**Report of the Portfolio Committee on Justice and Correctional Services on Amendments to Practical Guidelines for Employees for Approval in terms of Section 10(4)(B) of the Protected Disclosures Act, 2000 (Act No. 26 Of 2000), Dated 13 June 2023**

The Portfolio Committee on Justice and Correctional Services, having considered the amendments to the Practical Guidelines for Employees submitted in terms of section 10(4)(b) of the Protected Disclosures Act, 2000 (Act No. 26 of 2000), reports as follows:

1. In terms of section 10(4)(a) of the Protected Disclosures Act, 2000 (Act No. 26 of 2000), the Minister of Justice and Correctional Services must issue practical guidelines (Guidelines) which explain (i) the provisions of the Act; and (ii) all procedures which are available in terms of any law to employees or workers who wish to report or otherwise remedy an impropriety.
2. Section 10(4)(b) of the Act provides that the Guidelines must be approved by Parliament before publication in the Gazette.
3. The Guidelines were referred to the Committee for consideration and report on 25 November 2022 and the Committee was briefed on the contents on 7 June 2023.
4. The Guidelines were published in Government Gazette 34572 of 31 August 2011 but as the Act was amended on 2 August 2017, the Guidelines now require amending.
5. Section 8(1) of the Act was amended to include the South African Human Rights Commission, the Commission for Gender Equality, the Commission for Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities, and the Public Service Commission as other institutions to which protected disclosures could also be made. Consequently, the proposed amendments to the Guidelines specify that these are also institutions to which protected disclosures can be made.
6. It is also proposed to amend Part III of the Guidelines to:

* Set out the contact details of the Public Protector in all nine Provinces, and not in only four Provinces as the Guidelines currently provide.
* Set out the contact details of other persons or bodies contemplated in section 8(1)(c) to whom protected disclosures can be made.

1. Finally, it is proposed to delete Part IV, which includes a copy of the Act, from the Guidelines. The proposed deletion would do away with the need to amend the Guidelines by substituting the Act whenever it is amended.

**Recommendation**

1. The Committee recommends that the National Assembly approves the amendments to Practical Guidelines for Employees for approval in terms of section 10(4)(b) of the Protected Disclosures Act, 2000 (Act No. 26 of 2000).

**Report to be considered**