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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

NO. 2088

19 May 2022

IMPLEMENTATION OF THE REVIEWED LANGUAGE POLICY FOR THE DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

I, Barbara Dallas Creecy, Minister of Forestry, Fisheries and the Environment, hereby publish the reviewed Language Policy for the Department of Forestry, Fisheries and the Environment in terms of section 4(2)(h) of the Use of Official Languages Act, 2012 (Act No. 12 of 2012), read with regulation 3(3) of the Use of Official Languages Regulations, published under Government Notice No. R.150 in *Government Gazette* 37398 on 28 February 2014, as set out in the Schedule hereto, for implementation.

The reviewed Language Policy can be downloaded by the members of the public at the following website link: <https://www.dffe.gov.za/legislation/guidelines>.



BARBARA DALLAS CREECY
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

SCHEDULE



**forestry, fisheries
& the environment**

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

REVIEWED LANGUAGE POLICY

FOR THE

DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

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1. BACKGROUND

1.1 As a means to promote the marginalised indigenous languages, the national government deemed it fit to promulgate the Use of Official Languages Act, 2012 (Act No. 12 of 2012) (the Act). The Act obliges national government departments, public entities and public enterprises to strive for the parity of South African official languages. The Act took effect from 2 May 2013 after it was assented to law by the former President Jacob Zuma. Among other things, the Act emphasises the promotion of multilingualism in South Africa to ensure equal treatment of all official languages. Therefore, national departments were obligated to establish language units and develop language policies.

1.2 The Department of Forestry, Fisheries and the Environment (DFFE) is mandated to give effect to the right of citizens to an environment that is not harmful to their health or well-being, and to have the environment protected for the benefit of present and future generations. To this end, the DFFE provides leadership in environmental management, conservation and protection towards sustainability for the benefit of South Africans and the global community. In line with its mandate, the Language Policy of the DFFE seeks to regulate the proper usage of languages, the promotion of marginalised indigenous languages, and the functioning of the Language Service Unit as a functional instrument to monitor implementation, evaluate outputs and outcomes, and ensure compliance through the submission of written reports to the Pan South African Language Board, as required by the Act. Furthermore, the Language Policy is instrumental in aligning the functions of the Language Service Unit to those prescribed in the Act.

2. PURPOSE

2.1 The purpose of this Language Policy is to establish an acceptable and equitable operational language dispensation for the DFFE by –

2.1.1 promoting the equitable use of and respect for the official languages of the Republic in order to realise social, cultural and linguistic justice in line with section 6 of the Constitution;

2.1.2 facilitating access to information by various communities of South Africa through the languages of their choice;

2.1.3 promoting the indigenous languages that were previously marginalised;

2.1.4 identifying departmental official languages that will be used as media of communication;

2.1.5 fostering compliance with the provision of the departmental language policy and the legislation thereto;

- 2.1.6 encouraging the use of plain language when communicating in the DFFE;
- 2.1.7 giving effect to the concept of cooperative governance in terms of language policy development and implementation by encouraging other government language offices to share and build capacity to perform language functions; and
- 2.1.8 providing guidance when communicating with persons with hearing and sight challenges.

3. SCOPE OF APPLICATION

- 3.1 This Language Policy shall apply to –
 - 3.1.1 all employees of the DFFE, internal and external clients, and members of the public; and
 - 3.1.2 all services offered by the DFFE at national, provincial and regional levels.

4. DEFINITIONS

'Act' means the Use of Official Languages Act, 2012 (Act No. 12 of 2012);

'Braille' means a printed language for the blind in which characters are represented by patterns of raised dots;

'Constitution' means the Constitution of the Republic of South Africa, 1996;

'functional multilingualism' means an approach that takes into account the language preference, use and proficiency of a particular group, in other words, that not all the official languages need to function in every context;

'interpreting' means the act of clarifying the meaning of verbal communication for another person who is not conversant with the language medium of a particular communication, either by giving a word-for-word translation verbally, or by providing the gist of its content in the presence of the client;

'language of record' (also referred to as 'working language') means an official language chosen for record keeping or archiving processes and documentation of the DFFE, in other words, plain English in the DFFE to aid in understanding;

'liaison interpreting' means the most informal form of interpreting (usually by colleagues/internal staff members) to facilitate understanding between two or many parties, which may include South African Sign Language interpreting;

'official languages of the Republic' means the 11 official languages of the Republic of South Africa, namely Sepedi, Xitsonga, Tshivenda, Sesotho, Setswana, isiZulu, isiNdebele, isiXhosa, Swati, Afrikaans and English in terms of section 6(1) of the Constitution;

