



**OPERATIONAL PLANNING TEMPLATE**

<b>CLUSTER</b>	Governance and Administration	
<b>PROGRAMME</b>	3 (Corporate and Support Services) Sub-Programme: Legal Services	
<b>RESPONSIBILITY</b>	State Law Advisory Services (E931)	
<b>AIM</b>	To provide State Law Advisory Services to the Provincial Government	

<b>Key Objectives</b>	<b>High-level activities</b>	<b>Key outputs</b>	<b>Performance Measures</b>	<b>2003/2004 targets</b>	<b>Human resource allocation</b>	<b>Budget allocation</b>
<b>(1) Verify each Key Objective with the Strategic Objectives in the OOP 2003/2004 Strategic Plan &amp; amend if required</b>						

<b>ADDITIONAL INFORMATION REQUIRED</b>							
	<b>-2 Priority (1, 2, 3)</b>	<b>-3 Priority (1, 2, 3)</b>	<b>(4) Which Other Unit must be involved?</b>	<b>Milestones By Quarter</b>	<b>-5 Milestones By Quarter</b>	<b>-6 Add specific names of persons</b>	<b>-7 What other resources are required?</b>
<b>1. To ensure constituent ability of provincial laws and to ensure that provincial laws reflect and give effect to policy</b>	1. Legally edit and certify provincial legislation 2. Co- ordinate legislative programmes of provincial Departments 3. Facilitate and co- ordinate the provincial Rationalisati on of Laws	1. 3 2. 2 3. 3	1. Legal components of other Departments 2. CPU 3. Lead Advisor/ consultant, MEXCO, Legal components of other Departments	1. From 12 – 25 laws expected to be submitted for legal editing and certification for 2003 2. Linkage with CPU established by Feb 2003 (specific contact persons identified) 3.	1. Ongoing and demand driven 2. March 2003 3. March 2003 – MEXCO informed and consultant to submit draft agreement. June 2003 – CPC approval. Sept 2003 –	1. J Wolmarans 2. BF Ndaki 3. WT Gwala	2x additional State Law Advisor posts; Office furniture; Computer equipment



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Programme			2. Quality provincial legislation enacted and published 3. Provincial laws compliant with the Constitution and unassailable in court 4. Provincial laws reflect policy 5. A rationalised Statute Book for the Province compliant with the Constitution	Rationalised Statute Book commenced by end 2004 Project Dec 2003 – 1 <sup>st</sup> Report. March 2004 – 2 <sup>nd</sup> Report. June 2004 – Evaluation and 3 <sup>rd</sup> Report. Sept 2004 – Final Report. Dec 2004 – Final evaluation		



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<b>2. To provide specialist legal advice to the respective provincial Departments, MEXCO and Cabinet clusters</b>	1. Holding a "watching brief" at meetings of MEXCO and Cabinet clusters 2. Co-ordinate and liaise with the Legal Administration sections in the respective provincial Departments	1. 3 2. 3 3. 3 4. 2 5. 2	1. CPU 2. CPU, Legal components of other Departments 3. CPU, Legal components of other Departments	1. Improvement in the quality (content, format and practical usefulness) of laws and opinions 2. Consistent, well-researched and integrated laws and opinions of high standard unassailable in court	1. Attend monthly meetings of MEXCO and Cabinet clusters from Jan 2003 2. Meetings of Public Sector Lawyers' Forum to be held at least every second month from Jan 2003 3. March 2003 – finalise 1 <sup>st</sup> draft for internal comment; June 2003 – Other	1. J Wolmarans 2. BF Ndaki 3. WT Gwala 4. SO Makinde (specialist Labour Law Advisor (50% of time) 3. Senior State Law Advice)	2x additional State Law Advisor posts; Office furniture; Computer equipment



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3. Conduct legal research in the course of drafting laws and formulating legal opinions 4. Draft a policy document on accessing legal services in the Province for use by	attend Forum 3. Well-researched, timeous (generally, within 14 days of receiving a request) and quality opinions (unassailable in court) provided		3. Policy document for accessing of legal services in the Province for use by Departments to be finalised by April 2003 4. Trial version of Website to be operational	Departments to comment; Sept 2003 – Final policy submitted to MEXCO for approval 4. June 2003		



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Departments 5. Market CD: SLAS and co- ordinate with Departments I Legal Administratio n sections through a website providing information and resources			by end May 2003			



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<b>3. To provide legal assistance in negotiating, drafting and servicing international co-operative memoranda of understanding</b>	1. Negotiating and drafting international memoranda of understanding to which the Province is a party/signatory (assistance to IGR section)	1. 1	1. Attend meetings and negotiations on behalf of the Province 2. Draft memoranda to reflect negotiations and Provincial policy 3. Establish linkage with IGR	1. IGR 2. CPU 3. IGR	1. Memoranda of understanding comply with accepted norms in relation to content and format 2. Content of memoranda must fall within provincial competence and be capable of practical implementation 3. The profile of the Province	1. IGR has requested more intensive involvement of CD: SLAS in 2003 2. Linkage established with IGR end March 2003 (specific contact persons identified)	1. Ongoing and demand driven 2. March 2003	1. Provincial Chief State Law Advisor (6% of time) 1. J Wolmarans	



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3 <b>4. To co-ordinate and facilitate training iro legal drafting</b>	1. Arrange and co-ordinate legal drafting training courses 2. Facilitate attendance by State Law Advisors and Administratio	1. University/ Consultants providing the training 2. All other legal components in Departments	1. Improvement in quality (content and format) of draft legislation submitted to CD: SLAS for legal editing and certification 2. Less time spent by CD: SLAS in	1. First round of training to commence by April 2003 2. 15 – 25 candidates expected to be nominated for the first round (total number	1. 1 <sup>st</sup> round of training to be completed by end June 2003  1. Provincial Chief State Law Advisor (6% of time)  1. J Wolmarans	R85 registration fee and R4.000 course fee per candidate. Costs to be carried by each individual Department



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<b>5. To establish contact with public sector lawyers and jurists nationally and internationally</b>	1. Attendance of relevant national (and international) public sector law seminars and workshops 2. Networking	1. 1 2. 2	1. CAPSL, State Law Advisors national and State Law Advisors in other provinces	redrafting and reformating Bills before certification	1. CD: SLAS an institutional member of CAPSL (Commonwealth Association of Public Sector Lawyers) since	1. J Wolmarans 2. BF Ndaki	
	2			dependant upon interest and reaction from various Departments)	1. CD: SLAS already an institutional member of CAPSL since September 2002 2. Establish contact with State Law	1. Provincial Chief State Law Advisor (3% of time) 2. Principal State Law Advisor (2% of time)	



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and sharing information with counterparts nationally and internationally			September 2002 2. Establish contact with State Law Advisors at national level by March 2003	Advisors at national level, Western Cape Province and Gauteng Province by March 2003		