

Department of Traditional Affairs  
**ANNUAL  
PERFORMANCE PLAN**  
2023/24



**traditional affairs**

Department:  
Traditional Affairs  
**REPUBLIC OF SOUTH AFRICA**





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## LIST OF ABBREVIATIONS/ACRONYMS

<b>APP</b>	Annual Performance Plan
<b>CBOs</b>	Community Based Organizations
<b>CBS</b>	Capacity Building Strategy
<b>CD</b>	Chief Director
<b>CFO</b>	Chief Financial Officer
<b>CFS</b>	Corporate and Financial Services
<b>CIA</b>	Customary Initiation Act
<b>CIB</b>	Customary Initiation Bill
<b>CoGTA</b>	Cooperative Governance and Traditional Affairs
<b>CONTRALESA</b>	Congress of Traditional Leaders of South Africa
<b>CPA</b>	Communal Property Association
<b>CRDP</b>	Comprehensive Rural Development Programme
<b>CRLRC</b>	Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities
<b>CWP</b>	Community Works Programme
<b>DCoG</b>	Department of Cooperative Governance
<b>DDG</b>	Deputy Director-General
<b>DG</b>	Director-General
<b>DDM</b>	District Development Model
<b>DPSA</b>	Department of Public Service and Administration
<b>DTA</b>	Department of Traditional Affairs
<b>FY</b>	Financial Year
<b>IDP</b>	Integrated Development Plan
<b>IGR</b>	Intergovernmental Relations
<b>ISC</b>	Institutional Support and Coordination
<b>ISRDP</b>	Integrated Sustainable Rural Development Programme
<b>LGSETA</b>	Local Government Sector Education and Training Authority
<b>LHTKL</b>	Local House of Traditional and Khoi-San Leaders
<b>MEC</b>	Member of the Executive Council
<b>MINMEC</b>	Minister and Members of Executive Councils Committee
<b>MP</b>	Member of Parliament
<b>MTEF</b>	Medium Term Expenditure Framework
<b>MTSF</b>	Medium Term Strategic Framework
<b>NARYSEC</b>	National Rural Youth Services Cooperative
<b>NCOP</b>	National Council of Provinces
<b>NDP</b>	National Development Plan
<b>NGOs</b>	Non-Governmental Organisations
<b>NHTKL</b>	National House of Traditional and Khoi-San Leaders

<b>PanSALB</b>	Pan South African Language Board
<b>PESTEL</b>	Political, Economic, Social, Technological, Environment, Legal
<b>PFMA</b>	Public Finance Management Act
<b>PHTKL</b>	Provincial House of Traditional and Khoi-San Leaders
<b>PSC</b>	Public Service Commission
<b>RIM</b>	Research and Information Management
<b>RPL</b>	Research, Policy and Legislation
<b>SAHRC</b>	South African Human Rights Commission
<b>SALGA</b>	South African Local Government Association
<b>SETA</b>	Sector Education Training Authority
<b>SLPs</b>	Social Labour Plans
<b>SONA</b>	State of the Nation Address
<b>SPLUMA</b>	Spatial Planning and Land Use Management Act
<b>SP</b>	Strategic Plan
<b>SWOT</b>	Strengths, Weaknesses, Opportunities & Threats
<b>TC</b>	Traditional Council
<b>TCs</b>	Traditional Councils
<b>TCos</b>	Traditional Courts
<b>TLGFA</b>	Traditional Leadership and Governance Framework Act
<b>TKLA</b>	Traditional and Khoi-San Leadership Act
<b>ToR</b>	Terms of Reference
<b>UN</b>	United Nations
<b>SWOT</b>	Strengths, Weaknesses, Opportunities & Threats
<b>TC</b>	Traditional Council
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<b>TCos</b>	Traditional Courts
<b>TLGFA</b>	Traditional Leadership and Governance Framework Act
<b>TKLA</b>	Traditional and Khoi-San Leadership Act
<b>ToR</b>	Terms of Reference
<b>UN</b>	United Nations

## EXECUTIVE AUTHORITY STATEMENT

This 2023/24 Annual Performance Plan comes after the Local Government Summit, which was held on 27-28 September 2022 at Birchwood Hotel and Conference Centre, Boksburg. The summit concluded with a number of key resolutions that were taken by the local government sector, aimed at strengthening local government to improve the delivery of services within the District Development Model (DDM).

The Traditional and Khoi-san Leadership sector remains a key partner in the implementation of the DDM. In this regard, the current APP of DTA includes the coordination of the participation of Local Houses of Traditional and Khoi-san Leaders in the DDM to ensure that they play a meaningful role in this regard. These Local Houses are established at District level and they are thus an appropriate entry point for this purpose. Mobilising their participation will also entail supporting them to play a role in educating communities about vandalism and theft of infrastructure, which is one of the action areas agreed to at the Local Government Summit.

The working relations between traditional leaders and municipal councillors also require attention. As part of promoting partnerships with traditional leadership structures as provided for in Section 24 of the Traditional and Khoi-san Leadership Act, DTA will facilitate the conclusion of a Memorandum of Understanding (MoU) between traditional leadership represented by the NHTKL and the South African Local Government Association (SALGA), which is also another action area agreed to at the Local Government Summit.

This is very important so that the concerns around the relations between traditional leaders and councils is addressed. The harmonized relations will create an enabling environment for the implementation and alignment of local and district plans with the Invest Rural Master Plan. We will undertake DDM roadshows that should also be attended to and contributed to by Traditional Leaders and this would require the active participation by the DDM deployees to Provinces.



Capacity building for the sector will remain a priority, and the work that has already been started covering such areas as GBVF, socio-economic development and training on new legislations such as the Customary Initiation Act and the TKLA. The sector will be starting the new financial year with newly constituted Houses at local, provincial and national level, and induction and training will thus be key.

Lastly, the Department has developed the multi-year implementation schedule for the implementation of the Traditional and Khoi-San Leadership Act (TKLA), 2019 and the Customary Initiation Act (CIA), 2021. The implementation of these schedules or plans commenced last year, with the TKLA on 1 April 2021 and the CIA on 1 September 2022. This APP will be the second one for the implementation of these pieces of legislation and there are milestones recorded thus far such as:

- The establishment of the Commission on Khoi-San Matters.
- Alignment of Terms of Offices of Houses
- The process towards the reconstitution of the NHTKL that is guided by the TKLA
- The establishment of the National Initiation Oversight Committee (NIOC)
- The establishment of the Provincial Initiation Coordinating Committees (PICCs) in all Provinces.

A handwritten signature in black ink, appearing to read 'Thembie'.

**Ms Thembi Nkadimeng, MP**

Minister of Cooperative Governance and Traditional Affairs

## DEPUTY MINISTER STATEMENT

The Department of Traditional Affairs (DTA) was formally proclaimed in 2009 as part of the portfolio of Cooperative Governance and Traditional Affairs (CoGTA). The Department is charged with the responsibility to oversee traditional affairs and Khoi-San matters. Through the Commission for the Promotion and the Protection of the Rights of the Cultural, Religious and Linguistic Communities, commonly referred to as the CRL Rights Commission, Government is working towards protecting and promoting the cultural, religious and linguistic rights of all its diverse communities.

In previous engagements, the Portfolio Committee for CoGTA remarked that the budget of the Department and that of the National House of Traditional and Khoi-San Leaders (NHTKL), is a matter of serious concern for them to achieve their mandates. As we advocate for increased funding, we are mindful of the country's fiscal squeeze.

We are optimistic in the strides that are being pursued towards a fully-fledged Department that will be able to fully execute its mandate, that is to implement, coordinate and facilitate traditional affairs programmes and projects. This entails the reconsideration of the organisational structure that is fit for purpose, as engagements are pursued with the Department of Public Service and Administration (DPSA) and the National Treasury, within the fiscal constraints on capacitating DTA to be able to achieve its mandate.

Despite this status quo, the Department, led by the Minister and Deputy Ministers, continued to successfully honour all the Parliamentary and oversight structures' obligations. We have appeared before the Portfolio Committee as well as the Select Committees of Parliament to give account of the programmes and projects we are implementing. We participated in the parliamentary oversight engagements and visits to various Provinces on matters of our Department.

Since his delivery of the State of the Nation Address, His Excellency President Cyril Ramaphosa led the Presidential Post SONA Imbizo programme meant to engage with citizens, themed on the President's SONA call to action, Leave No One Behind. The Presidential Imbizo assisted



to highlight challenges and unblock blockages to service delivery in line with the District Development Model (DDM). During the imbizos, the President and Government interacted with communities on their experience of daily life, service delivery challenges, initiatives and solutions by communities to improve socio-economic conditions. The Presidential Imbizos aimed at giving impetus to the President's stated commitment that no-one will be left behind as government works with all sectors of society to move the country forward.

In February 2022, His Excellency the President, established an Inter-Ministerial Task Team (IMTT), chaired by Deputy President that will focus on the resolution of matters that traditional leaders have raised with government over time. As a result, five workstreams have been established and are led by Government Ministers to address the issues raised by traditional leaders but also to ensure that there is a comprehensive approach to efforts of ensuring that rural communities live safe, healthy, dignified lives and to enhance public participation, while also ensuring that traditional leaders are empowered and capacitated to deliver on their mandate in a sustainable manner. The Workstreams have been seized with their respective work and were expected to meet regularly to provide progress on the work undertaken.

These Workstreams are:

- a. Work Stream One: Advancing land ownership, tenure rights and fast-tracking socio-economic development of rural communities, led by the Minister for Agriculture, Land Reform and Rural Development.

- b. Work Stream Two: Building Institutional Capacity and ensuring support to Traditional Leaders, led by the Minister for Finance.
- c. Work Stream Three: Promoting Unity, Social Cohesion and Nation Building in rural communities, led by the Minister for Sport, Arts and Culture.
- d. Work Stream Four: Advancing Infrastructure Investment and Skills Development in rural communities, led by the Minister for Public Works and Infrastructure.
- e. Work Stream Five: Fast-tracking the finalisation of policy, legislative and constitutional matters, led by the Minister for Justice and Correctional Services.

As a follow-up to the programme of the IMTT on Traditional Leadership, the Deputy President has undertaken provincial engagements with Provincial Houses of Traditional and Khoi-San Leadership to give account of progress pertaining to the action plans of the workstreams. These engagements have sought to appreciate and re-assure

Traditional Leadership of the important role they play in uplifting the lives of people residing in their communities. The institution is indeed closer to communities and has been a reliable partner to government to render services to people in communities under AmaKhosi.

In conclusion, I would like to thank all our stakeholders, our partners and our oversight structures for supporting us and strengthening our course of transforming the institution of Traditional Leadership to evolve towards Socio Economic Development of traditional communities.



**Prince: Zolile Burns-Ncamashe, MP**

Deputy Minister of Cooperative Governance and Traditional Affairs



## ACCOUNTING OFFICER STATEMENT

This 2023/24 Annual Performance Plan has been developed in line with and compliance to the Revised Framework for Strategic Plans and Annual Performance Plans. We have developed this Annual Performance Plan (APP) for 2023/24, objectively to contribute towards achieving the outcomes as articulated in our Strategic Plan for 2020 – 2025 MTSF period. With the limited resources at our disposal, the Department remains determined to realise the targets set in our Strategic Plan and APP.

The Department has set the following as its outcomes that will be its focus over the MTSF period;

- a. **Effective governance of the Department:** This is about maintaining and improving on the governance of the Department and effecting the necessary improvements on the control environment in order to maintain a clean audit. The Department continues to pay attention to the compliance matters in line with the compliance framework of Government, as a requirement.
- b. **Safe initiation practices:** The commencement of the Customary Initiation Act (CIA) is one of the key instruments that will assist in curbing fatalities associated with cultural initiation practices. The Department has initiated programmes and projects that contributes towards the implementation of the CIA in this APP.
- c. **Functional institution of traditional and Khoi-San leadership:** The Traditional and Khoi-San Leadership Act, 2019 (Act no 3 of 2019) commenced on 1 April 2021, paving the way for the reconstitution of traditional leadership structures and the recognition of the Khoi-San communities and Leaders, amongst others. Various projects will be implemented to ensure the functionality of traditional leadership institutions such as the constitution of structures of traditional leadership, induction of members of councils, etc. The Commission on Khoi-San matters has been appointed with effect from 1 September 2021 to facilitate the recognition process of Khoi-San communities and leaders.
- d. **Developed communities in areas of traditional and Khoi-San leadership:** The focus will be on the implementation of the socio-economic development programme and the involvement of traditional leadership in the District Development Model. The Traditional and Khoi-San Leadership sectors are expected to play a meaningful role in development, economic growth



and service delivery. The expectation here is that the potential of traditional and Khoi-San communities should be unlocked and opportunities tapped into to enable development, growth and service delivery for these communities.

- e. **Transformed institution of traditional and Khoi-San leadership:** This relates to the transformation of the institution to conform to the Constitutional obligations, the capacitation of Houses and councils, the participation of traditional leadership in the social cohesion programmes as the custodians of culture and most importantly, women representation in traditional and Khoi-San leadership structures such as houses and traditional councils.

We have proposed indicators, outputs and targets for the 2023/24 that will contribute towards the achievement of our outcomes over the remaining period of the MTSF. We have equally made effort to respond to the requirements of our assurance providers as a compliance function and as a requirement.

On behalf of the employees of the Department, we commit to the implementation of the programmes and projects articulated in this APP. As usual, we shall at the end of the financial year, through our annual reporting, give account of our delivery to these important commitments of Government.

I thank you.

**Mr MJ Diphofa**  
Director-General

## OFFICIAL SIGN-OFF

It is hereby certified that this Annual Performance Plan 2023–2024:

Was developed by the management of the Department of Traditional Affairs (DTA) under the guidance of the Minister for Cooperative Governance and Traditional Affairs, Ms Thembi Nkadimeng.

Takes into account all the relevant policies, legislation and other mandates for which the Department of Traditional Affairs is responsible for.

It accurately reflects performance targets which the Department of Traditional Affairs will endeavour to achieve, given the resources made available in the budget for 2023–2024.

Ms R Mogaladi  
DDG: RPL



Signature

Ms TZL Shandu  
DDG: ISC



Signature

Mr O Aphane  
CD: CFS



Signature

Mr JM Mashishi  
Head Official responsible for Planning



Signature

Mr MJ Diphofa  
Accounting Officer



Signature

Prince: Zolile Burns Ncamashe, MP  
Deputy Minister



Signature

Approved by:

Ms Thembi Nkadimeng, MP  
Executive Authority



Signature



## Part A

### Our Mandate

NO	LEGISLATION	DESCRIPTION
1	Constitution of South Africa	<p>The Department's mandate includes overseeing a full range of tasks inherent in dealing with all issues of traditional affairs; and it is informed by the following legislative framework:</p> <p>The work of the Department is informed by <b>Chapter 1 of the Constitution dealing with the founding provisions as follows;</b></p> <p>"The official languages of the Republic are Sepedi, Sesotho, Setswana, siSwati, Tshivenda, Xitsonga, Afrikaans, English, isiNdebele, isiXhosa and isiZulu. Recognising the historically diminished use and status of the indigenous languages of our people, the state must take practical and positive measures to elevate the status and advance the use of these languages".</p> <p>3(a) Municipalities must take into account the language usage and preferences of their residents. (b) The national government and provincial governments may use any particular official languages for the purposes of government, taking into account usage, practicality, expense, regional circumstances and the balance of the needs and preferences of the population as a whole or in the province concerned; but the national government and each provincial government must use at least two official languages.</p> <p>4. The national government and provincial governments, by legislative and other measures, must regulate and monitor their use of official languages. Without detracting from the provisions of subsection (2), all official languages must enjoy parity of esteem and must be treated equitably.</p> <p>5. A Pan South African Language Board established by national legislation must (a) promote, and create conditions for, the development and use of (i) all official languages; (ii) the Khoi, Nama and San languages; and (iii). Sign language ; and (b) promote and ensure respect for –(i) all languages commonly used by communities in South Africa, including German, Greek, Gujarati, Hindi, Portuguese, Tamil, Telugu and Urdu; and (ii) Arabic, Hebrew, Sanskrit and other languages used for religious purposes in South Africa.</p> <p><b>Chapter 2: Bill of Rights</b></p> <p><b>Section 15 (3)(a) Freedom of religion, belief and opinion</b></p> <p>3(a). This section does not prevent legislation recognizing –(i). marriages concluded under any tradition, or a system of religious, personal or family law; or (ii) systems of personal and family law under any tradition, or adhered to by persons professing a particular religion. (b) Recognition in terms of paragraph (a) must be consistent with this section and the other provisions of the Constitution.</p> <p><b>Section 31 of the Constitution: Cultural, religious and linguistic communities</b></p> <p>1. Persons belonging to a cultural, religious or linguistic community may not be denied the right, with other members of that community –(a) to enjoy their culture, practise their religion and use their language; and (b) to form, join and maintain cultural, religious and linguistic associations and other organs of civil society. 2. The rights in subsection (1) may not be exercised in a manner inconsistent with any provision of the Bill of Rights.</p> <p>The work of the Department is also informed by <b>Chapter 7 of the Constitution on Local Government, Section 151(3)</b> which stipulate that "a municipality has the right to govern, on its own initiative, the local government affairs of its community, subject to national and provincial legislation as provided in the constitution".</p> <p><b>Chapter 8:</b> The courts are ©. any other court established or recognised in terms of an Act of Parliament, including any court of a status similar to either the High Court of South Africa or the Magistrates' Courts.</p> <p>The work of the Department is further informed by <b>Chapter 12 of the Constitution</b>, relevant policies, the legislation administered by the Department, national policies and laws relating to the public service as a whole, and those pieces of legislation that promote constitutional goals such as equality and accountability.</p> <p>The Department's mandate is particularly derived from <b>Section 211 of the Constitution</b> of the Republic of South Africa, 1996, which states that "the institution, status and role of traditional leadership, according to customary law, are recognized, subject to the Constitution. A traditional authority that observes a system of customary law may function subject to any applicable legislation and customs, which includes amendments to, or repeal of, that legislation or those customs. The courts must apply customary law when that law is applicable, subject to the Constitution and any legislation that specifically deals with customary law".</p>