'otherwise' means other types of interpreting, such as simultaneous, consecutive, telephone or whispered interpreting, or a participant of an event acting as an interpreter in a situation where

one or more of the other participants in the event (meeting, interview, etc.) do not understand the language in which the event is being held;

'PanSALB' means the Pan South African Language Board;

'property' means the property of the DFFE, namely buildings (inside and outside), vehicles and any other form of resource of which the DFFE has ownership;

'Republic' means the Republic of South Africa;

'South African Sign Language' means a system of communication used among and with deaf people, consisting of facial and manual gestures and signs in South Africa; and

'translation' means the transposing of a text from one language to another, with the translated text having the same message as the original text.

5. LEGISLATIVE FRAMEWORK

- 5.1 The Constitution of the Republic of South Africa, 1996;
- 5.2 The Use of Official Languages Act, 2012 (Act No. 12 of 2012);
- 5.3 Regulations in terms of section 13 of the Use of Official Languages Act, 2012;
- 5.4 Pan South African Language Board Act, 1995 (Act No. 59 of 1995);
- 5.5 Public Finance Management Act, 1999 (Act No. 1 of 1999);
- 5.6 Promotion of Access to Information Act, 2000 (Act No. 2 of 2000);
- 5.7 The White Paper on Transforming Public Service Delivery, 1997;
- 5.8 Statistics Act, 1999 (Act No. 6 of 1999); and
- 5.9 Regulations on Fair Administrative Procedures of the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000) (PAJA Regulations).

6. PRINCIPLES

- 6.1 The Language Policy of the DFFE is based on the following principles:
 - 6.1.1 *Functional multilingualism* – language preference(s), use and proficiency of the target audience; a broad acceptance of linguistic diversity; and recognition of linguistic human rights (language rights);
 - 6.1.2 Social justice; and
 - 6.1.3 Batho Pele principles.

7. OFFICIAL LANGUAGES OF THE DFFE

- 7.1 In promoting the use of the indigenous languages and all the official languages of the Republic, including South African Sign Language, the DFFE adopts all 11 official languages of the

Republic as its official languages and, on request, takes the following use of the official languages into consideration, subject to paragraph 7.2 below. The DFFE recognises the Khoi, San and Nama languages.

Head Office (Gauteng)	All the official languages of the Republic
Eastern Cape	Afrikaans, English and isiXhosa
Free State	Afrikaans, English, isiXhosa and Sesotho
KwaZulu-Natal	Afrikaans, English, isiXhosa, isiZulu and Sesotho
Limpopo	Afrikaans, English, isiNdebele, Sepedi, Tshivenda and Xitsonga
Mpumalanga	Afrikaans, English, isiNdebele, isiZulu, Sepedi, Siswati and Xitsonga
Northern Cape	Afrikaans, English, isiXhosa, Khoi, Nama, San and Setswana
North West	Afrikaans, English, Khoi, Nama, San and Setswana
Western Cape	Afrikaans, English and isiXhosa

- 7.2 The following factors will be taken into account in arriving at the choice of official language(s) the DFFE will use in each context/situation, while honouring the spirit of the Constitution:
- 7.2.1 Geographical usage;
 - 7.2.2 Practicality;
 - 7.2.3 Cost and budget availability;
 - 7.2.4 Regional circumstances; and
 - 7.2.5 Availability of capacity.

8. INTERNAL VERBAL COMMUNICATION

- 8.1 Internal disciplinary hearings, job interviews and performance assessments in the DFFE may be conducted in the preferred official language of the employee other than English subject to paragraph 7.2 if all employees in the verbal communication speak the same common language and it has been mutually agreed by all participants that the verbal communication may continue in the chosen language. English translations of any documents or audio recordings emanating from the verbal communication mentioned above should accompany the original documentation or audio recordings as the language of record.
- 8.2 All official verbal intradepartmental and interdepartmental communication of the DFFE will be conducted in plain English as the language of record of the DFFE. An interpreting service (*liaison* or *otherwise*) into one or more of the languages in the table in paragraph 7.1 will be

made available on request and subject to paragraph 7.2. If all employees in the verbal communication (for example, an internal meeting) speak the same common language, the meeting may be held in that language if every person in the meeting is in agreement, but the record of that interaction should be in plain English and any required indigenous language(s).

