

<b>CLUSTER</b>		<b>Governance and Administration</b>								
<b>PROGRAMME</b>		<b>Public Service Transformation (Programme: 2)</b>								
<b>RESPONSIBILITY</b>		<b>Chief Directorate: State Law Advisory Services (including Sub-Directorate: Language Services)</b>								
<b>AIM</b>		To provide transversal state law advisory services to the provincial government								
Key Objectives		High-level activities		Key outputs		Performance Measures	2005/2006 Targets		Human resource allocation	Budget allocation
	Priority (1, 2, 3)		Priority (1, 2, 3)		Which Other Unit must be involved?			Milestones By Quarter		What other resources required?
<b>1. To manage and co-ordinate the provincial Rationalisation of Laws Project</b>	1	1. Manage consultant in accordance with Project Plan 2. Co-ordinate legal components in provincial departments 3. Liaise with IPSP	1.1 2.2 3.2	1. Project managed in accordance with Project Plan 2. Legally edited and certified legislation which, when passed by the Provincial Legislature, will result in a rationalised Statute Book for the Province	IPSP (for Phases 1 – 3 being the donor funded portion of the project)	1. Quality provincial legislation certified 2. Certified laws compliant with the Constitution and unassailable in court 3. Certified laws reflect policy 4. Certified laws will result in rationalised Statute Book if enacted by Provincial Legislature	Progress with Rationalisation of Laws Project in accordance with Project Plan	1. Phases 1 – 3 (donor funded portion) to be completed at end May 2005 2. Phases 4 – 11 (provincially funded portion) scheduled for completion at end 2007/ 2008 financial year	1.1x Prov. Chief State Law Advisor 2.1x Senior State Law Advisor (vacant) 3. 2x State Law Advisor	1. Phases 1 – 3 of Project funded by IPSP donor funding: R750 000 2. Phases 4 – 11 of Project to be funded by Province: approx R2,2M
<b>2. To ensure constitutionality of provincial laws and to ensure that provincial laws reflect and give effect to policy</b>	1	1. Legally edit and certify provincial legislation 2. Co-ordinate legislative programmes of provincial Department	1. 1 2. 2	Legally edited and certified provincial legislation	1. Legal components of other Departments 2. CPU 3. MEXCO, Legal components of other Departments	1. Generally, within 21 days of receipt of request/ draft legislation 2. Quality provincial legislation certified 3. Certified laws compliant with the Constitution and unassailable in court 4. Certified laws reflect policy	At least 10 laws (draft Bills and Regulations) expected to be submitted for legal editing and certification for 2005/ 2006. This target is dependent upon the legislative programme of line function Departments	Quarterly Reports will be submitted	1.1x Prov. Chief State Law Advisor 2.1x Senior State Law Advisor (vacant) 3. 2x State Law Advisor	See approved Budget for 2005/2006 (R5,114M)

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<b>3. To provide specialist legal advice to the respective provincial Departments, MEXCO, Cabinet (Executive Council) clusters and key units in the Office of the Premier</b>	1	1. "Watching brief" MEXCO and Cabinet clusters 2. Co-ordinate and liaise with the legal components in the respective provincial Departments	1. 2 2. 1	1. Attend meetings of MEXCO and Cabinet clusters when invited 2. Generally, within 14 days of receiving a request) and quality opinions (unassailable in court) provided 3. Research articles, publications and case law	CPU, IGR, Legal components of other Departments	1. Improvement in 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	Attend monthly meetings of MEXCO and Cabinet clusters when invited	Quarterly Reports will be submitted	1.1x Prov. Chief State Law Advisor 2. 1x Prin. State Law Advisor 3. 1x Senior State Law Advisor (vacant) 4. 2x State Law Advisor	See approved Budget for 2005/2006 (R5,114M)

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<b>4. To chair the KZN Public Sector Lawyers' Forum meetings</b>	2	1. Convene, hold, chair and provide secretarial services to meetings of the KZN Public Sector Lawyers' Forum at least every second month 2. Contact and networking with public sector lawyers in the Province aimed at improving relationships and sharing knowledge and skills	1.2 2.2	1. Convene, hold, chair and provide secretarial services to meetings of the KZN Public Sector Lawyers' Forum 2. Contact and networking with public sector lawyers in the Province aimed at improving relationships and sharing knowledge and skills	CPU, IGR, Legal components of other Departments	Improvement in quality (content, format and practical usefulness) of laws and opinions in Provincial line function Departments	Ordinary meetings of the KZN Public Sector Lawyers' Forum to be held monthly excluding January and December  The Rationalisation of Laws Project will be co-ordinated through the KZN Public Sector Lawyers' Forum	Quarterly Reports will be submitted	1.1x Prov. Chief State Law Advisor (Chairperson) 2. 1x State Law Advisor (Secretariat) 3. 1x Secretary (Secretariat function)	See approved Budget for 2005/2006 (R5,114M)