NO	LEGISLATION	DESCRIPTION
1	<b>Constitution of South Africa</b> (continued)	<p>The Department's mandate is also derived <b>from Section 212 of the Constitution</b> which stipulates that "national legislation may provide for a role for traditional leadership as an institution at local level on matters affecting local communities. To deal with matters relating to traditional leadership, the role of traditional leaders, customary law and the customs of communities observing a system of customary law. National or provincial legislation may provide for the establishment of houses of traditional leaders; and national legislation may establish a council of traditional leaders".</p> <p>The Department's mandate is also informed by Part A of Schedule 4 of the Constitution, which states "indigenous law, customary law and traditional leadership are both functional areas of concurrent national and provincial legislative competence, subject to the provisions of Chapter 12 of the Constitution".</p> <p>Furthermore, the Department's mandate is informed by <b>Section 30 of the Constitution-Language and Culture</b> and it states that "everyone has the right to use the language and participate in the cultural life of their choice, but no-one exercising these rights may do so in a manner inconsistent with any provision of the Bill of Rights".</p> <p>In addition, the Department's mandate is informed by <b>Section 31 of the Constitution on Cultural, Religious and Linguistic Communities</b>, which states that "persons belonging to a cultural, religious or linguistic community may not be denied the right, with other members of that community to enjoy their culture, practice their religion and use their language; to form, join or maintain cultural, religious and linguistic associations and other organs of civil society. It further states that the rights in this section may not be exercised in a manner inconsistent with any provision of the Bill of Rights".</p>
2	<b>Traditional and Khoi-San Leadership Act, 2019 (Act No. 3 of 2019) (TKLA)</b>	<p>The TKLA was assented to on 20 November 2019 and published in the Government Gazette on 28 November 2019 as Act No. 3 of 2019.</p> <p>The TKLA consolidates the existing legislation (the TLGFA and the National House Act) and subsequently will repeal those laws. It also addresses shortcomings that were identified during the implementation of those two pieces of legislation. Of historic value is that the TKLA, for the first time ever, makes provision for the statutory recognition of Khoi-San communities and leaders. For this purpose, a Commission on Khoi-San Matters must be established which Commission will operate at national level.</p> <p>The TKLA also provides an enabling provision for the Department to monitor the implementation of this new law.</p> <p><b>Schedule 4 of the Constitution:</b> Functional areas of concurrent national and provincial legislative competence: Traditional leadership, subject to Chapter 12 of the Constitution.</p>
3	<b>Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities Act (Act 19 of 2002)</b>	This Act provides for the promotion and protection of the rights of cultural, religious and Linguistic Communities, inclusive of traditional communities, Khoi and San and Interfaith.
4	<b>Local Government: Municipal Structures Act (Act 117 of 1998)</b>	The Municipal Structures Act in section 81 lays down the procedure for the participation of traditional councils through their leaders in the proceedings of municipal councils.
5	<b>Local Government: Municipal Systems Act (Act 32 of 2000)</b>	<p>The Municipal Systems Act in sections 16, 17, 29, 42 and 76 provide a role for traditional councils and traditional leaders in development including consultation of traditional councils in the compilation of integrated development plans (IDPs). This includes consultation in development and service delivery initiatives in traditional areas. The specific sections provide as follows:</p> <ul style="list-style-type: none"> <li>a. <b>Sections 4(2)©, 16 and 17:</b> public participation to include traditional leaders and their councils.</li> <li>b. <b>Section 29:</b> involvement of traditional councils in the compilation of integrated development plans.</li> <li>c. <b>Section 42:</b> involvement of community to include traditional communities in the development, implementation and review of a municipality's performance management system.</li> <li>d. <b>Section 76:</b> entering into service delivery agreements between municipalities and the traditional councils for the performance of certain services by the traditional councils.</li> </ul>

6	<b>Interim Protection of Land Rights Act (IPLRA) (Act 31 of 1996)</b>	Provides for the temporary protection of certain rights to and interests in land which are not otherwise adequately protected by law; and to other matters.
7	<b>Spatial Planning and Land Use Management Act (SPLUMA) (Act 16 of 2013)</b>	SPLUMA aims to develop a new framework to govern planning permissions and approvals, sets parameters for new developments and provides for different lawful land uses in South Africa. SPLUMA is a framework law, which means that the law provides broad principles for a set of provincial laws that will regulate planning. SPLUMA also provides clarity on how planning law interacts with other laws and policies.
8	<b>Extension of Security of Tenure Act, 1997 (Act No. 62 of 1997)</b>	To provide for measures with State assistance to facilitate long-term security of land tenure; to regulate the conditions of residence on certain land; to regulate the conditions on and circumstances under which the right of persons to reside on land may be terminated; and to regulate the conditions and circumstances under which persons, whose right of residence has been terminated, may be evicted from land; and to provide for matters connected therewith.
9	<b>Customary Initiation Act, 2021 (Act No. 2 of 2021)</b>	The objectives of the CIA are: <ul style="list-style-type: none"> <li>a. To protect, promote and regulate initiation and for this purpose to- <ul style="list-style-type: none"> <li>(i) provide acceptable norms and standards; and</li> <li>(ii) provide for structures at national and provincial levels with a view to ensure that initiation takes place in a controlled and safe environment.</li> </ul> </li> <li>b. To provide for the protection of life and the prevention of any abuse.</li> <li>c. To provide clarity on the various responsibilities, roles and functions of the key role-players in customary initiation.</li> <li>d. To make provision for the effective regulation of initiation schools.</li> </ul>
<b>PENDING LEGISLATION</b>		
10	<b>Traditional Courts Bill</b>	The Traditional Courts Bill was developed to replace Sections 12 and 20 of the Black Administration Act of 1927, colonial-era provisions that empower traditional leaders to determine civil disputes and try certain offences in traditional courts. The TCB's stated aim is to advance South Africans' access to justice by recognising the traditional justice system in a way that upholds the values in customary law and the Constitution. TCB is awaiting the President to assent.
<b>INTERNATIONAL, CONTINENTAL AND REGIONAL INSTRUMENTS</b>		
11	<b>UN Sustainable Development Goals</b>	<ul style="list-style-type: none"> <li>• Goal 1: End poverty in all its forms everywhere</li> <li>• Goal 2: End hunger, achieve food security and improved nutrition and promote sustainable agriculture</li> <li>• Goal 5: Achieve gender equality and empower all women and girls</li> <li>• Goal 10: Reduce inequality within and among countries</li> <li>• Goal 11: Make cities and human settlements inclusive, safe, resilient and sustainable</li> <li>• Goal 13: Take urgent action to combat climate change and its impacts</li> <li>• Goal 15: Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss</li> <li>• Goal 17: Strengthen the means of implementation and revitalize the global partnership for sustainable development</li> </ul>
12	<b>African Union Agenda 2063</b>	<ul style="list-style-type: none"> <li>• A Prosperous Africa, based on Inclusive Growth and Sustainable Development</li> <li>• An integrated continent, politically united Africa</li> <li>• An Integrated Continent Politically united and based on the ideals of Pan Africanism and the vision of African Renaissance</li> <li>• A Peaceful and Secure Africa</li> <li>• Africa with a Strong Cultural Identity Common Heritage, Values and Ethics</li> <li>• An Africa Whose Development is people driven, relying on the potential offered by African People, especially its Women and Youth, and caring for Children</li> </ul>
13	<b>National Development Plan</b>	Chapter 6: An integrated and inclusive rural economy Chapter 13: Building a capable and developmental state Chapter 15: Transforming society and uniting the country Chapter 8: Transforming Human Settlements
14	<b>MTSF</b>	Priority 1: A capable, ethical and developmental state Priority 2: Economic transformation and job creation Priority 5: Spatial integration, human settlements and local government Priority 6: Social cohesion and safer communities

### 3. Institutional Policies and Strategies over the five-year planning period

The White Paper on Traditional Leadership and Governance, 2003, sets out a national framework, norms and standards that define the role and place of the institution of traditional leadership within the South African system of democratic governance. It seeks to support and transform the institution in accordance with constitutional imperatives and to restore the integrity and legitimacy of the institution in line with the African indigenous law and customs subject to the Constitution.

The following legislation and policy implementation initiatives are planned for the 2020–2025 MTSF year:

- Implementation of the Traditional and Khoi-San Leadership Act, 2019 (Act No. 3 of 2019).
- Functional Commission on Khoi-San Matters in terms of the TKLA: This Commission is intended to deal with applications for the recognition of Khoi-San communities and leaders.
- Implementation of the Customary Initiation Act, 2021 (Act No. 2 of 2021) to regulate the cultural initiation practice.
- Functional National Initiation Oversight Committee (NIOC) and Provincial Initiation Coordinating Committees (PICCs) to manage and regulate the customary practice of initiation.
- Legal constitution of kingship and queenship councils, principal traditional leadership councils and traditional councils [implementation of section 16 of the TKLA, read with section 63 thereof].



## 4. Relevant Court Rulings

There are litigation cases on traditional leadership disputes and claims, which have implications for the work of the Department and these are as follows:

NO	CASE	BRIEF SUMMARY
1	<b>Bakgatla Ba Kgafela Tribal Authority vs Bakgatla Ba Kgafela Tribal Community Property Association. Case no 939/2013</b>	<p>The Bakgatla Bakgafela Communal Property Association brought a successful land claim over various pieces of land in the North West Province. The claimants voted in favour of creating a Communal Property Association that would receive the successfully claimed land. The Traditional Council and the Senior Traditional Leader were not happy with the formation of the CPA and preferred a trust instead. The CPA was provisionally registered in terms of the CPA Act. The crux of the matter was the construction of a shopping centre on land that the CPA believed it legally owned. The argument of the Traditional Council which was the one constructing the shopping centre was that the CPA was provisionally registered and no longer existed in law.</p> <p>The argument was that if the CPA was no more a legal entity for the restituted land then government would have to take the land back. The CPA argued that if such action were to be taken, then government's intentions of returning land to the people shall have been defeated. On the other side, the Traditional Council insisted that it was the legitimate body to administer the land. The Court ruled in favour of CPA stating that the Department should have registered the CPA as a permanent structure.</p>
2	<b>Bakgaga Ba Mothapo Traditional Council v Tshepo Mathule Mothapo and others: case no 926/18 zasca</b>	<p>The matter involves Kgoshi of Bakgaga Ba Mothapo in Limpopo who restricted a person from occupying and selling land. The matter was heard by the Supreme Court to determine the locus standi of Kgoshigadi and the Traditional Council to claim relief. The Supreme Court found that Kgoshigadi had the requisite locus standi. It found, however, that the Traditional Council did not have the necessary locus standi to institute the claim because it had not been reconstituted in terms of the law.</p>
3	<b>R W Mkhari and others v Commission on Traditional Leadership Disputes and Claims and others (Case No 12543/2016: Gauteng High Court)</b>	<p>This case is commonly referred to as the Vatsonga judgement as it concerns an application for the recognition of the Vatsonga kingship. The judgement is of importance for the Department of Traditional Affairs since the Court addressed the involvement of the Department in the work of the Commission on Traditional Leadership Disputes and Claims (CTLDC). In terms of the repealed Traditional Leadership and Governance Framework Act, 2003, the Department had to provide administrative and financial support to the Commission. Although the CTLDC no longer exists, the principles raised by the Court will equally apply to the Commission on Khoi-San Matters (CKSM). In terms of the Traditional and Khoi-San Leadership Act, 2019, the Department has to provide administrative and financial support to the CKSM.</p> <p>In the Vatsonga case, the Court held that the nature of support to be provided to the Commission is indeed limited and the purpose is to enable the Commission to perform its functions but not for the Department to perform any such function on behalf of the Commission. In other words, the Department cannot perform a line-function responsibility of the Commission. The Court also held that the Department may not make any substantial inputs on submissions by the Commission to the Minister but was only allowed to convey the Commission's submissions to the Minister. Similarly, the Department may also not draft any correspondence on behalf of the Commission. For purposes of the CKSM, the Department's involvement will therefore be limited to providing it with administrative and financial support to enable the CKSM to perform its statutory duties.</p>



## Part B

# Our Strategic Focus

## 5. Vision



A community development-oriented institution of traditional leadership.

## 6. Mission



To provide a national traditional affairs governance system in support of cooperative governance for an improved quality of life of South Africans.

## 7. Values



- Ethical
- Cooperative
- Gender equality
- Responsiveness
- Culturally sensitive
- Accountable
- Client focused
- Transformative

## 8. Situational Analysis

### (a) Analysis of emerging trends

#### Inter-Ministerial Task Team on Traditional Leadership

On 02 February 2022, His Excellency President Ramaphosa took a decision to establish an Inter-Ministerial Task Team (IMTT) that will focus on the resolution of matters that traditional leaders have been raising with government over time. The work of the IMTT is focused on consolidating all existing efforts and unblocking issues that impede the resolution of matters that have been raised by traditional leadership date. The IMTT is presided over by the Deputy President and comprises five Workstreams constituted as follows:

- ✓ Workstream 1: Advancing land ownership, tenure rights and fast-tracking socio-economic development of rural communities, led by the Minister of Agriculture, Land Reform and Rural Development;
- ✓ Workstream 2: Building institutional capacity and ensuring support to traditional leaders, led by the Minister of Finance;
- ✓ Workstream 3: Promoting unity, social cohesion and nation building in rural communities, led by the Minister of Sport, Arts and Culture;
- ✓ Workstream 4: Advancing infrastructure investment and skills development in rural communities, led by the Minister of Public Works and Infrastructure; and

- ✓ Workstream 5: Fast-tracking the finalisation of policy, legislative and constitutional matters, led by the Minister of Justice and Correctional Services.

The IMTT comprises Ministers of various portfolios, Provincial Premiers together with their Members of the Executive Council responsible for Cooperative Governance and Traditional Affairs, and the National House of Traditional and Khoi-San Leaders. At the administrative level, the IMTT is supported by Directors General presided over by the DG in the Presidency and organised according to the above workstreams. The focus of the Workstreams is on the implementation of action plans relating to the issue that Amakhosi have raised.

Since the establishment of the IMTT, the Deputy President has visited Provinces to introduce its work and to give AmaKhosi in Provinces the opportunity to raise issues that they would like to bring to the attention of Government. The Deputy President uses the visits to encourage feedback and to appeal to AmaKhosi to play their role in addressing other matters such as succession disputes on traditional leadership.

It is anticipated that a report on the work of the IMTT will be developed for consideration by the President, which will have recommendations for further implementation in order to speed up execution and resolve any blockages being experienced currently.

#### Update on COVID-19 Pandemic

COVID-19 is the infectious disease caused by the most recently discovered coronavirus. This new virus and disease were unknown before the outbreak began in Wuhan, China, in December 2019.

The most common symptoms of COVID-19 are fever, tiredness, and dry cough. Some patients may have aches and pains, nasal congestion, runny nose, sore throat or diarrhoea. These symptoms are usually mild and begin gradually. Some people become infected but do not develop any symptoms and do not feel unwell. Most people (about 80 per cent) recover from the disease without needing special treatment. Around one out of every six people who gets COVID-19 becomes seriously ill and develops difficulty breathing. Older people, and those with underlying medical problems like high blood pressure, heart problems or diabetes, are more likely to develop serious illness. About two per cent of people with the disease have died. People with fever, cough and difficulty breathing should seek medical attention.

Different types of variants continue to surface and it is therefore important that the country remains on alert of any of the variants that may be deadly to the nation. The vaccination drive has been very successful in pushing back the deadly effects of the virus and all those South Africans who have not vaccinated are encouraged to do so, in order to protect themselves and others. All South

Africans are encouraged to remain vigilant and to exercise the necessary health care measures and the same caution has been encouraged to DTA employees.

### **Trends relevant to Women, Youth and Persons with Disabilities**

The Public Service has an obligation to be broadly representative of the South African population and to redress past imbalances to achieve gender equity and equality, empower young people and promote and protect the rights of people with disabilities including ensuring their integration in all aspect of life. Government has through the DPSA and other organs of the state, developed frameworks to assist Departments to plan for the mainstreaming of gender, youth and disability in the Public Service. For example, the Gender Equality Strategic Framework for the Public Service (GESF) and its Implementation Guidelines of 2008 and the implementation of the Head of Department's 8-Principle Action Plan for Women's Empowerment and Gender Equality (the 8-Principle Action Plan), the Job-Access Strategic Framework (JASF) on the Recruitment, Employment and Retention of Employees with disabilities in the Public Service and its Implementation Guidelines of 2009 as well as the Policy on Reasonable Accommodation and Assistive Devices and its Directive of 2013. This list is not exhaustive.

