



**higher education
& training**

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

MARKING GUIDELINE

NATIONAL CERTIFICATE

PUBLIC ADMINISTRATION N4

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This marking guideline consists of 10 pages.

SECTION A**QUESTION 1**

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

(10 × 2) **[20]**

QUESTION 2

- 2.1 laws/legislation
- 2.2 bill
- 2.3 minister of a department/deputy minister/parliamentary committee/individual member of parliament
- 2.4 Officials
- 2.5 National Council of Provinces; money bill
- 2.6 committees
- 2.7 president
- 2.8 Government Gazette
- 2.9 act; law

[20]

TOTAL SECTION A: 40

SECTION B**QUESTION 3**

- 3.1
- The child's first contact with welfare services is gained within the family, where care is taken of the aged, the ill and helpless children.
 - The family is the child's first contact with a system of protection, where the family protects its members and property.
 - The family serves as a first status symbol, as the child belongs to a group with a cultural and social background.
 - The child will not only receive parental care, help, support and emotional security, but also skills to cope in the community.
 - The child learns to develop interpersonal relationships, which will determine whether the world is friendly or hostile.
 - The parent introduces the child to various groups in his/her environment and to the characteristics of each of these groups.
 - The child is taught to love his/her neighbour and to sacrifice personal needs for the benefit of the group.
 - The child is introduced to social restrictions, such as acceptable behavioural norms, limits of tolerance of what is right and wrong, moral standards and attitude.
- (Any relevant 4 × 2) (8)
- 3.2
- It is conducted within government institutions.
 - It is a distinctive specific activity where something must be done.
 - It is a system of structures and processes.
 - It takes place within a society.
 - It aims to make proper laws and regulations for society.
 - It puts laws and regulations into place and applies it to the society.
- (Any relevant 4 × 2) (8)
- 3.3
- 3.3.1
- It means that the law is the uppermost and highest authority.
 - People and the government are not the highest authority.
 - The law states what may not be done, or else a person will be punished according to the law.
 - Citizens of a democratic state are not governed by the arbitrary judgement of state officials, but common law will serve as a measure to determine which citizens have committed misdeeds or offences.
- (Any relevant 2 × 1) (2)
- 3.3.2
- Officials, who execute policies, may not be given so many powers that they can apply the law according to their own judgement.
 - All citizens of a country are equal in the eye of the law, within the limitations of the laws of the land, irrespective of race, religion or sex.
 - The judiciary functions must be executed by people who are on the judiciary bench and are impartial people, who stand independent of the state.
- (3 × 2) (6)

3.4 Legislative authority

- Writes laws
- Monitors the executive
- Enacts laws, but may not also execute them or administer justice

Executive authority

- Includes activities in the preparation of the writing of laws
- Includes the running of different state departments within government
- Implements laws
- Not involved in enacting legislation or in administering justice

Judicial authority

- Applies, administers and interprets the laws of the country
- May not enact laws or execute them
- Is independent and only follows the constitution and the law
- Applies the law impartially (Any 3 × 3) (9)

- 3.5 3.5.1
- Research
 - Conducting public relations
 - Providing legal services
 - Notification functions
 - Constructing and maintaining information systems (Any 4 × 1) (4)

3.5.2 Personal

- Decision making
- Communicating
- Conducting meetings

Impersonal

Provisioning of

- Offices and workshops
- Furniture
- Stationery
- Motor vehicles
- Technology
- Laboratories (Any relevant 3 × 1) (3)

[40]

