

## DEPARTMENT OF ARTS AND CULTURE

No. 177 4 March 2015

## USE OF OFFICIAL LANGAUGES ACT, 2012 (ACT NO.12 OF 2012)

## DEPARTMENT OF ARTS &amp; CULTURE'S OFFICIAL LANGUAGE POLICY

The Minister of Arts and Culture hereby under section 4(2)(h) of the Use of Official Languages Act, 2012 (Act No. 12 of 2012), and after consultation with stakeholders, make the DAC Official Language Policy in the Schedule hereto.

(Signed)

EN Mthethwa, MP

Minister of Arts and Culture

Date:02-02-2015

**arts & culture**

Department:

Arts and Culture

**REPUBLIC OF SOUTH AFRICA****DAC OFFICIAL LANGUAGE POLICY****DAC OFFICIAL LANGUAGE POLICY****A. AUTHORISATION AND EFFECTIVE DATE****SIGNATURE**

This done and signed in PRETORIA on the 30<sup>th</sup> day of OCTOBER 2014.

DEPARTMENT	NAME OF REPRESENTATIVE	SIGNATURE
ARTS AND CULTURE	ACTING DG: MR VUYO JACK	(Signed)

EFFECTIVE 2 NOVEMBER DATE:

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**1. Definitions**

<b>Term</b>	<b>Definition</b>
Act	The Use of Official Languages Act, 2012 (Act No, 12 of 2012)
Constitution	The Constitution of the Republic of South Africa, 1996
DAC	Department of Arts and Culture
DG	Director-General of the Department of Arts and Culture
Minister	The Minister of Arts and Culture
PanSALB	The Pan South African Language Board, established in terms of the Pan South African Language Board Act, 1995 (Act No. 59 of 1995)
Policy	The Language Policy of the Department of Arts and Culture
Regulations	The Regulations in terms of the Act
Republic	The Republic of South Africa

**2. Legislative instruments**

- 2.1 The Constitution of the Republic of South Africa, 1996
- 2.2 The Use of Official Languages Act, 2012
- 2.3 Regulations in terms of section 13 of the Use of Official Languages Act, 2012.

### **3. Purpose and regulatory context of this Policy**

- 3.1 This Policy is required by section 4 of the Act, as follows:
  - 3.1.1 section 4(1) provides that every national department, national public entity and national public enterprise must adopt a language policy on its use of official languages; and
  - 3.1.2 section 4(2) provides that a language policy adopted in terms of subsection (1) must:
    - 3.1.2.1 identify at least three official languages that the national department, national public entity or national public enterprise will use for government purposes,
    - 3.1.2.2 stipulate how official languages will be used in effectively communicating with the public, official notices, government publications, and inter and intra- government communication,
    - 3.1.2.3 describe how the national department, national public entity or national public enterprise will effectively communicate with members of the public whose language of choice is not one of its chosen official languages, or South African Sign Language,
    - 3.1.2.4 describe how members of the public can access the language policy, and
    - 3.1.2.5 provide a complaints mechanism to enable members of the public to lodge complaints regarding the use of official languages by a national department, national public entity or national public enterprise.

### **4. Principles**

- 4.1 The principles underpinning this Policy are:
  - 4.1.1 commitment to the promotion of all languages in the Republic in order to ensure constitutional language equity and language rights as required by a democratic dispensation;
  - 4.1.2 recognition of multilingualism as a resource to maximize collaborative partnerships in nation building, economic development and social cohesion;
  - 4.1.3 promotion of good language management by the DAC to ensure efficient public service administration that meets the needs of the public and ensures equitable access to the services, and information of the DAC;
  - 4.1.4 prevention of the use of any language(s) for the purposes of exploitation, domination and discrimination within the DAC;
  - 4.1.5 enhancement of people-centeredness by addressing the interests, needs and aspirations of language communities through on-going dialogue and debate;
  - 4.1.6 recognition of a community-based approach, i.e. a decentralised and participatory approach to language planning and policy implementation in which each government structure is given the power to identify its own working languages, as the most viable manner in which to promote multilingualism given South Africa's highly pluralistic society; and
  - 4.1.7 support for special redress programmes for previously marginalised official indigenous languages, and the learning and teaching of all the official languages of the Republic at all levels of schooling.