The said strategic frameworks ensure the empowerment of women, youth and persons with disabilities through mainstreaming principles by fast tracking strategies to address the historical challenges experienced by women, youth and persons with disabilities within the workplace. The GESF focuses on gender mainstreaming whilst the JASF focuses on mainstreaming issues related to disability in the workplace. The following strides have been registered by the Department to date with regard to the mainstreaming of these disadvantaged groups:

- ✓ 50% representivity of women achieved at level 1 to 12 and at SMS level
- ✓ 2% persons with disabilities achieved
- ✓ 18% youth representivity, lacking 12% to achieve the 30% national target
- ✓ The CIA applies to both male and female customary initiation practices, schools and structures.
- ✓ The CIA makes provision for a National Initiation Oversight Committee (NIOC) and Provincial Initiation Coordinating Committees PICC). The NIOC has to be made up of 9 members of which at least 3 must be females. Specific provision is also made for the Department of Women to be represented on the NIOC. The same principle applies to the PICCs.
- ✓ The TKLA provides that "traditional communities must transform and adapt customary law and customs to comply with the relevant principles of the Bill of Rights, in particular by:
  - a. Preventing unfair discrimination;
  - b. Promoting equality; and
  - c. Seeking to progressively advance gender representation in the succession to traditional leadership positions".
- ✓ Documentation as well as supporting the kingships and queenships to adapt their customary laws of succession to progressively advance gender representation in the succession to traditional leadership. For those kingships and queenships that already have documented customary laws of succession, the focus is on adapting and transforming them accordingly.

The Department will continue to implement these transformation imperatives so that the sector of traditional leadership transforms in line with the requirements of the constitution.



### **Persistent disputes and claims on traditional leadership**

Traditional Leadership disputes and claims continue to be the sore area of concern for the institution. The Department is inundated with cases of traditional leadership disputes and claims. These are disputes and claims across the different positions of traditional leadership, i.e., the headmanship/ headwomanship, senior traditional leadership, principal traditional leadership and kingships/ queenships.

Since the levels below the Kingship or Queenship are the competency of Provinces, the disputes and claims at these levels are referred to Provinces to attend to. Unfortunately, some of these disputes and claims continue to be referred

to the national sphere even though the national sphere is not competent in law to attend to such cases.

Ultimately, the disputes around the heirs to traditional leadership positions are a family matter and government does not get involved in them. Government is guided by the decision of the royal family as to who does the family recognise as the heir to the throne, and once the name is submitted formally to government and in a manner that is legitimate, it is only then that Government commences with the process of the recognition of the heir.

The Department is often faced with litigation cases that are before the courts. Guided by the circumstances around these cases, there are cases that the Department will defend and there are those in which the Department will abide. The decisions on whether to defend or abide are based on the implications the various cases would have on the Department, Government and the Institution of Traditional Leadership, for which the best interest is protected.

### **Handbook for Traditional Leadership (Tools of Trade)**

In 2013, the Cooperative Governance and Traditional Affairs MINMEC approved the minimum norms and standards for the provision of resources to qualifying traditional leaders, members of houses of traditional leaders and for traditional councils. The intention was to ensure standardized support provided to the institution of traditional leadership, however, this was not the eventuality. The uneven provision of resources continues to persist. The Department intends to introduce a handbook that will provide clarity on the provision of enabling resources to traditional leadership.

This issue of tools of trade was identified as one of the issues that has been a challenge for many years and that there is a need to have a frank discussion on how the matter should be resolved. At this stage, the revised Handbook has been consulted once again with MINMEC and National Treasury to reshape the document but also to assist with the determination of the estimated costs involved to ascertain affordability. Consultations on the Handbook will continue until it is finalized and approved.

Part of the consultations will include Kings and Queens. This is particularly important because Kings and Queens are a national competence. The said consultations will naturally include the National House of Traditional and Khoi-San Leaders (NHTKL) and its Chairpersons Forum. This work will be undertaken during the financial year 2023/24.

Lastly, the Budget Council will be engaged, which will make its determination on the matter, the outcomes of which will be taken back to CoGTA MINIMEC for final

consideration and endorsement. This will then pave the way forward for further processing by the portfolio and the finalization and conclusion thereof. This matter is also part of the Inter-Ministerial Task Team and is placed under the work of the Workstream dealing with providing support and enabling resources to traditional leadership led by the Minister of Finance.

### **Performance information gathered during the previous financial years**

The 2021/22 DTA's annual report was tabled in Parliament on 29 September 2022 in compliance with the prescribed timeframes as provided for by the PFMA and the Framework for Strategic Plans and Annual Performance Plans. The Department achieved 100% of its annual performance targets as reported in the tabled annual report. DTA continued to maintain its clean audit outcome for the financial year 2021/22, this is the sixth consecutive year of the DTA's clean audit.

It is worth mentioning that the Department has strived to make payments to suppliers within 9 days as compared to the norm of 30 days in the 2021/22 financial year and did not incur any irregular, fruitless and wasteful expenditure. The year 2021/22 was also the first for the implementation of the TKLA and CIA which came into operation on 1 April and 1 September respectively and already we are making some notable progress towards the implementation of these two pieces of legislation, through the TKLA and CIA multi-year implementation schedules or plans. The Department will continue to work towards maintaining a clean administration and improve its impact in the sector.

### **Recognition of the Khoi-San Communities and Leaders**

The Traditional and Khoi-San Leadership Act, 2019 (Act 3 of 2019) (TKLA) makes provision for the establishment of the Commission on Khoi-San Matters. The Minister appointed four persons to serve as members of the Commission namely Prof Nico Adam Botha (Chairperson), Mr Douglas Langley Bennett (Deputy Chairperson), Dr (Prof retired) Edna Lorraine van Harte and Ms Nokubonga Nokwanda Mazibuko-Ngidi.

The term of office of the Commission commenced on 1 September 2021 and will end on 31 August 2026. This term may be extended by the Minister. In terms of the TKLA, the Commission is tasked to receive all first-time applications for the recognition of Khoi-San communities and leaders, investigate the applications received and make recommendations to the Minister on the possible recognition of Khoi-San communities and leaders.

The Commission, in accordance with section 56(2) of the Traditional and Khoi-San Leadership Act, 2019 (Act No. 3 of 2019), developed the form to be completed by Khoi-San communities and leaders who wish to apply for recognition in terms of the said Act. The application

form was published in Government Gazette No. 802 of 4 January 2022.

As determined by the Minister under Government Notice No. 1639 of 24 December 2021, applications for recognition opened on 30 March 2022. Prospective applicants will have 2 years to submit their applications to the Commission. Applications will close on 29 March 2024. More than 90 applications have so far been received and are under consideration by the Commission.

### **District Development Model**

The District Development Model (DDM) is an approach by the whole of Government at the three different spheres that are distinct, independent and interrelated and to deliver services to communities. According to the Constitution, the three spheres have to assist and support one another, share information and coordinate their efforts in the implementation of policies and government programmes through close cooperation with each other.

The inter-governmental relations framework enjoins the three spheres of government to work together. Each of the three spheres has a constitutional role to play in governance and socio-economic development. It should therefore be noted that the local sphere of government is not an implementing arm of the national and provincial spheres of government. The three spheres must work together on decision making, coordinate budgets, policies and activities particularly for those functions that are of concurrent nature.

There are various instruments, mechanisms and structures of government that are meant to achieve the cooperative and inter-governmental way of working by the three spheres of government in order to deliver on their mandates, such as the Division of Revenue Act, the DDM IGR Forums, MinMecs, etc. The effective and efficient use of these instruments and platforms will go a long way in realising the DDM approach.

Government, led by the coordinating Department of Cooperative Governance (DCoG) is seized with the institutionalization of the DDM. The draft One Plans have been developed for all the districts and metros. However, going forward most of these would still need to go through a process of refinement and consultations. The institution of traditional leadership has an important role to play on the development of One Plans for District and Metros. Kings and Queens will be prioritized for consultations on the DDM and the One Plans in particular. The engagements will be used to brief Kings and Queens on the DDM approach comprehensively.

The National House of Traditional and Khoi-San Leaders' Invest Rural Master Plan and the individual Master Plans of Traditional Councils should be integrated into the One Plans, and so are all other plans and budgets that must be concentrated and coordinated for delivery in a district

space. It is important that the One Plans are assessed against the DDM imperatives and the outcomes of the assessments are used to improve the One Plans for implementation by Government as a whole.

#### **Alignment to the Medium-Term Strategic Framework (MTSF)**

The Department contributes to priority 5 of the MTSF relating to Spatial Integration, Human Settlements and Local Government. The Department's MTSF target is 200 000 additional hectares of land availed for the agrarian revolution programme with the annual targets being 50 000 hectares of land availed for a period of five years of the MTSF. In 2018, DTA facilitated the pledging of land parcels by Traditional Leaders through the National House of Traditional Khoi-San Leaders for the agrarian revolution programme. A total of one million four hundred hectares of land have been availed by Traditional Leaders across Provinces.

In 2020, traditional Leaders were further requested to identify five (5) hectares each for the implementation of the agricultural projects supported by Solidarity Fund, owing to the COVID-19 pandemic. Currently, there is a total of one million five hundred and sixty-nine thousand and fifty two (1 569 952 million) hectares of land that have been pledged by traditional leaders for agricultural programmes. Efforts are being pursued by relevant Departments to ensure the productive use of the pledged land.

#### **Partnership with Solidarity Funding in response to COVID-19 pandemic and the flood disaster in the Eastern Cape and KwaZulu-Natal.**

During the height of the COVID-19 pandemic in 2021, the National House of Traditional and Khoi-San Leaders (NHTKL) with the support of the Department of Traditional Affairs (DTA), partnered with the Solidarity Fund and the Department of Agriculture, Land Reform Rural and Development (DALRRD) to implement five projects aimed at limiting the scourge of the pandemic and to provide socio-economic relief. This partnership was also extended to make interventions in support of the victims of the flood induced disaster in KwaZulu-Natal and the Eastern Cape.

The Solidarity Fund, a public benefit organisation with a mandate to support the national health response, contributed to humanitarian relief efforts and mobilised South Africans to fight against COVID-19 and supported projects through funding. The Department of Agriculture, Land Reform and Rural Development participated in the implementing of the projects through provision of technical expertise. The Department of Traditional Affairs was responsible for the coordination of the projects. As the champions, the National House of Traditional and Khoi-San Leaders and the provincial houses provided leadership, exercised oversight and gave the necessary advice on the implementation of the projects.



The five projects were as follows:

- a. The COVID-19 awareness campaign  
This was a loud hailing project the Solidarity Fund provided to all senior traditional leaders and kingships to communicate key messages regarding the COVID-19virus.
- b. The Food Voucher Scheme  
The project targeted twenty-two (22) vulnerable households per traditional community, where each was provided with seven hundred (R700.00) food vouchers which were redeemable at national and local shops.
- c. Farming inputs Vouchers Scheme  
The Farming Inputs Vouchers Scheme targeted 52 beneficiary farmers per traditional community to be supported by farming inputs vouchers which would be redeemable at registered local suppliers' shops.
- d. The Community Behavioural Change campaign  
The project focused on communicating key COVID-19messages specifically in traditional communities where media visibility is limited. In addition, the project drew in the support of the Department of Health (DoH) to register community members for vaccination. It utilised youth, with specific focus to females within traditional communities as community mobilisers (foot soldiers).
- e. Flood disaster response  
The project was aimed at supporting and augmenting the national government effort in responding to the KZN and EC floods as announced by the President of the Republic of South Africa. The partnership saw the NHTKL assisting in the coordination of identification of beneficiaries. Each of the beneficiaries received vouchers for building materials to the value of R30 000 and cash voucher of R10 000

In addition to the above projects, the database that Solidarity Fund acquired through the NHTKL on the implementation of the farming input voucher was also used in the implementation of the Presidential Employment Stimulus Initiative (PES 2) by the Department of Agriculture, Land Reform and Rural Development.

The projects had phenomenal impact on the coverage scope and in reigniting hope amongst the rural people faced with the COVID-19 and flood disaster that threatened to erode their basic livelihoods. Some of the notable developments were as follows:

- All 882 senior traditional leaders participated in the loud hailing campaign. This assisted enormously in the anti-COVID-19 messaging to rural communities who otherwise would not be effectively reached through other media.
- 874 of 882 traditional communities participated in Food Voucher Project.
- 861 traditional communities of 882 traditional communities participated in the Farming Inputs Voucher Project.
- The community behavioural change campaign empowered more than 500 community mobilisers (foot soldiers) in rural areas.
- The flood disaster relief managed to support affected families through provision of vouchers to by building materials and a cash voucher for related needs.

The successful implementation of the projects provides important lessons on the value of partnerships in tackling societal challenges.

### Alignment to the MTSF

It should be noted that the Department has met its MTSF target.

### Alignment to the National Annual Strategic Plan (NASP)

The Department does not have indicators in the NASP.

### Alignment in the Economic Recovery and Reconstruction Plan (ERRP)

The Department does not have specific indicators to respond to in the ERRP.

## (b) SWOT Analysis

The Department conducted a SWOT (Strengths, Weaknesses, Opportunities and Threats) analysis and the results were that the Department should focus more on:

Strengths	Weaknesses
<p><b>DTA COVID-19 Interventions and precautionary measures.</b></p> <p><b>Traditional affairs legislative framework</b></p> <ul style="list-style-type: none"> <li>Enactment of the TKLA</li> <li>Enactment of the CIA</li> <li>Legislative framework development</li> <li>Research / knowledge / information management creation</li> </ul> <p><b>Traditional leadership institution</b></p> <ul style="list-style-type: none"> <li>Complaints / disputes / claims handling</li> </ul> <p><b>Stakeholder relations management</b></p> <ul style="list-style-type: none"> <li>Inter / intra-governmental coordination</li> <li>Partnership management</li> </ul> <p><b>Business management / leadership</b></p> <ul style="list-style-type: none"> <li>Corporate governance</li> <li>Business performance management</li> </ul> <p><b>Resource management</b></p> <ul style="list-style-type: none"> <li>Financial management</li> </ul>	<p><b>Effect of COVID-19 pandemic on human resources capacity of the Department.</b></p> <p><b>Traditional affairs legislative framework</b></p> <ul style="list-style-type: none"> <li>Monitoring</li> </ul> <p><b>Traditional leadership institution</b></p> <ul style="list-style-type: none"> <li>Programme implementation facilitation</li> <li>Institutional performance monitoring</li> </ul> <p><b>Business management / leadership</b></p> <ul style="list-style-type: none"> <li>Strategic leveraging of management/leadership at provincial level</li> <li>Strategic positioning</li> </ul> <p><b>Resource management</b></p> <ul style="list-style-type: none"> <li>Limited Human Resources</li> <li>Dependency on ICT management</li> <li>Infrastructure / facilities limitation and dependency</li> <li>Budget constraints</li> </ul>
Opportunities	Threats
<ul style="list-style-type: none"> <li>COVID-19 Vaccination rollout programme</li> <li>Funding for COVID-19 Interventions</li> <li>Fighting gender-based violence and femicide including fighting for the rights of the LGBTQI+ society</li> <li>Political support</li> <li>Supportive constitution</li> <li>Lessons from experience</li> <li>Resilience of traditional leadership institution</li> <li>Supportive stakeholders</li> <li>Existing structures of traditional leadership</li> <li>Traditional leadership institution transformation opportunities</li> <li>Societal belief in the traditional leadership institution</li> <li>Conducive partnerships on programmes and implementation</li> <li>Alternative sources of funding</li> <li>Supportiveness of traditional leadership institution</li> </ul>	<ul style="list-style-type: none"> <li>Effects of COVID-19 Pandemic including (deaths, loss of income, poverty, etc)</li> <li>Budget baseline reductions due to COVID-19</li> <li>Gender Based Violence and Femicide</li> <li>Financial constraints</li> <li>Inadequate involvement of traditional leadership in socio-economic development</li> <li>Harmful cultural practices</li> <li>Capacity constraints within provinces</li> <li>Modernisation requiring adaptation</li> <li>Negative media reporting on traditional affairs</li> <li>Perpetual litigation</li> <li>Conflicts within royal families</li> <li>Community protests</li> <li>Cultural / religious intolerance</li> <li>Societal distance with the traditional leadership system</li> <li>Perpetual claims</li> <li>Prolonged parliamentary processes</li> </ul>