QUESTION 4

- 4.1 27 April 1994 (2)
- 4.2 Independent Electoral Commission (2)
- 4.3
- The interim constitution made provision for a Government of National Unity for South Africa during the transformation process.
 - All parties involved in the conflict participated in the reconciliation and decision-making process at national level, while the final constitution was being negotiated and drafted.
 - This Government of National Unity governed for five years, while the drafting of the constitution was in progress.
 - It was the first time the country was united, with all different political parties being represented within government.
 - A true democratic nation is based upon inclusive participation, peace and reconciliation. (Any relevant 2 × 2) (4)
- 4.4
- The voter's identity document is scanned and checked.
 - The voter's list will be checked and details crossed out.
 - The base of the thumbnail, on the right hand, is checked for invisible ink.
 - A drop of ink is placed on the base of the thumbnail.
 - The voter receives two ballot papers - national and provincial ballot papers.
 - The voter marks the party of his choice in the voting booth.
 - The voter places the national ballot paper in the national ballot box.
 - The voter places the provincial ballot paper in the provincial ballot box.
 - The voter leaves the voting station. (10)
- 4.5
- Eastern Cape
 - KwaZulu-Natal
 - Northern Cape
 - Limpopo
 - North-West
 - Free State
 - Gauteng
 - Western Cape
 - Mpumalanga (9)

- 4.6
- Make bylaws, provided that they are consistent with the national or provincial legislation
 - Prescribe how municipal income will be spent to provide the necessary services to maintain the well-being of all citizens
 - Ensure that national and provincial policies are enforced on local level
 - Govern on their own initiative, subject to national and provincial legislation and the constitution
 - Closest to the people to understand their needs
 - Provide democratic and accountable government for local communities
 - Ensure the provision of services to communities
 - Promote social and economic development
 - Promote a safe and healthy environment for communities
 - Encourage the involvement of communities in matters of local government
 - Basis of democracy, as it involves all the residents (Any relevant 5 × 2) (10)
- 4.7
- Mayor/Executive mayor
 - Deputy mayor
 - Councillors (3)
- [40]**

QUESTION 5

- 5.1
- 5.1.1
- Serve as the political heads of different state departments
 - Submit policy proposals to cabinet concerning their departments
 - Make proposals about objectives for their departments
 - Ensure that legislation is approved to fulfil these objectives
 - Discuss matters in cabinet meetings with insight and skill (Any relevant 3 × 2) (6)
- 5.1.2
- Answer questions concerning the activities of their department
 - Must be well informed about the executive and administrative activities of their department to answer questions (2 × 2) (4)
- 5.2
- Agriculture, Forestry and Fisheries
 - Basic Education
 - Communications and Digital Technologies
 - Correctional Services
 - Economic Development
 - Environmental Affairs
 - Health
 - Home Affairs
 - National Treasury
 - Sports, Arts and Culture
 - Defence
 - Energy
 - Higher Education and Training
 - Human Settlement
 - International Relations and Cooperation

- Labour
- Mineral Resources
- Police
- Public Enterprises
- Public Service and Administration
- Public Works
- Science and Innovation (formerly Science and Technology)
- Social Development
- Trade and Industry
- Transport
- Social Development
- Cooperative Governance and Traditional Affairs
- Water and Sanitation
- Presidency
- Rural Development and Land Reform
- State Security Energy
- Statistics South Africa (Any relevant 10 × 1) (10)

- 5.3
- If an unrehabilitated insolvent
 - Suffering from a mental derangement
 - Sentenced to imprisonment for more than a year, without the option of a fine
 - Absent without permission for a long time
 - Anyone convicted of an offence and sentenced to more than 12 months imprisonment, without the option of a fine, either in the Republic or outside
 - Permanent delegates to the NCOP or members of a provincial legislature or municipal council (6 × 2) (12)

- 5.4 **Public protector**
- Receives and investigates complaints from the public against government or state agencies or state officials
 - Investigates any conduct in state affairs or public administration, at any level of government, that is improper (maladministration, abuse of power, violations of human rights, dishonesty)
 - Reports on that conduct to the public
 - May not investigate any court decision (Any 2 × 2)

Auditor general

- Audits and reports on the financial statements of all state departments, provincial departments and local governments
 - Audits and reports on any institution funded by public money
 - Makes reports public
 - Serves as a watchdog for the parliament and people of South Africa
 - Performs any other function prescribed by national legislation (Any 2 × 2) (4 + 4) (8)
- [40]**