### **5. The work of the DAC**

- 5.1 The work of the DAC includes:
  - 5.1.1 mainstreaming the role of arts, culture and heritage in social and economic development;
  - 5.1.2 developing, promoting and protecting the official languages of South Africa and enhancing the linguistic diversity of the country through policy formulation and implementation;
  - 5.1.3 stimulating the development of opportunities in South African arts and culture through mutually beneficial partnerships, and promoting our cultural heritage for socio-economic development; and
  - 5.1.4 developing the archival and information resources of the country.

### **6. The DAC Language Unit**

- 6.1 The DAC Language Unit will support this Policy, The functions of the Language Unit will be to;
  - 6.1.1 advise the DG on the development, adoption and implementation of this Policy;
  - 6.1.2 monitor and assess the use of official languages by the DAC;
  - 6.1.3 monitor and assess compliance with this Policy;
  - 6.1.4 compile and submit a report to the Minister and to the Pan South African Language Board in terms of

section 9 of the Act;

- 6.1.5 promote parity of esteem and equitable treatment of the official languages of the Republic;
- 6.1.6 facilitate equitable access to the services and information of the DAC;
- 6.1.7 promote good language management; and
- 6.1.8 perform any other functions that the Minister may prescribe.

## **7. Training and capacity building**

7.1 In order to achieve the professional and efficient implementation of this Policy, the DAC Language Unit will advise on training and capacity building.

## **8. Use of official languages by the DAC**

8.1 The following factors will be taken into account in arriving at the choice of official language(s) the DAC will use in each context/situation:

- 8.1.1 Usage
- 8.1.2 Practicality
- 8.1.3 Expense
- 8.1.4 Regional circumstances
- 8.1.5 The balance of the needs and preferences of the public it serves.

8.2 The table below indicates how the DAC will use the official languages:

<b>DAC purpose</b>	<b>Language(s)</b>
Inter and intra-government communication	English
Communicating with members of the public (official written correspondence)	The official languages of the Republic with due regard to the criteria outlined in clause 8,1 above.
Communication with members of the public (oral communication)	The official languages of the Republic with due regard to the criteria outlined in clause 8,1 above.
Official publications intended for public distribution (notices on the DAC website, advertisements, forms, and signage on buildings)	The official languages of the Republic with due regard to the criteria outlined in clause 8,1 above.
Public hearings (Izimbizo) and other official proceedings	The official languages of the Republic with due regard to the criteria outlined in clause 8,1 above.
Communication with the hearing or sight impaired	The DAC Language Unit will facilitate South African Sign Language interpreting and conversion of text into Braille or alternatively audio on request.
International communication	English.

## **9. Official languages of the DAC**

9.1 The DAC has adopted all 11 official languages of the Republic as its official languages for purposes of this Policy.

## **10. Communication with members of the public whose language of choice is not one of the official languages of the Republic**

10.1 A member of the public who wishes to communicate with the DAC in a language that is not one of the official languages of the Republic must notify the DAC in writing.

10.2 Due consideration of the criteria outlined in 8.1 will be applied to every request.

10.3 The DAC will arrange for appropriate translation or interpreting within 20 working days of the date of the request having been received by the DAC.

## **11. Communication with members of the public whose language of choice is South African Sign Language**

11.1 A member of the public who wishes to communicate with the DAC in South African Sign Language must notify the DAC in writing.

11.2 The DAC will arrange for appropriate interpreting within 20 working days of the date of the request having been received by the DAC.

## **12. Publication of and access to this Policy**

12.1 This Policy will be published in all the official languages of the Republic.

12.2 It will be available on the DAC's website (<https://www.dac.gov.za>).

12.3 It will be available in Braille on request or alternatively in audio on the DAC's website (<https://www.dac.gov.za>).

12.4 It will be displayed at all DAC offices in such a manner and place that it can be read by the public.

**13. Complaints mechanism**

13.1 Any person who is dissatisfied with a decision of the DAC regarding its use of official languages may lodge a complaint in writing to the DG.

13.2 Any complaint must be lodged:

13.2.1 in writing, and

13.2.2 within three months of the complaint arising.

13.3 Any complaint lodged must state the name, address, and contact information of the person lodging it.

13.4 Any complaint lodged must provide a full and detailed description of the complaint.

13.5 The DG may request a complainant to supply any additional information necessary to consider the complaint and to attend a meeting for the purpose of making an oral enquiry into the complaint.

13.6 The DG will consider the complaint and respond in writing, not later than three months after the complaint was lodged, informing the complainant of the decision.

13.7 If the complainant is dissatisfied with the decision of the DG, he or she may lodge an appeal to the Minister in writing.

**14. Review of Policy**

14.1 This Policy will be reviewed whenever necessary but at least within 5 years.