## (c) Stakeholder analysis

### (i) Stakeholder identification

Internal Stakeholder Analysis				
Stakeholder	Characteristics	Influence	Interest	Linkage with other stakeholders
Political Leadership	Executive Authority of the Department providing political direction.	Political Head of the Cooperative Governance and Traditional Affairs (CoGTA) Ministry  Provides direction on the policies and programmes of the Department.	High-level interest for achievement of Government Programme of Action and a better life for all	Linkage is through providing executive direction to senior management and employees
Senior Management	Qualified public servants responsible for converting political and policy objectives into measurable programmes and projects	High level of influence in the determination of goals for short, medium and long term attainment  Oversees the implementation of programmes and projects	High level of interest in shaping programmes and projects	Linkage is with the employees to convert policy into implementable programmes
Employees	Qualified administrators with specialized fields who provide services to the public	Operational influence on services rendered.  High level influence as the face of development and service delivery	Interest is on availing skills and knowledge in return for remuneration.	Linkage is with the senior management to provide feedback on service provision
Union representatives	Union affiliated representatives promoting the interests of a particular union	Membership influence bargaining for the workplace rights of employees and an increase in union membership	Union interests	Linkage is with employees
Political Leadership	They are elected political representatives and leaders in society.	Political influence through interface with stakeholders and society at large	High-level interest for realizing a better life for all	Linkage is through providing political direction to senior management and employees
Traditional Leaders (Kings and Queens, Principal Traditional Leaders, Senior Traditional Leaders and Headmen and Headwomen)	Represent the best interest of Kings/ Queens Councils, Principal Traditional Councils, Traditional Councils, Traditional Sub-Councils and Communities	Cultural influence through engagements with key stakeholders  Influence is on community members	Aim for promoting livelihoods of traditional communities	Linkage is with the Community, Departments, political leadership, Parliament, Chapter 9 Institutions
Community Members	Belongs to a particular traditional community	Influence is through traditional leaders, councils, ward committees and direct engagements with the Department	Individual and group interest	Linkage is with traditional leaders, councils, ward committees and direct engagements with the Department
Experts	Formations such as Universities, Non-Governmental Organisations (NGOs), Community Based Organisations (CBOs), Foundations, etc.	High level of influence owing to standing in society	Purport to represent the best interest of society – social justice	Linkage is with traditional leaders, councils, ward committees and direct engagements with the Department

Internal Stakeholder Analysis				
Stakeholder	Characteristics	Influence	Interest	Linkage with other stakeholders
Provincial Departments of Traditional Affairs	Part of Provincial Governments and forms the basis for the concurrent function of traditional affairs to implement policies and legislation in a Province	High-level influence to effect implementation	Provincial interests and dynamics	Linkage is with traditional leaders, political leadership, communities, experts and chapter 9 institutions
Parliament Portfolio and Select Committees	Oversight committees of the National Assembly and the National Council of Provinces (NCOP)	High level legislative influence	Best interest of society and country	Linkage is with traditional leaders, councils, ward committees and direct engagements with the Department
Chapter 9 Institutions	Established in terms of the Constitutional provisions and vested with powers and functions for the protection of certain rights	High level legislative influence	Best interest of society and country	Linkage is with traditional leaders, councils, ward committees and direct engagements with the Department
Media	Different media houses promoting different interests	High level of influence	Informing and influencing society, and improving ratings and sales	Linkage is with other media houses, traditional leaders, political leadership, communities, experts and chapter 9 institutions
Houses of Traditional and Khoi-San Leaders (NHTKL, PHTKL and LHTKL)	Represent the best interest of traditional leadership including traditional communities	High level influence on governance and socio economic development	Aim for promoting and improving livelihoods of traditional communities	Linkage is with the Legislatures, Community, Departments, political leadership, Chapter 9 Institutions and NGOs

## (ii) Narrative on Stakeholder Analysis

### Internal Stakeholders

#### Political Leadership

The interest of political leadership is about the implementation of the Government's Programme of Action, which has been converted into the Medium Terms Strategic Framework (MTSF), for implementation during the 5-year term of the current administration. The Department's programmes contribute to the implementation of the MTSF, for example, the release of land by traditional leaders for socio-economic development.

#### Senior Management

The primary task of senior management is to convert policies into programmes and to oversee the implementation of the programmes and projects. The Department's strategic plan and annual performance plan have been developed to implement policies, programmes and projects of the Department.

#### Employees

The task of employees relates to the implementation of programmes and projects. The Department's strategic plan and annual performance plan have been developed to implement policies, programmes and projects of the Department.

### External Stakeholders

#### Political Leadership

The interest of political leadership is in realising a better life for South Africans. The Department's programmes contribute to the implementation of the MTSF, which articulates the wishes and aspirations of South Africans.

## Traditional Leaders

Traditional Leaders with specific reference to Kings and Queens, Principal Traditional Leaders, Senior Traditional Leaders, Headmen and Headwomen and their Councils, as well as traditional leaders in Houses (NHTKL, PHTKL & LHTKL) aim to promote livelihoods in communities under traditional leadership. The Department consults regularly with the National House of Traditional Leaders (NHTKL) as a representative body of traditional leaders at a national level, on policies and programmes of the Department. The Department's strategic plan and annual performance plan have been developed to implement policies, programmes and projects of the Department, in order to benefit communities under traditional leadership.

## Provincial Departments of Traditional Affairs

The Provincial Departments of Traditional Affairs are an implementing arm of Government on traditional affairs matters. The national Department is bestowed with the responsibility to develop national legislation, guidelines as well as norms and standards for traditional affairs matters, whilst the provincial Departments are charged with the responsibility to implement national legislation by customising national frameworks into provincial policies and programmes. The implementation of national frameworks by provinces gives effect to national legislation.

## Experts

This group of stakeholders purport to represent the best interests of society for the attainment of social justice. Their views are expressed as inputs during the development of legislation that has a bearing on society at large and traditional communities in particular. The duty of the Department is to convert the said legislation into implementable programmes, for example, programmes related to the implementation of the TKLA have been developed and incorporated as part of the strategic and annual performance plans.

## Portfolio and Select Committees

The mandate of these committees is to play oversight to the work of the Department and to also facilitate the development and passing of legislation for traditional leadership. The Department serves before these committees to give an account on the work of the Department and to provide technical assistance during the development of legislation.

## Chapter 9 Institutions

The mandate of chapter 9 institutions extends to the work of the Department in so far as the rights of people in traditional communities are concerned. The inputs of chapter 9 institutions assist the Department to comply with the bill of rights as enshrined in the Constitution. These inputs culminate in policies that are developed for the Department in order to protect the rights of vulnerable people.

## (d) The Department of Traditional Affairs' strategic focus over the five-year planning period encompass the following;

### Implementation of the Traditional and Khoi-San Leadership Act, 2019 and the Customary Initiation Act, 2021

The Department has developed the multi-year implementation schedule for the implementation of the Traditional and Khoi-San Leadership Act (TKLA), 2019 and the Customary Initiation Act (CIA), 2021. The implementation of these schedules or plans commenced last year, with the TKLA on 1 April 2021 and the CIA on 1 September 2022. There are already milestones recorded for the implementation of these pieces of legislation.

### The participation of traditional leadership in the activities of the District Development Model

The pronouncement of the District Development Model (DDM) affirms the role of various spheres of government in terms of development planning and coordination. The DDM enhances integrated planning which not only includes the spheres of government but the private sector, civil society as well as state organs. The DDM approach seeks to foster closer cooperation among the three spheres of government, including the joint development and roll-out of projects.

The DDM essentially seeks to address duplication, silo planning etc. and strengthen Inter-governmental Relations (IGR) across all spheres of government, strengthen planning, and have outcomes that can be monitored and evaluated. It also moves away from looking at civil society solely as beneficiaries and more towards being part of planning processes. The DDM involves transitioning to a paradigm aimed at ensuring that government builds more functional, liveable, and economically viable villages, towns, and cities rather than focusing simply on the delivery of outputs such as houses, schools, and municipal services.

The White Paper on Traditional leadership (July: 2003) and the Traditional and Khoi-San Leadership Act, Act No 3 of 2021 accord the following responsibilities to traditional leaders and their structures in addition to their customary functions:

1. Participate in and promote service delivery and development processes in partnership with government at all levels based on mutual respect and cooperative governance.
2. Advise government on policy related matters pertaining to traditional communities and custom.

3. Perform various functions and roles assigned to the institution by various government departments.
4. Promote cultural heritage of the traditional communities in the country.
5. To assist government in implementing programmes geared towards supporting the institution of traditional leadership, for example, the newly developed National Programme of Support for the Institution of Traditional Leadership.

The Local Houses of Traditional and Khoi-San leaders exist at the district and metropolitan levels of government. These houses are expected to advise on matters affecting traditional communities. The Local Houses further facilitate the development of traditional communities by, amongst others, advising government across the spheres on customary law, and through involvement in planning, implementation and monitoring of development programmes and projects of government, primarily municipal IDPs and the DDM. Therefore, the participation of the local houses in DDM activities is very important, especially to influence the development of areas under their jurisdiction.

A majority of the local houses struggle to perform legislated work. The poor performance is mainly attributed to the lack of enabling resources for the local houses. Given the above, most local houses have found it difficult to participate in the activities associated with the DDM.

The lack of capacity at provincial level somehow affects the attention and priority that should be directed at DDM activities. The fact that the provinces do not have designated officials whose responsibility is to promote the participation of Traditional Leaders in governance, IGR, LED and or to promote partnerships, compound the problems relating to the participation of traditional leaders in these programmes even further.

Often, there is minimal to no involvement in the government programmes including the DDM by a majority of the local houses. However, in the fewer provinces where traditional leaders participate in DDM activities, the participation involves key structures like the DDM Councils and the DDM Hubs attended by executive authorities and other public office bearers. KwaZulu-Natal and Mpumalanga provinces, are the two provinces where there is participation in DDM and spans across a number of structures.

The department developed a guide through which it sought to support the participation of the local houses in activities of the DDM. The guide took cue from the documents developed by the Department of Cooperative Governance and aligned the activities to be undertaken by traditional leaders with those proposed in the DCOG DDM documents.

The department continues to support the traditional leaders in so far as the participation in government development programmes is concerned. To this end, the department will continue to work with provinces to ensure that there is support for traditional leaders, in particular the local houses when participating in development programmes including the important district development model. The department is committed to the inclusion of traditional leaders in governance/ intergovernmental structures entrusted with the responsibility to drive the planning and monitoring the implementation of development programmes. The participation of traditional leadership in these structures will afford them an opportunity to contribute to deliberations regarding the development of their areas.

## The Eastern Seaboard Development Initiative

The Eastern Seaboard is situated along the 120km coastal stretch between Margate and Port St Johns, which is predominantly underdeveloped. The Eastern Seaboard Development mainly connects areas and communities along the N2 corridor in municipalities within KwaZulu-Natal to the Eastern Cape Province through the road network. There is currently no city and limited physical and ICT infrastructure and economic development. The area is endowed with natural resources spanning across multiple administrative boundaries and lies between two (2) provinces, the Eastern Cape and KwaZulu-Natal, jurisdictionally and contextually in close proximity to four (4) District Municipalities namely, (i) Harry Gwala, (ii) Ugu (iii) Alfred Nzo and (iv) OR Tambo.

The Spatial Planning and Land Use Management Act (SPLUMA) seeks to address historical spatial imbalances and the integration of the principles of sustainable



development into land use and planning regulatory tools and legislative instruments. The sustainable development principles prescribed by SPLUMA, which guides spatial planning and land use management, are spatial justice, spatial sustainability, efficiency, spatial resilience and good administration. The Act makes specific provisions for the development of Regional Spatial Development Framework (RSDFs) to guide spatial planning, land development and land use management in any region of the Republic of South Africa. The Eastern Seaboard Region was declared and Gazetted as a Region to develop an RSDF on 20 June 2022.

The Department of Traditional Affairs (DTA) working with the Department of Cooperative Governance (DCOG), the Municipal Infrastructure Support Agent (MISA), the National House of Traditional and Khoi-San Leaders (NHTKL) and the offices of the Premier in both KwaZulu-Natal and Eastern Cape will continue to consult traditional leaders on the Eastern Seaboard Development programme. The consultations will serve as a mechanism for Government to facilitate access to communities and identify emerging opportunities to enhance opportunities.

### Impact and Outcomes of the Department

The Department of Traditional Affairs will continue to implement outputs that are intended to achieve the five outcomes of the Strategic Plan 2020–2025. The determination of the outputs has been through a repetitive consultative process with Branches and Units of the Department, informed by the theory of change, a process prescribed by the Framework for Strategic Plans and Annual Performance Plans, as well as lessons learned from previous performance. The following are the five outcomes of the Department:

- ✓ Effective Governance of the Department;
- ✓ Safe Initiation Practices;
- ✓ Functional Institution of Traditional and Khoi-San Leadership;
- ✓ Transformed Institution of Traditional and Khoi-San Leadership; and
- ✓ Developed Communities in areas of Traditional and Khoi-San Leadership.

The impact sought over time, is to realise improved livelihoods for traditional communities, which would require the whole sector approach towards the implementation of the outcomes as well as the implementation of sector indicators for traditional affairs.

### (e) Statistics relevant to the institution and sector

Traditional Leadership exists in 32 of the 44 Districts and 8 metropolitan areas in South Africa. The majority of rural communities subscribe to the institution of traditional leadership. These areas are mostly underdeveloped, very

poor and lack infrastructure and economic opportunities. There is therefore, a need to develop traditional communities for the benefit of people living in rural areas.

The functionality of traditional leadership structures is another area that warrants attention. There are about 857 traditional councils in the country, 7 Provincial Houses of Traditional and Khoi-San Leaders and about 32 Local Houses of Traditional and Khoi-San Leaders. There are 14 Kingships/Queenships/ Principal Traditional Leadership, about 829 Senior Traditional Leaders and more than 8000 headmen and headwomen in the country. These structures and levels require capacity to function optimally. Part of the programmes that the Department will embark upon during this MTSF is to capacitate these structures and levels so as to ensure improvement of their functionality.

### (f) Reference to the medium and long-term policy environment

The Department's programmes contribute to a number of Chapters in the National Development Plan

- Chapter 6: An integrated and inclusive rural economy
- Chapter 13: Building a capable and developmental state
- Chapter 15: Transforming society and uniting the country
- Chapter 8: Transforming human Settlements

In order to implement the NDP, Government has introduced the NDP Implementation plan and the MTSF 2020-2025. The Department contributes to the implementation of the following MTSF Priorities;

- Priority 1: A capable, ethical and developmental state
- Priority 2: Economic transformation and job creation
- Priority 5: Spatial integration, human settlements and local government
- Priority 6: Social cohesion and safer communities

The Department's programmes contribute towards the implementation of the NDP and the MTSF through the Strategic Plan and the Annual Performance Plan for 2020-2025. The Department has revised the Strategic Plan and the revision is included in the 2020/21 APP as an addendum

### (g) Information about the demand for services

The Presidency addresses the Annual Official Opening of the National House of Traditional Leaders (NHTKL) after the State of the Nation Address (SONA), usually before the ensuing financial year. This year's address was on 23 February 2023. Subsequently, Members of the NHTKL were provided with the opportunity to debate the Speech. The content of these ceremonies is about the demand

for services articulated by traditional leaders on behalf of their communities.

The NHTKL, Provincial and Local Houses of Traditional and Khoi-San Leaders annually convene in the form of conferences, Makgotla of Traditional Leaders and through the Chairpersons Forum of Traditional and Khoi-San Leaders to articulate the views and aspirations of the institution. Engagements with Kingships, Queenships and Principal Traditional Leadership also take place to deliberate on matters of common interest. The information obtained from these engagements is converted into programmes of the DTA and other Departments depending on their mandate. The latest pronouncement about the demand for services is well articulated in the IMTT Workstreams Action Plans, which will be the focus for the year 2023/24



## (h) Emerging Priorities and opportunities which will be implemented during the planning period

The DTA's focus of the Administration Branch for the planning period is to maximise compliance to the public sector legislation. The Compliance Framework has been developed and will be used as the basis for monitoring compliance. The focus will be on achieving the following outputs:

- Performance against organisational performance information (OPIM) Compliance Management Plan
- Actions in the Corporate and Financial Management (CFM) Compliance Management Plan implemented
- DTA employees skilled through various interventions
- Reports on anti GBVF Interventions within the Traditional Affairs sector developed.

The Research, Policy and Legislation Branch on the other hand, will focus of the following outputs for the year 2023/24:

- Legally constituted traditional councils.
- Applications to the President for kingship/queenship recognition researched, investigated, finalised and recommendations made for a decision.
- Customary laws of succession and genealogies documented for traditional leadership royal families and published to reduce leadership succession disputes.
- Processing and finalisation of traditional leadership disputes and claims.
- Awareness campaigns on Customary Initiation Act.

Lastly, the Institutional Support and Coordination Branch will for the year for this APP focus on the following as its priorities and opportunities:

- Local Houses of Traditional and Khoi-San Leaders (LHTKL) availing land parcels for the implementation of the Invest Rural Master Plan and Eastern Seaboard Development Initiative, through DDM processes.
- Traditional councils transforming mining companies through development and job creation projects in line with the implementation of the Social Labour Plans (SLPs) on mining activities in traditional communities.
- Provincial Houses of Traditional and Khoi-San Leaders provided with tools of trade as provided for in the draft Hand book for Traditional and Khoi-San Leaders.
- Tools of trade for members of NHTKL provided as per the provision of the draft Handbook for Traditional and Khoi-San Leaders.
- Traditional leaders (i.e., Kings and Queens, Principal Traditional Leaders, Senior Traditional Leaders and Headmen and Headwomen) in councils afforded with the benefits and the tools of trade.