9. EXTERNAL VERBAL COMMUNICATION

- 9.1 External meetings in the DFFE may be conducted in an official language other than English if it is a common language understood by all the participants in the verbal communication and if all the participants agree to that common language being used instead of English. English translations of any documents or audio recordings emanating from these communication events should accompany the original documentation or audio recordings as the language of record. Speeches will be drafted and issued in English and interpreters (*liaison* or *otherwise*) will be provided when necessary, depending on the target audience and subject to the languages in the table in paragraph 7.1.
- 9.2 If an official is not available at the call centre or receptions of the DFFE and during one-on-one meetings to assist clients of the DFFE in their preferred language, interpreters (*liaison* or *otherwise*) will be used to supplement written communication and assist clients in gaining access to departmental services and information, subject to the languages in the table in paragraph 7.1.
- 9.3 The DFFE may provide an interpreting service (*liaison* or *otherwise*) if important or strategic information is to be conveyed verbally to groups of multilingual residents at public events organised by the DFFE (for example, *izimbizo*), subject to the languages in the table in paragraph 7.1.

10. INTERNAL WRITTEN COMMUNICATION

- 10.1 All official written intradepartmental and interdepartmental communication of the DFFE will be conducted in plain English as the language of record of the DFFE with a translation into one or more of the target official languages in the table in paragraph 7.1 and subject to paragraph 7.2, being made available, on request, within 15 days of the written request, taking reasonable measures to serve its clients in the language(s) of their choice in order to promote operational efficiency. All internal departmental documents that need to be archived will, for practical administrative reasons, be available in English as the language of record. Internal written communication includes annual reports, annual performance plans, strategic plans, booklets

and brochures, posters and wall charts, appointment letters, standard operating procedures, and internal magazine articles.

- 10.2 Conditions of service, strategic circulars, important human resource information, health and safety information, and other strategic documents of the DFFE will be made available in the official languages of the Republic, on request, subject to the table in paragraph 7.1 and subject to paragraph 7.2.

11. EXTERNAL WRITTEN COMMUNICATION

- 11.1 All official external written public-facing communication will be conducted in plain English or the preferred language of the recipient. All external correspondence of the DFFE may be translated into the language in which the original communication was received, within 15 days subject to paragraph 7.2, provided that a plain English translation of the document accompanies the response and is archived for record purposes and possible legal proceedings in order to facilitate understanding and improving communication. External written communication includes letters to the public; newspaper and magazine supplements; booklets and brochures; posters and wall charts; newspaper advertisements and forms for the Branches of the DFFE to be published for public consumption on the website of the DFFE. These forms may be translated, on request, for understandability purposes, but completed forms will be translated back into English for record-keeping purposes. Media releases will be drafted and issued in English. Strategies, frameworks, policies, government notices, green papers, draft white papers, Bills and regulations and guidelines will be published for public comment in English and in at least one of the other official languages in the *Government Gazette* in accordance with regulation 4(2)(b)(iv)(aa) of the PAJA Regulations, 2020, subject to the table in paragraph 7.1 and subject to paragraph 7.2, and as soon as a panel of freelance language practitioners has been procured.
- 11.2 The DFFE, on request or when there is a need, may provide multilingual liaison interpreters to supplement written communication and assist clients in gaining access to departmental services and information subject to paragraph 7.2. Liaison interpreters will be used for liaison interpreting at customer call centres, receptions and during one-on-one meetings subject to paragraph 7.2.
- 11.3 All external departmental documents that need to be archived will, for practical administrative reasons, be available in English as the language of record.

12. INTERNATIONAL COMMUNICATION

- 12.1 International communication shall be in English or the preferred language of the country in question. Whenever a written submission or any other document is in a foreign language, translation services should be used to reply in the relevant language subject to paragraph 7.2.

13. COMMUNICATION WITH THE HEARING/SIGHT IMPAIRED

- 13.1 The Language Service Unit of the DFFE may facilitate South African Sign Language interpreting provided that the DFFE is notified seven days before the actual date of service and conversion of text into large print, Braille or alternatively audio on request within three to seven days from the day on which a written request is obtained. This applies to internal and external communication.

14. SIGNAGE

- 14.1 Official signs (fixed and not permanently fixed) on, inside and outside the property of the DFFE may be displayed in the languages indicated in the table in paragraph 7.1 and subject to paragraph 7.2.
- 14.2 Requests must be submitted to the Chief Directorate: Facilities Management in the Branch: Corporate Management Services for approval.