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<b>5. To undertake constitutional and legal research and to provide specialist legal advice (to the respective provincial Departments, MEXCO, Cabinet clusters and key units in the Office of the Premier) on constitutional issues</b>	1	Research articles, publications and case law with a bearing on the Constitution	1.1	1. Research articles, publications and case law with a bearing on the Constitution 2. Produce a Monthly Report on the State of the Constitution		Better informed policy, law and legal opinion	1. Hold a "watching brief" in respect of constitutional amendments and Constitutional Court decisions 2. Attend monthly meetings of MEXCO and Cabinet clusters when invited	Submission of Monthly Report on the State of the Constitution to the Provincial Chief State Law Advisor	1x Prin. State Law Advisor	See approved Budget for 2005/2006 (R5,114M)
<b>6. To participate in the drafting and amendment of the PGDS</b>	2	Serve on the PGDS Task Team and assist as required	2	Serve on the PGDS Task Team	MEXCO; Line function Departments	PGDS better informed iro policy and law	Hold a "watching brief" iro the PGDS in respect of governance and legal issues	Dependant upon programme of PGDS Task Team	1x Prin. State Law Advisor	See approved Budget for 2005/2006 (R5,114M)

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<b>7. To provide legal assistance in negotiating, drafting and servicing international co-operative memoranda of understanding</b>	2	Negotiating and drafting international memoranda of understanding to which the Province is a party/ signatory (assistance to IGR section)	2	Negotiating and drafting international memoranda of understanding to which the Province is a party/ signatory (assistance to IGR section)	1. IGR 2. CPU	1. Memoranda of understanding comply with accepted norms iro content and format 2. Content must fall within provincial competence and be practically implementable 3. The profile of the Province raised and showcased internationally	Demand driven – dependant upon requests from IGR	Quarterly Reports will be submitted	1x Prov. Chief State Law Advisor	See approved Budget for 2005/2006 (R5,114M)

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<b>8. To co-ordinate and facilitate legislative drafting training</b>	2	1. Arrange and co-ordinate legal drafting training courses 2. Facilitate attendance by State Law Advisors and Legal Admin Officers (KZN Public Sector Lawyers)	1. 2 2. 2	1. Enhancement of legislative drafting skills within the Province 2. Candidates trained must submit practical assignments and complete a 3 -hour written examination. Successful candidates who pass both the assignments and the written examination will graduate with a certificate from RAU	1. University/ Consultants providing the training 2. All other legal components in Departments and Prov. Legislature	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 redrafting and reformatting Bills before certification	1. Facilitate training of any public sector lawyer not trained previously (new appointees)  2. Extend legislative drafting to members of NADEL and the BLA as part of empowerment initiative and to capacitate private sector lawyers who will assist Provincial Departments in the Rationalisation of Laws Project	The dates for the 2005 Legislative Drafting Certificate Course are as follows:  <b>Lectures:</b> 1st set: Thursday 10 and Friday 11 February 2005 2nd set: Thursday 5 and Friday 6 May 2005  <b>Assignments:</b> Must be completed between the 1st and 2nd sets of lectures  <b>Written Examination:</b> Friday 10 June 2005	1x Prov. Chief State Law Advisor	R100 registration fee and R5 000 course fee per candidate. Costs to be carried by each individual Department

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<b>9. To establish contact with public sector lawyers and jurists nationally and internationally</b>	3	1. Attendance of relevant national (and international) public sector law seminars and workshops 2. Networking and sharing information with counterparts nationally and inter-nationally	1. 3 2. 3	Membership of, and participation in, relevant national and international public sector law associations, such as CAPSL	1. CAPSL (Commonwealth Association of Public Sector Lawyers), State Law Advisors national and State Law Advisors in other provinces 2. The KZN Public Sector Lawyers' Forum	Application of national and international best practice to the Province	Maintain contact with State Law Advisors in other provinces and attend Inter-Provincial State Law Advisors' Meetings when scheduled	Quarterly Reports will be submitted  Dates for Inter-Provincial State Law Advisors' Meetings not yet determined	1.1x Prov. Chief State Law Advisor 2.1x Senior State Law Advisor (vacant) 3. 2x State Law Advisor	See approved Budget for 2005/2006 (R5,114M)
<b>10. To provide accurately translated legislation and Government notices</b>	1	1. Accurately translate certified laws and Government notices into <i>isiZulu</i> and <i>Afrikaans</i>	1. 1	<i>isiZulu</i> and <i>Afrikaans</i> texts of laws and notices available at time of introduction of legislation into the Provincial Legislature and publication of notices in the <i>Provincial Gazette</i>	Legal administration and language services components of other Departments	1. Certified laws translated within 21 days of submission to Sub-directorate: Language Services 2. Notices translated within 7 – 21 days of submission to Sub-directorate: Language Services	Demand-driven as determined by legislative programmes of Provincial Departments	Quarterly Reports will be submitted	1. 1x Deputy Manager: Language Services 2. 1x Chief Language Practitioner (vacant) 3. 3x Language Practitioner	See approved Budget for 2005/2006 (R5,114M)

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<b>11. Maintain CD: SLAS website</b>	3	Update and maintain website at least monthly	3	Maintain fully functional and regularly updated website	IT component	User-friendly website is fully functional. All relevant and updated information about the CD: SLAS, its functions and work (including Operational Plans; a list of legislation received for legal editing and progress with legal editing and the certification process) appears on the website. Both the Provincial website and the website of the KwaZulu-Natal Law Society have linked to the CD: SLAS website	Ongoing and demand driven, but update website at least monthly	Quarterly Reports will be submitted	1x Prov. Chief State Law Advisor	See approved Budget for 2005/2006 (R5,114M)