## (i) Information about the Department's capacity to deliver on its mandate

The capacity of the Department remains a key challenge to ensure thorough implementation of programmes and projects for the institution of traditional leadership. There are 104 employees employed by the Department in total. During its establishment, the view was that the Department's capacity would be increased in a phased approach over time. This has not been the case and the Department has since been stagnated with the capacity it was provided with at the time of establishment.

The process towards the review of the organisational structure has commenced and it is anticipated that this will relieve existing pressure from the existing staff once the process is finalised, approved, funded and posts filled. Unfortunately, this process takes time and has a lot of dependencies.

### 8.1 External environmental analysis

Approximately 21 million people constitute rural and traditional communities in South Africa. Therefore, the strategic role of the DTA is to strengthen the institution of traditional leadership to discharge its role of promoting and contributing to service delivery, socio-economic development, nation building, moral regeneration and preservation of customs and culture within their geographic areas.

The institution of traditional leadership encompasses traditional communities, kings/queens, principal/senior traditional leaders, and headmen/women. In addition, the Institution also includes various councils, for instance, kingship/ queenship councils, principal traditional councils, traditional sub-councils, as well as the national, provincial and local houses of traditional and Khoi-San leadership and traditional courts. The Khoi-San communities and leaders would also form part of the institution of traditional and Khoi-San leadership following the necessary processes of recognition.

The Department's key clients and stakeholders are traditional and Khoi-San communities as well as their leaders. The traditional and Khoi-San leadership positions are kingship/ queenship/ principal traditional leaders, senior traditional leader, Khoi-San leader, headwomen/headmen and Khoi-San Branch leader. The structures of traditional and Khoi-San leadership constitute the kingship/queenship and principal traditional leadership councils, the National House of Traditional and Khoi-San Leaders, Provincial Houses of Traditional and Khoi-San leaders, Local Houses of Traditional and Khoi-San Leaders and traditional and Khoi-San councils.

The table below indicates a breakdown of the number of traditional leaders and traditional leadership structures per level in each province based on the last reconstitution:

No.	Province	Senior Traditional Leaders/ Traditional Councils	Headmen / Women	Kings and queens (kingship and queenship councils)	Principal traditional leaders (principal traditional leadership councils)	Total
1	Eastern Cape	241	1 193	6	1	1 415
2	Northern Cape	9	25	-	-	33
3	Limpopo	186	2 118	3	-	2 303
4	Mpumalanga	60	522	2	-	582
5	Gauteng	2	14	-	-	16
6	KwaZulu-Natal	303	3 372	1	-	3 669
7	North West	54	59	-	-	113
8	Free State	13	96	-	2	111
<b>Total</b>		<b>868</b>	<b>7 399</b>	<b>12</b>	<b>3</b>	<b>8 242</b>

The table below provides a number of women traditional leaders in the country according to rank against men in terms of traditional leadership levels per Province.

Province	Headmen/women		Senior Traditional leaders		Principal Traditional leader (Male)	Kings/queens		Total
	Male	Female	Male	Female		Kings	Queens	
Free State	88	21	12	1	2	-	-	124
Gauteng	2	-	2	-	-	-	-	4
Eastern Cape	1 193	-	125	46	1	6	-	1 371
Limpopo	2 118	-	147	40	-	3	-	2 308
Mpumalanga	494	28	50	4	-	1	-	577
Northern Cape	24	1	19	1	-	-	-	45
North West	81	3	54	4	-	-	-	142
KwaZulu-Natal	3 372	-	272	26	-	1	-	3 671
<b>Total</b>	<b>7 372</b>	<b>53</b>	<b>681</b>	<b>122</b>	<b>3</b>	<b>11</b>	<b>1</b>	<b>8 242</b>

The following table presents gender breakdown of the number of women against men in the national and provincial houses of traditional leaders.

Houses	Members of Provincial and National Houses of Traditional Leaders		Total
	Male	Female	
National	18	5	23
Free State	10	2	12
Gauteng	2	-	2
Eastern Cape	27	11	38
Limpopo	29	7	36
Mpumalanga	17	4	21
Northern Cape	8	3	11
North West	20	4	24
KwaZulu-Natal	48	6	54
<b>Total</b>	<b>179</b>	<b>42</b>	<b>221</b>

The table below depicts the positions in the National and Provincial Houses of Traditional Leaders according to males and females.

National and Provincial Houses	Chairpersons		Deputy Chairpersons		Executive Committee members		Total
	Male	Female	Male	Female	Kings	Queens	
National	1	-	1	-	6	1	9
Free State	-	1	1	-	3	2	7
Gauteng	-	-	-	-	-	-	-
Eastern Cape	1	-	1	-	5	3	10
Limpopo	1	-	1	-	5	-	7
Mpumalanga	1	-	1	-	4	1	7
Northern Cape	-	1	1	-	4	1	7
North West	1	-	1	-	4	1	7
KwaZulu-Natal	1	-	-	1	9	1	12
<b>Total</b>	<b>6</b>	<b>2</b>	<b>7</b>	<b>1</b>	<b>40</b>	<b>10</b>	<b>66</b>

The above statistics gives a synopsis of the traditional leadership spread throughout the country and will once again be collated immediately after the reconstitution process that is about to be conducted.

It is evident from the statistics presented above that the targets for women in traditional leadership is still far from being achieved. The Department will work jointly with all other stakeholders and key partners to fast track the representivity status of Women in traditional leadership. The traditional leadership sector will also play a leading role in this regard.

### **Data relating to women, youth and persons with disabilities**

Historically, traditional leadership positions and structures were male dominated. The enactment of the 1996-Constitution however introduced new guiding principles, including one of equality. The Constitution also states that traditional leadership, including customs and customary law, is subject to the Constitutional principles. In compliance with the Constitutional principles, the Traditional Leadership and Governance Framework Act was promulgated in 2003. This Act makes provision for the various traditional leadership positions which can be filled by male or female traditional leaders.

The Framework Act required that at least one-third of the members of traditional leadership structures must be women. This applied to kingship and queenship councils, principal traditional councils, traditional councils and traditional sub-councils. This principle also applied to the various houses of traditional leadership. Through these provisions, the representation of women in traditional leadership structures was guaranteed. The Traditional and Khoi-San Leadership Act, 2019 which commenced on 1 April 2021 contains a similar provision and it includes the same requirement of one third representation of women in Khoi-San councils.

In so far as the adaptation of and transformation of customary laws of succession in relation to traditional leadership, the Traditional Leadership and Governance Framework Act provided that “traditional communities must transform and adapt customary law and customs to comply with the relevant principles of the Bill of Rights, in particular by:

- a. Preventing unfair discrimination;
- b. Promoting equality; and
- c. Seeking to progressively advance gender representation in the succession to traditional leadership positions”.

The TKLA has carried through the same provision from the Framework Act. Most of customary laws of succession for traditional communities and royal families are based on the principle of male primogeniture.

To implement the afore-mentioned legislative provision, in the current Medium Term Expenditure Framework (MTSF), the project will entail documentation as well as supporting the kingships and queenships to adapt their customary laws of succession to progressively advance gender representation in the succession to traditional leadership. For those kingships and queenships that already have

documented customary laws of succession, the focus will be to adapt and transform accordingly.

On the other hand, the CIA applies to both male and female customary initiation practices, schools and structures. The CIB makes provision for a National Initiation Oversight Committee (NIOC) and Provincial Initiation Coordinating Committees PICC). The NIOC will consist of 9 members of which at least 3 must be females. Specific provision is also made for the Department of Women to be represented on the NIOC. The same principle applies to the PICCs.

### **Additional External Performance Environment**

The reality is that COVID-19 has had devastating effect on human lives and all health care systems in the world. All sectors of the economy and society have been negatively affected and so is the functioning of the institution of traditional leadership. The COVID-19 situation has been put under control and Government has succeeded in containing the virus. However, the effects of COVID-19, such as the loss of employment and income, increased poverty, shifting of resources, exacerbation of inequality and others, have taken the country backwards and will take a very long time to be addressed.

Traditional Leadership exists in 32 of the 44 districts and 8 metropolitan areas in South African. This implies that people in living in the 32 of the 44 districts and 8 metropolitan areas fall under traditional leadership. Therefore, the strategic role of the Department of Traditional Affairs (DTA) is to strengthen the institution of traditional and Khoi-San leadership to discharge its role of promoting and contributing towards socio-economic development, nation building, moral regeneration and preservation of customs and culture within their geographic spaces of traditional leadership, amid this pandemic. The programmes of the Department respond to this ultimate end. The DDM is the vehicle to delivery on services and development and the districts and metros shall serve as centres for this purpose.

The Department's key clients are traditional, Khoi-San leadership and communities and the interfaith sector. The South African Constitution legislates traditional leadership as a concurrent function of national and provincial governments. The Department of Traditional Affairs as a National Department provides national legislation, policy and regulatory environment to provide direction to the sector and to the provincial government. It is a leader and a custodian of coordination of the traditional affairs sector across the spheres of government. The implementation arm of the Department are provincial departments of traditional affairs. The DTA's implementation role is minimal and mostly limited to monitoring and supporting provinces to implement national legislation, policies, and programmes and to ensure that there is alignment between national and provincial policies and legislation.

The institution of traditional leadership includes traditional leadership and Khoi-San leadership. The 'affairs' of the institution includes:

- Leadership;
- Governance of traditional leadership structures;
- Community development;
- Administration of justice;
- African culture, heritage and languages, traditional communities' customs, cultural practices and protocols; and
- Spirituality (interfaith).

Government adopted a District Development Model (DDM) in terms of which the three spheres of government are required to work together with communities and other role players to bring about development. The model offers opportunities for DTA to have improved impact given that the roles, activities, and resources of different institutions that will be better coordinated and synergized to address the development needs of communities. DTA has and will continue to mobilise the institution of traditional leadership to participate in the implementation of the District Development Model (DDM).

## PESTLE Analysis

The Department of Traditional Affairs operates within the following context;

### Political

The political dispensation of South Africa has embraced the institution of traditional leadership as a high moral ground leadership expected to rise above politics. This stand affirmed traditional leaders as being apolitical. However, the traditional leadership sector consists of a structure, the Congress of Traditional Leaders of South Africa (CONTRALESA) and possibly other formations, that have been occupying the space of advancing the rights of traditional leaders and communities under traditional leadership. This structure is non-statutory and has existed over time. This structure has been able to engage with various political structures or parties that had the best interest of traditional leaders and their communities as a common interest. It is therefore important for the Department to note and put the interests of this structure on the radar of the interests of the sector of traditional leadership. Important to note is that some members of this structure are also members of Houses of Traditional and Khoi-San leaders.

The other political consideration that is fast arising is the continued disputes and claims on traditional leadership that come about by virtue of a range of opportunities surfacing and taken advantage of. These are economic opportunities for wealth, income and other interests. In response to these manifestations, the Department will continue with programmes that are intended to resolve these matters in order to contribute towards social

cohesion, nation building, socio economic development and service delivery.

At the macro level, the District Development Model is at the centre of delivery and development of all Government programmes and projects. The sixth administration introduced the DDM to speed up development and delivery at a district or metropolitan area as geographical space. The proposed model seeks to utilise existing legal framework and implementation machinery, which includes the Intergovernmental Relations (IGR) Framework Act which provides for the Minister (and department) responsible for cooperative governance to provide "a framework for coordinating and aligning development priorities and objectives between the three spheres of government" as well as the development of "indicators for monitoring and evaluating" the implementation of the framework.

Thus the Model utilises and enhances these frameworks and the existing implementation machinery by facilitating for joint planning, implementation as well as monitoring and evaluation, between and amongst all spheres of governance wherein the term District is seen to refer to locality rather than the District Municipality, which no doubt forms an important part of the planning, delivery as well as Monitoring and Evaluation architecture. The Department of Traditional Affairs' plans contributes to the implementation of the DDM and traditional leadership as a partner, an implementer and a facilitator towards the success of the DDM.

### Economic

The South African Economic Outlook of last year stated as follows, "there are currently 833,000 fewer unskilled and semi-skilled jobs in South Africa compared to the pre-pandemic (2019 Q4) period. These workers were more likely to lose their jobs during lockdown and less likely to subsequently regain them compared to skilled workers. Looking ahead, South Africa cannot count on future economic growth to solve the country's unskilled and semi-skilled unemployment problem. While our estimates show that employment could grow by 200,000 per year towards 2030, we expect the labour force to grow by almost 350,000 adults per year over the same period. As a result, the country's unemployment rate will continue to climb and could reach 40% by 2030 under our downside economic scenario"

The exclusion of millions of unemployed adults from partaking in the country's economic life is contributing to a decline in South Africa's social cohesion. This, in turn, is causing an increase in societal breakdown and stability risks associated with protests and unrest. As seen in many countries globally at present, when the general population is not prospering, societies are in deep trouble. Real and felt prosperity are absolute requisites for countries or regions to function effectively.

To improve employability, South Africa needs a national skills vision that includes roles, responsibilities and expectations for every social stakeholder. This includes the private sector who needs to focus on the upskilling of their employees to remain competitive. On a positive note, President Cyril Ramaphosa commented on 31 August 2022 that the 'Framework for a Social Compact in South Africa' will seek to "provide skills and opportunities to the millions of South Africans that have been relegated to the margins of the economy."

Private sector organisations should undertake robust workforce planning to understand the impact technology and automation has on jobs in their industry, and what this means for the skills needed by their workers in the future. Upskilling will be vital to ensuring that local industries are staffed with people who have the know-how to help drive economic growth and development. Our international research shows that, at a company level, offering training and development opportunities has a quantifiable positive impact on company financials. Specifically, these opportunities result in fewer resignations and increased profitability".

As a factual consideration, areas of traditional leadership are mostly rural, underdeveloped, poor and affected by a

number of social ills. The Department of Traditional Affairs is responsible for supporting traditional leadership on socio economic development in order to benefit communities under traditional leadership. The dedicated focus on the implementation of the NDP and the MTSF is one of the key areas for economic growth stimulation and so is the District Development Model. The economic potential of rural areas is enabled by a number of untapped and under investment in potential economic sectors such as agriculture, tourism and blue economy amongst others. The Department's plans have been drawn from the broader plans of Government and do contribute to their realization, for instance, the release of land for development and agriculture as one of the key focus areas of the Department over the MTSF period.

It is hoped that the objectives of the MoU with the Department of Agriculture, Land Reform and Rural Development (DALRRD), the MoU entered into with the German partners to capacitate cooperatives in traditional and Khoi-San communities, the Invest Rural and developmental monarchs will contribute towards growing the economy that will uplift the plight of South Africans and those in traditional communities in particular.



## Social

The social conditions include wellness which is about health, shelter and sanitation. The conditions are also about equality, inclusion, sustainability, personal freedom and safety. It has been said that South Africa is the 23rd populous nation, with about 80% of the population being black African divided among a variety of ethnic groups and the difference being other race groups. The black African majority speak different ethnic languages and comprise wide range of cultures and religion. South Africa has the most UNESCO world heritage sites in Africa.

Since the end of apartheid, the quality of life has improved, but crime, poverty and inequality remain as serious challenges facing the country. The social condition of an ordinary South African is characterized by continuous competition for jobs, business opportunities, public services and housing leading to tensions between South Africans and foreign nationals.

With COVID-19 restrictions having been lifted, the social outlook does not have an indication of an immediate relieve for many South Africans as the majority have lost jobs and live in worsened conditions than before. As it was indicated before, these are the after effects of the COVID-19 pandemic that plagued the world and South Africa for almost three years, effectively reversing the social gains that were achieved. Nevertheless, Government has dedicated efforts anchored through various key plans such as the NDP, MTSF, DDM, ERRP and others to address the situation at hand.



## Technological

Technological advancement continues to sustain the delivery of Government services, notwithstanding some disadvantages related to its use such as connectivity in remote rural areas. The modern information technology has allowed people to work from home, churches and artists to livestream their services and productions, and schools to conduct lessons remotely and even confer academic degrees.

These practices have helped to ensure that people do not always have to gather and thereby adopting the new normal of delivery. The resources that were dedicated to the physical delivery and approach, have to be redirected towards the new normal and innovative ways of delivery with vigorous employment opportunities and for service delivery.

The institution of traditional leadership is concerned with the custodianship of culture, traditions and customs of traditional communities. The global technological changes bring about developments that should be embraced by the institution of traditional leadership. The key question is what the technological developments are and or innovations that are likely to affect the institution.

The fact of the matter is that South Africa has young people being in the majority and they are likely to grasp new technologies and developments. This therefore places traditional communities' spaces as a potential for untapped technological advancements that could bring about socio-economic development. The modern-day agriculture that can be implemented through the agrarian revolution programme is one of the potential technologically driven programmes of traditional communities.

## Legal factors

In terms of the Departmental legislation, the Traditional and Khoi-San Leadership Act (TKLA) no 3. of 2019 repealed the Traditional Leadership and Governance Framework Act (TLGFA) no of 2003 and the National House of Traditional Leadership Act (NHTKL) no. 22 of 2009. The Act for the first time, guarantees the statutory recognition of the Kho-San communities and leadership. The national and provincial Departments of Traditional Affairs are charged with the responsibility to implement the TKLA. The implementation of the Act commenced on 1 April 2021.