QUESTION 6

- 6.1
- It consists of 30 to 80 members.
 - Members are elected on a proportional basis in a general election.
 - The premier is the head of the province and the provincial legislature.
 - The term of office is five years.
 - The size of the provincial legislature is determined by the population in a particular province.
- (Any 3 × 2) (6)
- 6.2
- It functions in a similar way as parliament.
 - It has a continuous session, but each legislature stipulates dates and times.
 - Each legislature has its own speaker and deputy speaker.
 - At a debate, one-third of the members must be present, but to vote on a provincial law, the majority of the members must be present.
 - Only a member of the executive council can introduce bills.
 - Each provincial legislature passes its own laws.
 - Each legislature makes laws concurrent to parliament.
 - Decisions are taken through voting.
 - A provincial legislature determines and controls its own internal affairs.
 - Members have freedom of speech and debate, subject to rules and orders.
 - After a provincial law is passed, it is kept at the Constitutional Court.
 - A provincial legislature delegates its legislative power to a municipality.
 - A provincial legislature must set up provincial administrative executive bodies.
 - It passes or amends a constitution for its province.
 - It passes legislation for its province with regard to any matter within their functional area.
 - It passes legislation on any matter outside its functional area assigned to by the province by national legislation.
 - It passes legislation for its province for any matter that the constitution assigns to them.
 - It assigns any of its legislative powers to a municipal council in the province.
 - It passes the provincial budget.
- (Any relevant 5 × 2) (10)

- 6.3
- Determines policy for the management of the various provincial departments
 - Administers and manages provincial departments in accordance with policy laid down by the executive council
 - The premier can assign to a member of an executive council any power and functions of any other member who is absent from office or is unable to exercise those powers and functions.
 - MECs are individually accountable to both the premier and the provincial legislature.
 - Assigns power to a municipality
 - May intervene when a municipal council does not follow regulation
 - Responsible for tasks given to them by the premier
 - Develops and implements provincial legislation in the province
 - Implements provincial legislation within the functional area
 - Coordinates the functions of the provincial administration and its departments
 - Performs any other function assigned to it in terms of the constitution or an act of parliament
- (Any relevant 3 × 2) (6)
- 6.4
- The constitution makes provision for traditional leadership at local, provincial and national levels.
 - National and provincial legislations provide for the establishment of traditional houses to recognise customary law.
 - It makes proposals to the provincial legislature or government in respect of matters relating to traditional authorities, indigenous laws, traditions and customs of traditional communities in the provinces.
 - A provincial bill affecting traditional authorities must be referred to the Provincial House of Traditional Leaders for comments and input by the speaker of the provincial legislature.
 - If the House was opposed to the bill, the provincial legislature does not pass the bill.
- (Any relevant 4 × 2) (8)

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| 6.5 | 6.5.1 | <ul style="list-style-type: none"> • Has jurisdiction in all constitutional matters, except matters that only the Constitutional Court can decide on • Is vested in provinces with appellate divisions • Hears matters that are so serious that the lower courts would not be competent to make a proper judgement • Can sentence offenders to life imprisonment, unless prescribed by the law • Makes decisions binding on magistrate's courts within the area of jurisdiction • Judges are appointed by the president after consultations • Presides over any appeal or reviews from magistrate's courts and other lower courts • Has the authority to declare laws and conduct by political office-bearers unlawful • Presides over any civil matter of more than R100 000 and serious criminal cases that have not been assigned to another court by an act of parliament • Presides over serious criminal cases with a prison sentence of more than 15 years or a fine of more than R300 000 • Presides over matters involving the status of people such as adoption and insolvency | (Any 3 × 2) | (6) |
| | 6.5.2 | <ul style="list-style-type: none"> • Can pronounce judgment on the less serious criminal and civil matters that appear daily • Various types of magistrate courts that pronounce judgment on a great variety of matters, for example ordinary magistrate's court, children's court, regional magistrate's court | (2 × 2) | (4) |

[40]

TOTAL SECTION B:	160
GRAND TOTAL:	200