15. THE LANGUAGE SERVICE UNIT OF THE DFFE

- 15.1 The Language Service Unit of the DFFE will oversee the implementation of the Language Policy by –
- 15.1.1 developing a Language Policy implementation strategy to drive and monitor the implementation process across the DFFE, and to ensure compliance;
- 15.1.2 facilitating and coordinating the implementation of the policy by providing translation, editing, interpreting, language training and terminology development services;
- 15.1.3 conducting regular language surveys and audits to assess the appropriateness of the existing policy and practices of the DFFE, and making recommendations for improvement;
- 15.1.4 raising awareness of the Language Policy to ensure compliance;
- 15.1.5 reporting to the relevant language control bodies (in other words, *PanSALB*) on progress with the implementation of the policy quarterly;
- 15.1.6 working closely with the Department of Sport, Arts and Culture, and *PanSALB* established in terms of the Pan South African Language Board Act, 1995 (Act No. 59 of 1995), as well as

other language bodies, national structures, forums and other avenues to promote the equitable treatment of all official languages of the Republic;

- 15.1.7 raising awareness among the officials of the DFFE and the public in general about their language rights; and
- 15.1.8 executing its functions by elevating the previously marginalised languages.

16. OTHER LANGUAGE STAKEHOLDERS

- 16.1 The Language Service Unit will work in collaboration with other language structures, such as other language units in government, *PanSALB*, institutions of higher learning, and the National Foreign Languages Forum to monitor the implementation of the Language Policy and the use of the official languages of the Republic in the DFFE regarding multilingualism, language research, training and development.

17. PUBLICATION OF AND ACCESS TO THE LANGUAGE POLICY OF THE DFFE

- 17.1 The Language Policy will be gazetted in English as the language of record of the DFFE.
- 17.2 The Language Policy shall be available in all the official languages of the Republic on the website of the DFFE for easy access by the general public as soon as a panel of freelance language practitioners has been procured. The hard copy of the Language Policy shall also be made available by the Language Service Unit in all the official languages of the Republic on request.
- 17.3 Electronic copies can also be requested by email at languageservices@dffe.gov.za or telephonically from the Call Centre on **+27 86 111 2468**.
- 17.4 The Language Policy shall be available in Braille by sending a request via email to languageservices@dffe.gov.za or by calling the Call Centre on **+27 86 111 2468**.

18. IMPLEMENTATION OF THE LANGUAGE POLICY

- 18.1 The DFFE will implement the Language Policy progressively until it is reviewed, as contemplated in paragraph 20.

19. COMPLAINTS MECHANISM

- 19.1 Any person who is adversely affected by the use of the Language Policy may lodge a complaint to the Office of the Director-General of the DFFE at the following address:

By post to: The Director-General: Department of Forestry, Fisheries and the Environment, Private Bag X447, Pretoria, 0001

By hand at: Environment House, 473 Steve Biko Road, Arcadia, 0083

19.2 The complaint must –

19.2.1 be in writing;

19.2.2 be lodged within three months of the complaint arising;

19.2.3 state the name, address and contact information of the person lodging the complaint; and

19.2.4 provide a full and detailed description of the complaint.

19.3 The Director-General may request a complainant to supply any additional information necessary to consider the complaint; and attend the meeting for the purpose of making a verbal enquiry into the complaint.

19.4 The Director-General shall consider the complaint and respond in writing no later than three months after the complaint was lodged, informing the complainant of the decision.

19.5 The complainant may lodge an appeal with the Minister of Forestry, Fisheries and the Environment if not satisfied with a decision of the Director-General in writing within one month of a decision contemplated in paragraph 19.4, stating the name, address and contact information of the person lodging the appeal and providing a detailed description of the complaint.

20. POLICY REVIEW

20.1 The Language Policy shall be reviewed every five years or when a need arises.

21. AMENDMENT OF THE LANGUAGE POLICY

21.1 The DFFE may amend the Language Policy on the basis of the following factors:

21.1.1 Implementation challenges emanating from the principles of the policy;

21.1.2 Recurring audit queries that point to the inefficiency and ineffectiveness of some of the provisions of the policy;

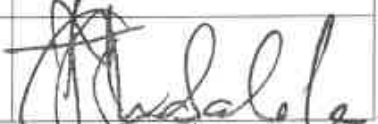
21.1.3 An amendment of national legislation;

21.1.4 A mandate from the Executive Authority who is responsible for the regulation of languages in the national government; or

21.1.5 When it is necessary, in order to give effect to the Act.

22. AUTHORISATION AND EFFECTIVE DATE

This is done and signed in Pretoria on the 3rd day of may 2022

DEPARTMENT	NAME OF REPRESENTATIVE	SIGNATURE
FORESTRY, FISHERIES AND THE ENVIRONMENT	DIRECTOR-GENERAL:	

Effective Date: 03 / 05 2022