The Customary Initiation Act (CIA), 2021 (Act no 2 of 2021) commenced on 1 September 2021. The Act provides for the effective regulation of customary initiation practices, establishment of the National Initiation Oversight Committee and Provincial Initiation Coordinating Committees and their functions, the responsibilities, roles and functions of the various role players involved in initiation practices such as or in the governance aspects, provides for effective regulation of initiation schools, regulatory powers of the Minister and Premiers, provides for monitoring of the implementation of the act amongst others.

Apart from the above two main legislative developments, the Department continue to be inundated with disputes and claims on traditional leadership. These causes rifts within the sector and contributes towards defocusing the sector to development and service delivery imperatives of traditional communities.

## Environmental factors

South Africa is a water-scarce country in which some communities lack access to clean water. In addition, sanitation facilities are in a deplorable state in many townships, with many households often having to share highly deficient facilities. Moreover, littering is rife in some communities, coupled with poor waste pickup service, which creates unhygienic environments. In general, these poor sanitation conditions facilitate the spread of diseases. All of these factors taken together make practicing good hygiene, frequent washing of hands, and staying hydrated a significant challenge for those South Africans who have access only to contaminated or otherwise poor-quality water.

The environmental factors that should be considered in this regard relate to the environmental conditions in which traditional leadership areas exists. These areas are dry, lack enough rainfall at times, characterized by high pollution and with extreme conditions brought by changing climate conditions such as extreme heat conditions among others. These conditions are a cause of disasters in traditional communities and have negative impact on farming and agriculture as the sources of livelihoods in traditional communities.

The Department of Traditional Affairs and the traditional leadership and communities at large, would have to partner with the disaster management institutions for disaster relief to traditional communities. The DTA and the NHTKL are key stakeholders on matters pertaining to Disaster Management, in particular, including on directing relieve efforts. The Ministry participates actively in structures such as the Presidential Coordinating Council (PCC), the CoGTA MINMEC, Chairpersons Forum of Houses of Traditional Leaders, and many other structures set-up to fight the COVID-19 pandemic and the other unfavourable conditions that exists.

## 8.2 Internal environmental analysis

### Institutional Capacity of the Department to Mainstream all issues of Women, Youth and Persons with Disabilities

The organisation population, comprising of a total of 108 employees as at end 31 January 2023 is depicted on the table below as follows:

	Population		SMS		PWD	Youth
	Male	Female	Male	Female		
<b>National Target</b>	50%	50%	50%	50%	2%	30%
<b>Current Status</b>	40.7%	59.3%	50%	50%	3%	14%

- The Department has achieved the national target of 50% regarding the appointment of women at SMS level.
- The Department has achieved a national target of PWD with 3%.
- Furthermore, the target of youth appointed in the department has a shortfall of 16%.

The following is a break-down of the departmental EE targets as at end 30 June 2022:

	African	Coloureds	Whites	Indians
<b>Target</b>	75%	11%	9%	5%
<b>Current Status</b>	89,8%	4,6%	2,6%	2,8%

The following plan is in place to improve and achieve EE targets:

- Prioritise vacant and funded SMS positions for appointment of Women.
- HR Practitioners, among others presents EE targets during shortlisting/interviews and advice panels as well as ensuring compliance to achieve EE targets.

The Department also hosted a Women in SMS meeting with the Accounting Officer during Women's Month (August 2022) to take stock of progress on the HOD's 8 principle action plan and also to report back on progress made in this regard. The Department also has the Men's Forum which is meant to educate men on WEGE including fighting GBVF, including violence directed at the LGBTQ+ society.

The Department has in place the Employment Equity Policy and Disability Strategy as is required by the Employment Equity Act, 1998. The Department intends to review all its policies to ensure and guarantee alignment with national policies and implementation guidelines on women empowerment and gender equality.

The Departmental Governance Structures are used as the platform for stakeholder engagements and consultations on strategies and mechanisms to mainstream Women, Youth and Persons with Disabilities. Branches have Branch Management Committees at which further consultations take place. The Department is further required to report on these matters to various assurance providers to demonstrate the commitments to comply with Government prescripts.

### **Gender Responsive Policy, Planning, Budgeting, Monitoring, Evaluation and Auditing (GRPBMEA) Framework**

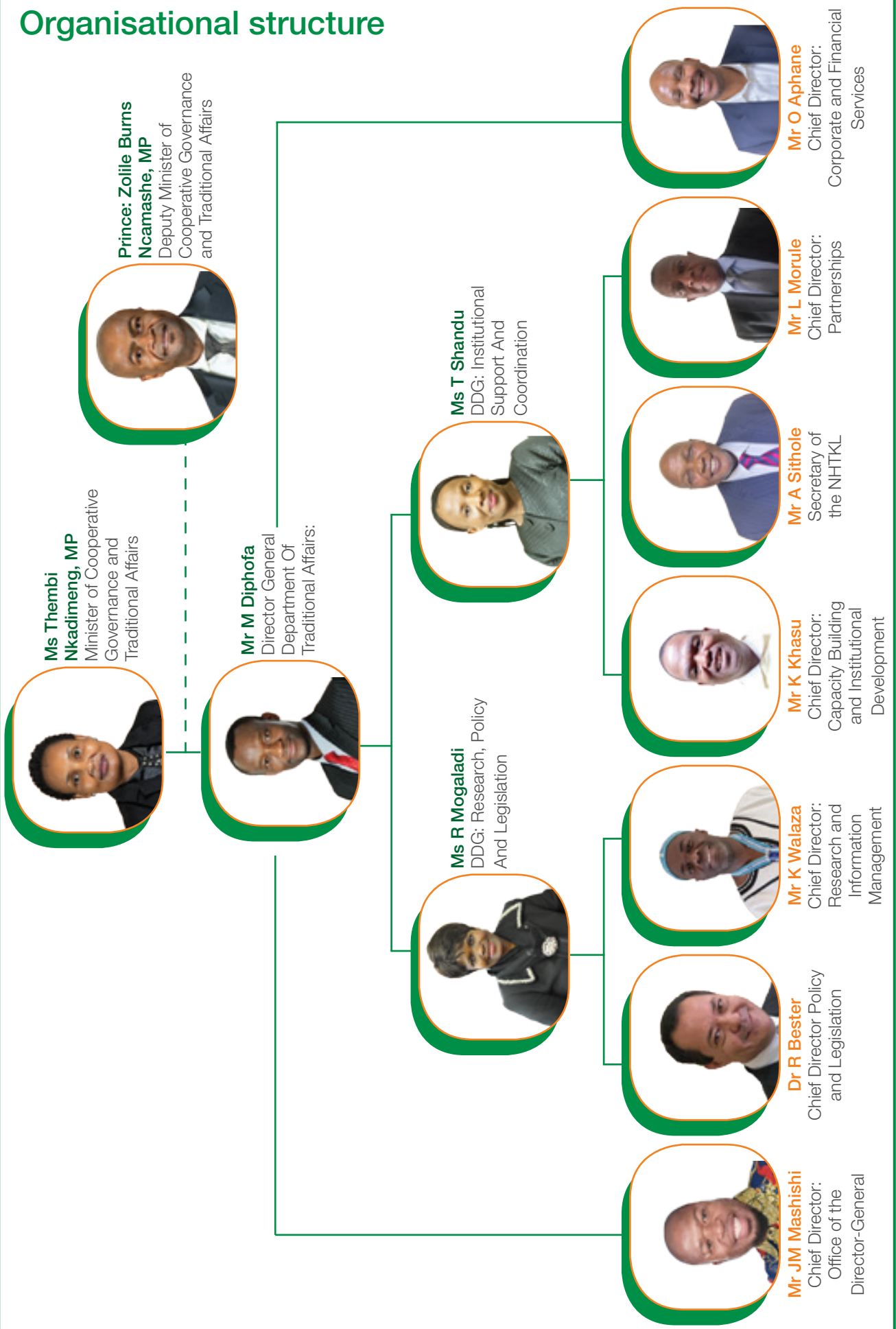
The Gender Responsive Policy, Planning, Budgeting, Monitoring, Evaluation and Auditing (GRPBMEA) Framework was adopted by Cabinet on 27 March 2019 for implementation. In June 2020, the Department of Women, Youth and Persons with Disabilities (DWYPD) conducted an assessment of Strategic Plans (SP) and Annual Performance Plans (APP), which revealed that the vast majority of plans remained gender blind with limited elements of gender related targets, the cumbersomeness of multiple reforms to Departments for compliance, low

levels of capacity on mainstreaming within government and significant advocacy on GRPBMEA that have been initiated at national and provincial levels, though training has not yet commenced.

In order to respond to the requirements for GRPBMEA, guidance was sought from the DWYP which advised that the Department should mainstream women, youth and persons with disabilities in planning, monitoring and evaluation, that the Strategic and Annual Performance Plans should be integrative of these aspects, for instance, the indicators should integrate these elements and that the Technical Indicator Descriptions (TIDs) should show gender, youth and persons with disabilities disaggregated data and that the programmes should amongst others, mainstream gender, youth and persons with disabilities through the Preferential Procurement of the Departments which could be effected by putting a percentage of procurement directed at women, youth and persons with disabilities' owned enterprises, as an example. These targets have been addressed in this APP.

The Department will seek to progressively implement the GRPBMEA by among others, learning lessons from other Departments and government initiatives which successfully advanced women empowerment. In addition, the Department will consider the gender responsive evidence collected through the implementation of the women specific or targeted research agenda which will also contribute to the DTA's knowledge repository.

## Organisational structure





## Part C

# Measuring Our Performance

## 9. Institutional Programme Performance Information

### PROGRAMME 1: ADMINISTRATION

#### Purpose

The purpose of the Administration Programme is to provide strategic leadership, effective administration, executive support, monitoring and evaluation of Traditional Affairs' performance, corporate and financial services.

#### Description

The sub-programmes within the Administration Programme are:

- **Department Management:** (Office of the Director-General): promotes effective strategic management and governance of the Department, corporate planning, integrated and aligned planning within traditional affairs, risk management, corporate secretariat, strategic communication and Parliament and Cabinet support services. The sub-programme's focus is to improve operational efficiency, and oversee the implementation of Departmental programmes and policies through monitoring and evaluation. It also ensures that adequate support is provided to Traditional Affairs entities.
- **Corporate and Financial Services:** This sub-programme provides human resource management and development, information and communication technologies, legal, records management, supply chain management and financial management support services to line function programmes within the Department.
- **Internal Audit:** This is an independent and objective appraisal function, which provides assurance to the Director-General and senior management concerning adequacy and efficiency of the Department's internal controls and governance system.

## PROGRAMME 1: ADMINISTRATION

### OUTCOMES, OUTPUTS, PERFORMANCE INDICATORS AND TARGETS

Outcomes	Outputs	Output indicators		Audited actual performance				Estimated performance	Medium-term targets		
		No		2019/20	2020/21	2021/22	2022/23		2023/24	2024/25	2025/26
Effective governance of the Department	Performance against organisational performance information (OPIM) Compliance Management Plan implemented	1	% of actions in the Organisational Performance Information (OPIM) Compliance Management Plan implemented	100%	80%	80%	97%	85%	86%	87%	87%
	Actions in the Corporate and Financial Management (CFM) Compliance Management Plan implemented	2	% of actions in the CFM compliance management plan implemented	100%	100%	80%	100%	85%	86%	87%	87%
	Improved competences of DTA employees	3	% of DTA employees trained through various interventions	-	-	-	-	60%	75%	80%	80%
	Reports on anti GBVF Interventions within the Traditional Affairs sector developed	4	Number of reports on anti GBVF Interventions within the Traditional Affairs sector developed	-	-	-	2	1	1	1	1
Transformed institution of traditional and Khoi-San Leadership											

## INDICATORS, ANNUAL AND QUARTERLY TARGETS FOR 2023/24 FY

No	Output indicators	Annual target 2023/24	Quarterly targets				Means of Verification
			Quarter 1	Quarter 2	Quarter 3	Quarter 4	
1	% of actions in the Organisational Performance Information (OPIM) Compliance Management Plan implemented	85%	Organisational Performance Information Compliance Management Plan approved 85% of actions in the organisational performance information Compliance Management Plan for the quarter Implemented	85% of actions in the organisational performance information Compliance Management Plan for the quarter Implemented	85% of actions in the organisational performance information Compliance Management Plan for the quarter Implemented	85% of actions in the organisational performance information Compliance Management Plan for the quarter Implemented	Approved Organisational Performance Information Management Plan Quarterly Organisational Performance Information compliance reports
2	% of actions in the CFM compliance management plan implemented	85%	CFM Compliance Management Plan approved 85% of actions in the CFM Compliance Management Plan for the quarter implemented	85% of actions in the CFM Compliance Management Plan for the quarter implemented	85% of actions in the CFM Compliance Management Plan for the quarter implemented	85% of actions in the CFM Compliance Management Plan for the quarter implemented	Approved CFM Compliance Management Plan CFM Quarterly compliance management reports
3	% of DTA employees trained through various interventions	60%	Training Plan Approved	-	-	60%	Approved Training Plan Quarterly training reports
4	Number of reports on anti GBVF Interventions within the Traditional Affairs sector developed	1	1	1	1	1	Report

## TECHNICAL INDICATOR DESCRIPTION

Indicator title 1	% of actions in the Organisational Performance Information (OPIM) Compliance Management Plan implemented
<b>Definition</b>	<ul style="list-style-type: none"> <li>To identify and develop a compliance management plan of Organisational Performance Information Management indicators with timeframes from the Compliance Framework.</li> <li>Obtain DG's approval of the Organisational Performance Information Management indicators that will be implemented and monitored.</li> <li>Facilitate the implementation of actions in the Organisational Performance Information Management indicators Framework.</li> </ul>
<b>Source of data/Collection of data</b>	<p>Sources: DTA Compliance Framework, AG and Internal Audit Findings, DTA Policy on Managing Organisational Performance Information</p> <p>Collection: Review the above documents, identify and include compliance issues and dates in the compliance management plan</p>
<b>Method of calculation/assessment</b>	Number of compliance indicators in the compliance management plan achieved/ implemented divided by the total number of compliance indicators in the compliance management plan multiplied by 85.
<b>Means of verification</b>	<ul style="list-style-type: none"> <li>Approved Organisational Performance Information Management Compliance Management Plan.</li> <li>Quarterly Organisational Performance Information Management compliance reports.</li> </ul>
<b>Assumptions</b>	The department adhering to all timeframes with regard to organisational performance information reporting.
<b>Disaggregation of beneficiaries (where applicable, for Women, Youth and PWD)</b>	Not applicable.
<b>Spatial transformation (where applicable, reflecting which Districts/Metros as per DDM)</b>	Not applicable.
<b>Calculation Type</b>	Cumulative.
<b>Reporting cycle</b>	Quarterly.
<b>Desired performance</b>	100% compliance with government timeframes on organisational performance information.
<b>Indicator responsibility</b>	CD: ODG

Indicator title 2	% of actions in the CFM compliance management plan implemented
<b>Definition</b>	<ul style="list-style-type: none"> <li>To identify and develop a compliance management plan on CFM indicators with time frames from the Compliance Framework</li> <li>Obtain DG's approval of the CFM indicators that will be implemented and monitored.</li> <li>Implement the CFM indicators in the compliance management plan and produce reports on a quarterly basis.</li> </ul>
<b>Source of data/Collection of data</b>	<p>Sources: DTA Compliance Framework, AG and Internal Audit Findings, DTA CFM policies</p> <p>Collection: Review the above documents, identify and include compliance issues and dates in the compliance management plan</p>
<b>Method of calculation/ assessment</b>	Number of compliance indicators in the compliance management plan achieved/ implemented divided by the total number of compliance indicators in the compliance management plan multiplied by 85.
<b>Means of verification</b>	<ul style="list-style-type: none"> <li>Approved Compliance Management Plan.</li> <li>Quarterly CFM reports.</li> </ul>
<b>Assumptions</b>	The department adhering to all timeframes with regard to CFM reporting.
<b>Disaggregation of beneficiaries (where applicable, for Women, Youth and PWD)</b>	According to the targets as contemplated in the Preferential Procurement Policy Framework Act, 2000 (Act no 5 of 2000)
<b>Spatial transformation (where applicable, reflecting which Districts/Metros as per DDM)</b>	Not applicable.
<b>Calculation Type</b>	Cumulative.
<b>Reporting cycle</b>	Quarterly.
<b>Desired performance</b>	100% compliance with government timeframes on organisational performance information.
<b>Indicator responsibility</b>	CD: CFS

## Part C | Measuring Our Performance

Indicator title 3	% of DTA employees trained through various interventions
<b>Definition</b>	To improve employee knowledge, skills and competency levels to achieve department's objectives.
<b>Source of data/Collection of data</b>	Workplace Skills Plan Personal development plans
<b>Method of calculation/assessment</b>	Number of DTA employees trained through various intervention divided by the total number of employees multiplied by 100.
<b>Means of verification</b>	<ul style="list-style-type: none"> <li>Training Plan</li> <li>Attendance Registers</li> <li>Training reports</li> </ul>
<b>Assumptions</b>	<p>Sufficient training budget allocation for implementation of training interventions.</p> <p>Training needs identified to be in line with operational objectives for improvement of employee and organisation performance.</p> <p>Effective and efficient procurement processes for appointment of training providers.</p>
<b>Disaggregation of beneficiaries (where applicable, for Women, Youth and PWD)</b>	Training beneficiaries data to be segregated in terms of gender, youth, PWD's
<b>Spatial transformation (where applicable, reflecting which Districts/ Metros as per DDM)</b>	N/A
<b>Calculation Type</b>	Cumulative
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	<p>The Department functioning at maximum performance</p> <p>Skilled employees with requisite skills to ensure effective service delivery.</p>
<b>Indicator responsibility</b>	D:HRM

Indicator title 4	Number of reports on anti GBVF Interventions within the Traditional Affairs sector developed
<b>Definition</b>	This refers to the initiatives for awareness raising relating to the fight against GBVF for and by traditional leaders
<b>Source of data/Collection of data</b>	<ul style="list-style-type: none"> <li>Reports from Provinces and Provincial Houses of Traditional and Khoi-San Leaders</li> <li>Reports from the National House of Traditional and Khoi-San Leaders</li> <li>Reports from the DTA Capacity Building Unit</li> </ul>
<b>Method of calculation/assessment</b>	Simple count
<b>Means of verification</b>	Reports
<b>Assumptions</b>	The Traditional and Khoi-San Leadership Institutions are open to challenging and transforming patriarchal attitudes and norms that feed GBVF. Traditional Communities are willing to harness their collective resources to stop GBVF. Men are open to participating in programmes that challenge the misconceptions about masculinity and violence against women.
<b>Disaggregation of beneficiaries (where applicable, for Women, Youth and PWD)</b>	N/A
<b>Spatial transformation (where applicable, reflecting which Districts/ Metros as per DDM)</b>	Districts with traditional leadership
<b>Calculation Type</b>	Non-cumulative
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	A sustained implementation of anti-GBVF advocacy programmes aimed at changing attitudes, behaviours and social norms driving GBVF in traditional communities and creating awareness on the impact of GBVF on women, children and society as a whole.
<b>Indicator responsibility</b>	D: M & E

## EXPLANATION OF PLANNED PERFORMANCE

The planned performance of the Administration Branch contributes to the realization of the following Departmental outcomes:

- Effective governance of the Department

**Output 1:** Performance against organisational performance information (OPIM) Compliance Management Plan.

This output is about identifying and developing a compliance management plan of Organisational Performance Information Management indicators with time frames to be adhered to. The compliance plan will be implemented and monitored on a monthly, quarterly and annual basis to ensure all compliance requirements of the Department are met.

