sector Lawyers are not specifically trained to draft Bills in a policy vacuum. If there is no settled policy, the lawyers are compelled to identify guidelines and formulate policy whilst they are busy drafting legislation. This may serve to fast track the process initially, but only if the policymakers and line functionaries comment on the draft and make their consolidated and agreed upon inputs in respect of the approval, rejection or amendment of the draft proposed by the lawyers. Where no comment or input is received or agreement cannot be reached, the draft formulated by the lawyers cannot be taken further.

2. In light of the fact that certain Departments were for various reasons (and especially the absence of settled policy in some Departments), not yet ready to either proceed with, or finalise, draft legislation, the question could be asked what role (if any) the Public Sector Lawyers in the Departments could play as to the further implementation of the Rationalisation Programme.

As indicated above, the Public Sector Lawyers cannot (and should not) be responsible for policy formulation. What they should do (and have done) is to bring to the attention of the departmental structures concerned, the overview of existing legislation, the functions currently being performed by line officials, the gaps and possible options for the way forward. In the absence of the necessary political or policy guidance, Public Sector Lawyers cannot finalise the relevant draft legislation.

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3. The ultimate production of a rationalised Statute Book for KwaZulu-Natal Province is subject to -

- Settled policy formulated in the individual Departments by line functionaries concerned (which policy is to form the basis of the legislation to be drafted);
- Approval of such legislation by the HoD and MEC;
- Approval of the draft legislation by the Executive Council (Cabinet); and
- The legislative processes in the Portfolio Committees of the Provincial Legislature and in the Provincial Legislature itself, over which the Public Sector Lawyers Forum have no direct control or influence;
- Enactment;
- Commencement of the legislation concerned.

The Public Sector Lawyers attached to the various Departments had no control over these six components of the finalisation of the legislation process.

4. Although considerable and significant progress was made as regards the drafting and submission to HoDs of legislation in the majority of KZN Provincial Government Departments (see the above **Section 5: Table of legislation drafted and submitted to date, as updated by all KZN Provincial Departments**), there is not as yet a completely rationalised KZN Statute Book.

8 RECOMMENDATIONS

Notwithstanding the lack of settled policy in a number of Departments (which policy should form the basis of draft legislation), the progress that was made as regards the technical editing of existing pre- and post-1994 KZN legislation, should continue. This technical editing (which should result in further instances of draft legislation) – in addition to those pieces of legislation that were completed during the Rationalisation of Law project (August 2004 – March 2007) – consists of:

- The rationalisation of pre- and post-1994 legislation by means of alignment with the provisions of the 1996 Constitution, overarching transversal national and provincial policy and statutory frameworks, as well as Department-specific framework national legislation;
- Providing a statutory framework containing enabling provisions that would create the legal basis for all existing Departmental functions, activities and practices, as well as those functions, activities and practices not previously or currently authorised or regulated by law (which were identified in the course of the implementation of the Rationalisation of Laws Project).