**Output 2:** Actions in the Corporate and Financial Management (CFM) Compliance Management Plan implemented. To identify and develop a compliance management plan on CFM indicators with time frames from the Compliance Framework and to obtain DG's approval of the CFM indicators that will be implemented and monitored. This will enable the implementation of the CFM indicators in the compliance management plan and reports produced on a quarterly basis.

**Output 3:** Improved competences of DTA employees.

To improve employee knowledge, skills and competency levels to achieve department's objectives.

**Output 4:** Reports on anti GBVF Interventions within the Traditional Affairs sector developed.

This refers to the initiatives for awareness raising relating to the fight against GBVF for and by traditional leaders.

The planned performance of the administration branch is about compliance with the Public Service prescripts governing performance information including monitoring and evaluation, risk management, internal audit, corporate and financial management including human resources and development. The Compliance Plans for the Office of the Director General and the Corporate and Financial Services covers a considerable number of compliance obligations for the Department. The ultimate will be the Compliance Framework that would provide for the compliance universe of the Department, which will be monitored on a monthly, quarterly and annual basis. In future, the ODG will have to be capacitated fully regarding the Control and the Compliance units to operate optimally to guarantee full compliance by the Department.

In terms of training of employees, a new requirement was initiated by the Presidency for inclusion of human resources development in the plans of the Department, hence an output that proposes a percentage of employees capacitated through various interventions.

The GBVF is the second pandemic faced by the country as announced by the President. In order to face this scourge head-on, Departments are required to include interventions meant to fight the pandemic in the plans for a more focused approach and results.



R Thousand Programmes	Audited Outcome			2021-23 Adjusted Appropriation			
	2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
Ministry	11 249	8 818	9 346	10 874	11 522	11 730	11 946
Management	13 298	11 710	13 157	14 166	16 240	16 725	17 650
Corporate Services	20 930	16 974	21 350	29 005	31 242	34 693	38 045
Internal Audit	3 793	3 599	3 792	4 720	4 867	4 963	5 065
<b>TOTAL</b>	<b>49 270</b>	<b>41 101</b>	<b>47 645</b>	<b>58 765</b>	<b>63 871</b>	<b>68 111</b>	<b>72 706</b>
Economic Classification							
Compensation of Employees	33 337	33 449	34 188	36 867	40 324	44 053	47 724
Goods & Services	13 158	6 147	11 424	19 886	20 535	22 046	22 970
Transfers and Subsidies	138	80	82	12	12	12	12
Payments for Capital Assets	2 636	1 425	1 922	2 000	3 000	2 000	2 000
Payments for Financial Assets	1	-	29	-	-	-	-
<b>TOTAL</b>	<b>49 270</b>	<b>41 101</b>	<b>47 645</b>	<b>58 765</b>	<b>63 871</b>	<b>68 111</b>	<b>72 706</b>

## Narrative on Planned Expenditure

The bulk of the budget for the Administration Programme will be utilised for the following priorities of the Programme over the MTSF are:

- Organisational Performance Information Compliance Management Plan approved
- 85% of actions in the organisational performance information Compliance Management Plan for the quarter implemented.
- CFM Compliance Management Plan approved
- 85% of actions in the CFM compliance management plan implemented
- % of DTA employees trained through various interventions
- Anti GBVF Interventions for Traditional Leaders by Provinces reported against.

The expenditure for the Administration Branch relates to the implementation of the compliance obligations in the Compliance Management Plans of the ODG and CFS, as well as on training of employees, efforts to fight GBVF and lastly, the empowerment of WYPD through procurement. This also relates to items such as transfers and subsidies, payment of capital assets of the Department and the honouring of the contractual obligations of the Department.

## PROGRAMME 2: RESEARCH, POLICY AND LEGISLATION

### Purpose

To develop, review, implement and monitor implementation of and compliance with traditional affairs policies and legislation. Furthermore, the Programme's purpose is to conduct research, establish systems for managing information on traditional and Khoi-San leaders, institutions and legislation implementation. The Programme is also responsible for providing support in respect of the processing of traditional and Khoi-San leadership disputes and claims. The programme also provides administrative and secretariat support to the Commission on Khoi-San Matters and the National Initiation Oversight Committee.

### Description

The sub-programmes of the Research, Policy and Legislation Programme are:

**RPL Management:** To provide leadership for the programme and manage the Secretariats of the Commission on Khoi-San Matters and the National Initiation Oversight Committee.

**Policy and Legislation:** : To develop, review, facilitate and monitor the implementation of and compliance with traditional affairs policies and legislation. The sub-programme is also responsible for supporting provincial governments on the development of provincial traditional affairs legislation and alignment thereof with national traditional affairs legislation.

**Research and Information Management:** To conduct research, establish and implement information management systems for traditional affairs legislation implementation, traditional and Khoi-San leaders and institutions/structures. Furthermore, this sub-programme is responsible for the processing, management and legislation compliance monitoring in respect of traditional and Khoi-San leadership disputes and claims.

**Commission on Khoi-San Matters:** To receive, investigate and conduct research on applications for Khoi-San communities and leaders recognition and make recommendations thereof to the Minister.



## PROGRAMME 2: RESEARCH, POLICY AND LEGISLATION OUTCOMES, OUTPUTS, PERFORMANCE INDICATORS AND TARGETS

Outcomes	Outputs	Output indicators		Audited actual performance			Estimated performance	Medium-term targets		
		No	Output Indicators	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
Functional institution of traditional and Khoi-San Leadership	Traditional councils legally constituted	5	Number of traditional councils legally constituted	TKLA enacted	-	TKLA commenced. Formula for determining the number of members of traditional councils gazetted	Provincial Project Plans on the constitution of traditional councils developed and implementation thereof monitored	200 traditional councils legally constituted	200 traditional councils supported to maintain their legal status	200 traditional councils supported to maintain their legal status
	Applications for new traditional leadership finalised	6	% of received applications for traditional leadership recognition finalised within six months of receipt	-	-	-	-	75%	80%	100%
	Received traditional leadership disputes resolved	7	% of received traditional leadership disputes resolved	-	-	-	-	20%	40%	60%
Safe Initiation Practices	Reduction of illegal customary initiation schools	8	% reduction in the number of illegal customary initiation schools	-	-	-	101 illegal schools	20% reduction in the number of illegal customary initiation schools	40%	60%

## INDICATORS, ANNUAL AND QUARTERLY TARGETS FOR 2023/24 FY

No	Output indicators	Annual target 2023/24	Quarterly targets				Means of Verification
			Quarter 1	Quarter 2	Quarter 3	Quarter 4	
5	Number of traditional councils legally constituted	200 traditional councils legally constituted	TKLA section 63(4)(c) intervention Plan developed	Implementation of TKLA section 63(4)(c) monitored	Implementation of TKLA section 63(4)(c) monitored	200 traditional councils (TCs) legally constituted/proclaimed	<ul style="list-style-type: none"> <li>Approved TKLA section 63(4)(c) Intervention Plan</li> <li>Legal documents for the constituted 200 TCs (i.e., government notices of constituted TCs, gazetted maps of areas of jurisdiction of traditional councils that have been gazetted, list of TCs members and identity documents, the evidence documents of women representation of in the constituted TCs)</li> <li>Monthly, quarterly and annual consolidated reports of the constituted TCs across all provinces</li> </ul>
6	% of received applications for traditional leadership recognition finalised within six months of receipt	75%	-	-	-	75% of received applications for traditional leadership recognition finalised within six months of receipt	<ul style="list-style-type: none"> <li>Register of received kingship/queenship applications for each quarter and previous year/quarters</li> <li>Responses to applicants signed by the DG</li> <li>Minister submission of responses/outcomes of applications to the applicants for the President's consideration</li> <li>Emails submitting responses to applicants</li> <li>Approved consolidated report on the finalised kingship/queenship recognition applications (approved by the DG)</li> </ul>
7	% of received traditional leadership disputes resolved	20%	-	-	-	20% of received traditional leadership disputes and claims resolved	<ul style="list-style-type: none"> <li>Register of disputes received by the Department</li> <li>Reports on resolved traditional leadership disputes emails, meetings agendas, invitations and attendance registers of engagements with provinces and relevant stakeholders</li> <li>DG/Minister response letters to the disputants</li> </ul>
8	% reduction in the number of illegal customary initiation schools	20% reduction in the number of illegal customary initiation schools	-	-	-	20% reduction in the number of illegal customary initiation schools	Report on the total number of illegal schools per province, and number of illegal schools closed per province

## TECHNICAL INDICATOR DESCRIPTIONS

Indicator title 5	Number of traditional councils legally constituted
<b>Definition</b>	<ul style="list-style-type: none"> <li>To develop and submit TKLA section 63(4)(c) Intervention Plan for the legal constitution of traditional councils to the DG for approval</li> <li>If necessary, revise and publish the formula for determining the number of members of a traditional council in a government gazette as part of implementation of the Intervention Plan;</li> <li>Once the TKLA section 63(4)(c) Intervention Plan is approved, there will be DG correspondence to HoDs to submit schedules for constitution of traditional councils and monitor implementation of the TCs constitution schedules;</li> <li>Legally constitute for the first time in the democratic era 200 traditional councils across the country working with provinces;               <ul style="list-style-type: none"> <li>✓ Support municipalities in the identification of community needs;</li> <li>✓ Facilitating the involvement of traditional and Khoi-San communities in the development or amendment of the IDP;</li> <li>✓ Participating in the development of policy and legislation at municipal level;</li> <li>✓ Recommending appropriate interventions to government that will contribute to development and service delivery within traditional and Khoi-San communities;</li> <li>✓ Alerting any relevant municipality to any hazard or calamity and contributing to disaster management in general; and</li> <li>✓ Cooperate with any relevant ward committee.</li> </ul> </li> <li>Collect and upload legal documents (e.g., government gazettes and gazetted maps) of the constituted traditional councils;</li> <li>Reports and legal documents on constituted TCs and implementation of the TKLA section 63(4)(c) Minister's Intervention Plan will be developed monthly submitted to the DG for noting and intervention.</li> </ul>
<b>Source of data/Collection of data</b>	<ul style="list-style-type: none"> <li>TKLA</li> <li>Provinces (progress with implementation of Intervention Plan)</li> </ul>
<b>Method of calculation/assessment</b>	Simple count
<b>Means of verification</b>	<ul style="list-style-type: none"> <li>Approved TKLA section 63(4)(c) Intervention Plan (approved by the DG)</li> <li>Legal documents for the constituted 200 TCs (i.e., government notices of constituted TCs, gazetted maps of areas of jurisdiction of traditional councils that have been gazetted, list of TCs members and identity documents, the evidence documents of women representation of in the constituted TCs)</li> <li>Monthly, quarterly and annual consolidated reports of the constituted TCs across all provinces</li> </ul>
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>TKLA section 63(4)(c) Intervention Plan approved</li> <li>Obtaining traditional leaders' concurrence to the Intervention Plan, and the formula, in case it should be amended</li> </ul>
<b>Disaggregation of beneficiaries (where applicable, for Women, Youth and PWD)</b>	At least 33% of the members of the constituted councils must be women as prescribed by the Act
<b>Spatial transformation (where applicable, reflecting which Districts/ Metros as per DDM)</b>	All municipal areas with traditional councils
<b>Calculation Type</b>	Cumulative
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	All traditional councils legally constituted
<b>Indicator responsibility</b>	Director: Policy

Indicator title 6	% of received applications for traditional leadership recognition finalised within six months of receipt
<b>Definition</b>	<p>To process received applications for kingship/queenship recognition (received in the 2022/23 and 2023/24 financial years) in compliance with the approved SOP for processing of new kingship/queenship claims by:</p> <ul style="list-style-type: none"> <li>• Developing and updating a register of received applications from the previous and current financial years.</li> <li>• Providing turnaround times for processing of applications and providing responses to each applicant, i.e., turnaround times for those that may qualify for recognition in terms of the preliminary analysis and documents submitted and turn-around times for those that may not qualify.</li> <li>• To develop a preliminary analysis report of each application for completion and compliance with the relevant TKLA provisions to establish if they qualify for recognition as a kingship in terms of the TKLA qualifying criteria and approved SOP for processing of new kingships.</li> <li>• Subsequently engaging applicants who did not submit all the information/ documents or whose applications are not compliant with the TKLA through one or all of the ff: <ul style="list-style-type: none"> <li>✓ DG response letters to the applicants; and/or</li> <li>✓ Meetings with the applicants to take them through the TKLA provisions and documents to be submitted</li> </ul> </li> <li>• Draft responses to applicants for the President's consideration through Minister's submission.</li> <li>• Develop report/s on the processing of the applications received and submit to the DG for approval.</li> </ul>
<b>Source of data/Collection of data</b>	<ul style="list-style-type: none"> <li>• TKLA</li> <li>• SOP for processing of new applications for kingship/queenship recognition</li> <li>• Applications and accompanying documentation</li> <li>• Applicants</li> </ul>
<b>Method of calculation/assessment</b>	Number of applications finalised divided by the total number of applications received multiplied by 100
<b>Means of verification</b>	<ul style="list-style-type: none"> <li>• Register of received kingship/queenship applications for each quarter and previous year/quarters</li> <li>• Responses to applicants signed by the DG</li> <li>• Minister submission of responses to applicants for the President's consideration</li> <li>• Emails submitting responses to applicants</li> <li>• Approved consolidated report on the finalised kingship/queenship recognition applications (approved by the DG)</li> </ul>
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• President directive to the Minister to investigate and advise on those applications where the preliminary analysis and documents submitted show that they may qualify for recognition</li> <li>• Responses to applicants signed by the President</li> </ul>
<b>Disaggregation of beneficiaries (where applicable, for Women, Youth and PWD)</b>	N/A
<b>Spatial transformation (where applicable, reflecting which Districts/ Metros as per DDM)</b>	N/A
<b>Calculation Type</b>	Non-cumulative
<b>Reporting cycle</b>	Annual
<b>Desired performance</b>	Responses to applicants signed by the President and applicants informed of the outcome of their applications
<b>Indicator responsibility</b>	CD: RIM

Indicator title 7	% of received traditional leadership disputes resolved
<b>Definition</b>	<p>The indicator entails:</p> <ul style="list-style-type: none"> <li>• Development and maintenance of register of traditional leadership disputes received by the Department (all levels of traditional leadership)</li> <li>• Analysis, research and investigations on the kingship/queenship disputes, where applicable</li> <li>• Appointment of a Dispute investigative committee, where applicable</li> <li>• Informing the disputants of the outcome of the investigative committee, where applicable OR referring the matter to the relevant authorities for finalisation and monitor finalisation thereof.</li> <li>• Reports on the processing of disputes.</li> </ul>
<b>Source of data/Collection of data</b>	<ul style="list-style-type: none"> <li>• Provinces (provincial reports and APPs)</li> <li>• DTA (ODG)</li> <li>• Presidency and CoGTA Ministry</li> <li>• Traditional leadership Royal Families</li> <li>• Traditional leadership statutory structures</li> </ul>
<b>Method of calculation/assessment</b>	Number of disputes resolved divided by the total number of received disputes multiplied by 100
<b>Means of verification</b>	<ul style="list-style-type: none"> <li>• Register of disputes and claims received by the Department</li> <li>• Reports on processing and monitoring of traditional leadership disputes and claims</li> <li>• emails, meetings agendas, invitations and attendance registers of engagements with provinces and other stakeholders</li> <li>• DG/Minister correspondence to relevant role players, such as HoDs, MECs and Premiers</li> <li>• DG/Minister response letters to disputants/claimants</li> </ul>
<b>Assumptions</b>	Availability, cooperation and responsiveness of relevant provincial departments and statutory structures of traditional leadership to provide information on traditional leadership disputes and claims
<b>Disaggregation of beneficiaries (where applicable, for Women, Youth and PWD)</b>	N/A
<b>Spatial transformation (where applicable, reflecting which Districts/ Metros as per DDM)</b>	N/A
<b>Calculation Type</b>	Non-Cumulative
<b>Reporting cycle</b>	Annual
<b>Desired performance</b>	Disputes and claims within the sector processed and monitored
<b>Indicator responsibility</b>	CD: RIM

Indicator title 8	% reduction in the number of illegal customary initiation schools
<b>Definition</b>	<p>To reduce the number of illegal customary initiation schools through conducting awareness campaigns in partnership with provinces, National Initiation Oversight Committee and Provincial Initiation Coordinating Committees which will include the following activities:</p> <ul style="list-style-type: none"> <li>• Development and implementation of a concept document on initiation awareness campaign and submit to the DG for approval. The concept document will include the Campaign Plan;</li> <li>• Conducting an awareness campaign to make members of the public aware of the provisions of the Customary Initiation Act, registered schools in their areas and encourage them to report illegal schools to law enforcement agencies;</li> <li>• Facilitating the closing of illegal customary initiation schools by SAPS, Provinces and Provincial Initiation Oversight Committees</li> <li>• Producing a report reflecting the number of illegal schools in the 2022/23 Financial Year (baseline) and reduction of the illegal schools during the 2023/24 FY and the number of illegal schools closed.</li> </ul>
<b>Source of data/Collection of data</b>	Customary Initiation Act (CIA)
<b>Method of calculation/assessment</b>	Total number of illegal initiation schools during the 2023-2024 financial year divide by the total number of illegal schools during the 2022-2023 FY (101) multiply by 100
<b>Means of verification</b>	<ul style="list-style-type: none"> <li>• Approved concept document on initiation awareness campaign</li> <li>• Report on the awareness campaign</li> </ul>
<b>Assumptions</b>	Concept document on initiation awareness campaign approved
<b>Disaggregation of beneficiaries (where applicable, for Women, Youth and PWD)</b>	Initiates and relevant stakeholders (including women, youth and persons with disabilities) will benefit from the awareness campaign.
<b>Spatial transformation (where applicable, reflecting which Districts/ Metros as per DDM)</b>	N/A
<b>Calculation Type</b>	Non-cumulative
<b>Reporting cycle</b>	Annual
<b>Desired performance</b>	Informed initiates and members of the public about the Customary Initiation Act
<b>Indicator responsibility</b>	Director: Policy



## EXPLANATION OF PLANNED PERFORMANCE

The planned performance of the RPL Programme will contribute towards the realisation of the following outcomes in the Department's Strategic Plan:

### EXPLANATION OF PLANNED PERFORMANCE

The planned performance of the RPL Programme will contribute towards the realisation of the following outcomes in the Department's Strategic Plan:

- Effective Governance of the Department;
- Functional institution of traditional and Khoi-San leadership;
- Transformed institution of traditional and Khoi-San leadership; and
- Safer initiation practices.

The following section outlines how the outputs and indicators of the Branch contribute to each of the outcomes:

#### **Outcome: Functional institution of traditional and Khoi-San Leadership**

##### **Output: Legally constituted traditional councils**

Traditional councils must be legally reconstituted in terms of the TKLA section 63(4)(c) Intervention by 31 March 2024. Once the constitution of traditional councils is finalised, the kingship/queenship and principal traditional councils must be legally constituted. The TKLA requires that the Minister must publish a formula for determining the number of members of kingship/queenship and principal traditional councils. The purpose of this output is therefore to ensure that there is full compliance with the TKLA provisions on the constitution of the councils and the formula thereof by relevant provinces when constituting the councils.

**Output: Applications to the President for kingship/queenship recognition researched, investigated, finalised and recommendations made for a decision**

The Department receives new kingship/queenship applications which should be processed in terms of the relevant sections of the TKLA. The indicator and output entails among others engagements with the applicants per province to ensure that relevant documents are submitted with the applications and that the applications are finalised within the prescribed timeframes for the President to respond to the applicants in compliance with the law and the applicants are informed of the outcome of their application within the turn-around times stipulated in the SOP.

##### **Output: Customary laws of succession and genealogies documented for traditional leadership royal families and published to reduce leadership succession disputes**

This output entails documentation of customary laws of succession and genealogies for royal families across all levels of traditional leadership towards the reduction of leadership succession disputes.

##### **Output: Processing and finalisation of traditional leadership disputes and claims**

This output entails documentation of customary laws of succession and genealogies for royal families across all levels of traditional leadership towards the reduction of leadership succession disputes.

##### **Outcome: Safe Initiation Practices**

##### **Output: Awareness campaigns on Customary Initiation Act**

The output and indicator entail conducting awareness campaigns on safe initiation practices targeting traditional communities in the OR Tambo District of the Eastern Cape, which were most of the casualties tend to happen.

## PROGRAMME RESOURCE CONSIDERATION

R Thousand Programmes	Audited Outcome			2021-22 Adjusted Appropriation	2023/24	2024/25	2025/26
	2019/20	2020/21	2021/22				
Management	2 645	3 715	6 424	14 251	19 671	19 415	19 506
Policy and Legislation	4 016	3 478	5 033	6 849	6 883	7 091	7 221
Research and Info Management	9 944	7 807	8 841	8 591	8 030	8 212	8 510
<b>TOTAL</b>	<b>16 605</b>	<b>15 000</b>	<b>20 298</b>	<b>29 691</b>	<b>34 584</b>	<b>34 718</b>	<b>35 237</b>
Economic Classification							
Compensation of Employees	13 005	11 831	15 092	22 154	24 084	23 976	24 238
Goods & Services	3 598	2 676	5 0204	7 537	9 500	10 742	10 999
Transfers and Subsidies	-	496		-	-	-	-
Payments for Capital Assets	-	-	-	-	1 000	-	-
Payments for Financial Assets	2	-	2	-	-	-	-
<b>TOTAL</b>	<b>16 605</b>	<b>15 000</b>	<b>20 298</b>	<b>29 691</b>	<b>34 584</b>	<b>34 718</b>	<b>35 237</b>

## Narrative on Planned Expenditure

The total budget of the Branch is R34 584 000, of which R7 537 000 is for goods and services and R24 084 000 is for compensation of employees.

As per the outputs and indicators outlined above, the bulk of the 2023/24 budget of the Programme will be utilized for targets aimed at implementation of the Traditional and Khoi-San Leadership Act and the Customary Initiation Act. In this regard, the bulk of the Programme's budget will be utilised for the following priorities of the Programme for the financial year:

- Implementation of the relevant provisions of the TKLA by the DTA, namely, the legal constitution of traditional councils in the country, Commission on Khoi-San Matters research and investigations and establishment of the CKSM Database towards the legal recognition of Khoi-San communities;
- Implementation of the relevant provisions of the CIA by the DTA, namely:- conducting awareness campaigns on the Customary Initiation Act to reduce the customary initiation fatalities, providing financial and administrative support to the National Initiation Oversight Committee to perform its legislated roles and functions and the development and maintenance of the NIOC/Customary Initiation Database;
- Monitoring implementation of and compliance with the TKLA by provincial governments and other role players specified in the Act;
- Monitoring implementation of and compliance with the CIA by provincial governments and other role players specified in the Act;
- Documentation and publication of customary laws of succession and genealogies for royal families and building capacity for provinces to support traditional leadership royal families in this regard;
- Processing and finalisation of traditional leadership disputes and claims;
- Researching, investigating and finalising new applications for kingship/queenship and make recommendations to the President; and
- Advancing representation of women in statutory structures of traditional and Khoi-San leadership.

Most of the Programme's Compensation of Employees budget is used for the remuneration of Commissioners and researchers for the CKSM, human resources for implementation of the TKLA and CIA as well as human resources for the research and information management. Furthermore, the current human resources of the programme will focus on outputs aimed at supporting and facilitating implementation of these two pieces of legislation and research for the CKSM. Both the human and financial resources of the Branch will be reprioritised to ensure that the outputs in the APP are allocated adequate resources.

## PROGRAMME 3: INSTITUTIONAL SUPPORT AND COORDINATION

### Purpose

To promote institutional development and capacity building for the institution of traditional leadership between the institution of traditional leadership and all spheres of government, civil society and private sector.

### Description

The sub-programmes of the Institutional Support and Coordination Programme are:

- **Secretariat of the NHTKL:** To provide secretariat, administrative and research support to the NHTKL. In collaboration with the NHTKL and the Department, the Secretariat provides planning, performance reporting services to the House and assists the House to implement the House Strategic Plans and APPs. The Secretariat also supports the House to comply with financial, planning, performance reporting and corporate governance prescripts.
- **Institutional Development and Capacity Building:** To promote and integrate the role and place of the institution of traditional leadership, including Khoi-San leadership and structures in the South African governance system by establishing collaborative relations between the institution and other governance structures across the three spheres of government.
- **Partnerships:** To promote and integrate the role and place of the institution of traditional leadership, including Khoi-San leadership and structures in the South African governance system by establishing collaborative relations between the institution and other governance structures across the three spheres of government.

## PROGRAMME 3: INSTITUTIONAL SUPPORT AND COORDINATION

### OUTCOMES, OUTPUTS, PERFORMANCE INDICATORS AND TARGETS

Outcomes	Outputs	Output indicators		Audited actual performance			Estimated performance	Medium-term targets		
		No		2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
Developed communities in areas of traditional and Khoi-San leadership	Traditional and Khoi-San leadership availing land parcels for the implementation of the Invest Rural Master Plan in the Eastern Seaboard Development Initiative.	9	% of Traditional Councils in the 4 Local Houses of Traditional and Khoi-San Leaders (OR Tambo, Alfred Nzo; Ugu and Harry Gwala) availing land parcels for the implementation of the Invest Rural Master Plan in the Eastern Seaboard Development Initiative.	-	10 Local Houses monitored on their participation in the DDM activities	8 Provinces monitored on the participation of Local Houses in government development programmes in terms of the DDM	32 LHTKL coordinated to participate in DDM activities	50% of the Traditional Councils within the 4 Local Houses of traditional and Khoi-San leaders (OR Tambo, Alfred Nzo; Ugu and Harry Gwala) availing land parcels for the implementation of the Invest Rural Master Plan in the Eastern Seaboard Development Initiative.	Implementation of projects on the availed land parcels in line with the Invest Rural Master Plan in the Eastern Seaboard Development Initiative.	Implementation of projects on the availed land parcels in line with the Invest Rural Master Plan in the Eastern Seaboard Development Initiative.

Outcomes	Outputs	Output indicators		Audited actual performance				Estimated performance	Medium-term targets			
		No		2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26		
-	Traditional Mining communities with SLPs that provide procurement, bursaries, learnerships and employment opportunities for historically disadvantaged individuals	10	Number of Traditional Mining communities with SLPs that provide procurement, bursaries, learnerships and employment opportunities for historically disadvantaged individuals	-	-	-	-	10	Monitoring the performance of the SLPs of the 10 Traditional Mining Communities	Monitoring the performance of the SLPs of the 10 Traditional Mining Communities		
Functional Institutional Traditional and Khoi-San Leadership	Provision of Tools of trade for members of Provincial Houses of Traditional and Khoi-San Leaders as per the draft Hand book for Traditional and Khoi-San Leaders	11	Number of Provincial Houses of Traditional and Khoi-San Leaders provided with tools of trade as provided for in the draft Hand book for Traditional and Khoi-San Leaders					7 Provincial Houses of Traditional and Khoi-San Leaders provided with tools of trade as provided for in the draft Handbook for Traditional and Khoi-San Leaders	7 Provincial Houses of Traditional and Khoi-San Leaders provided with tools of trade as provided for in the draft Handbook for Traditional and Khoi-San Leaders	7 Provincial Houses of Traditional and Khoi-San Leaders provided with tools of trade as provided for in the draft Handbook for Traditional and Khoi-San Leaders		
	Provision of Tools of trade facilitated for members of the National House of Traditional and Khoi-San Leaders as per the draft Hand book for Traditional and Khoi-San Leaders	12	Tools of trade for members of NHTKL provided as per the provision of the draft Hand book for Traditional and Khoi-San Leaders					23 members of the NHTKL provided with tools of trade as per the provision of the draft Hand book for Traditional and Khoi-San Leaders	23 members of the NHTKL provided with tools of trade as per the provision of the draft Hand book for Traditional and Khoi-San Leaders	23 members of the NHTKL provided with tools of trade as per the provision of the draft Hand book for Traditional and Khoi-San Leaders		
	Resourced traditional leaders participating in municipal councils	13	% of traditional leaders in councils afforded with the benefits and the tools of trade	-	-	-	-	60%	70%	80%		

## INDICATORS, ANNUAL AND QUARTERLY TARGETS FOR 2023/24 FY

No	Output indicators	Annual target 2023/24	Quarterly targets				Means of Verification
			Quarter 1	Quarter 2	Quarter 3	Quarter 4	
9	% of Traditional Councils in the 4 Local Houses of Traditional and Khoi-San Leaders (OR Tambo, Alfred Nzo; Ugu and Harry Gwala) availing land parcels for the implementation of the Invest Rural Master Plan in the Eastern Seaboard Development Initiative.	50% of the Traditional Councils within the 4 Local Houses of traditional and Khoi-San leaders (OR Tambo, Alfred Nzo; Ugu and Harry Gwala) availing land parcels for the implementation of the Invest Rural Master Plan in the Eastern Seaboard Development Initiative.	Consultation with Traditional Leaders	Consultation with Traditional Leaders	25%	25%	Reports on participation of Local Houses in DDM activities List of land parcels availed for development initiatives in their respective areas
10	Number of Traditional Mining communities with SLPs that provide procurement, bursaries, learnerships and employment opportunities for historically disadvantaged individuals.	10	Collation of 10 SLPs Assessment of 10 SLPs Review of 10 SLPs	Monitoring the performance of the reviewed 10 SLPs Intervention for non-performing SLPs	Monitoring the performance of the reviewed 10 SLPs Intervention for non-performing SLPs	Monitoring the performance of the reviewed 10 SLPs Intervention for non-performing SLPs	Monitoring and Intervention reports
11	Number of Provincial Houses of Traditional and Khoi-San Leaders provided with tools of trade as provided for in the draft Handbook for Traditional and Khoi-San Leaders	7 Provincial Houses of Traditional and Khoi-San Leaders provided with tools of trade as provided for in the draft Handbook for Traditional and Khoi-San Leaders	Engagement with relevant stakeholders on the provision of tools of trade as provided for on the draft Handbook for Traditional and Khoi-San Leaders	3 Provincial Houses of Traditional and Khoi-San Leaders provided with tools of trade as provided for in the draft Handbook for Traditional and Khoi-San Leaders	2 Provincial Houses of Traditional and Khoi-San Leaders provided with tools of trade as provided for in the draft Handbook for Traditional and Khoi-San Leaders	2 Provincial Houses of Traditional and Khoi-San Leaders provided with tools of trade as provided for in the draft Handbook for Traditional and Khoi-San Leaders	Reports on the provision of the tools of trade as provided for in the draft Handbook for Traditional and Khoi-San Leaders
12	Tools of trade for members of NHTKL provided as per the provision of the draft Handbook for Traditional and Khoi-San Leaders	23 members of the NHTKL provided with tools of trade as per the provision of the draft Handbook for Traditional and Khoi-San Leaders	Engagement with relevant stakeholders on the tools of trade for members of NHTKL as per the provision of the draft Handbook for Traditional and Khoi-San Leaders	-	-	23 members of the NHTKL provided with tools of trade as per the provision of the draft Handbook for Traditional and Khoi-San Leaders	Reports on the provision of the tools of trade as provided for on the draft Handbook for Traditional and Khoi-San Leaders
13	% of traditional leaders in councils afforded with the benefits and the tools of trade	60%	-	-	-	60%	Reports

## TECHNICAL INDICATOR DESCRIPTIONS

Indicator title 9	% of Traditional Councils in the 4 Local Houses of Traditional and Khoi-San Leaders (OR Tambo, Alfred Nzo; Ugu and Harry Gwala) availing land parcels for the implementation of the Invest Rural Master Plan in the Eastern Seaboard Development Initiative.
<b>Definition</b>	<p>The target entails engaging with provinces in coordinating and monitoring participation of Local Houses of Traditional and Khoi-San Leaders in development initiatives in their respective districts.</p> <p>10 districts and metros were identified in terms of (1) the DDM pilots, (2) Eastern Seaboard development programme (3) the identified poorest district municipalities and (4) district municipalities from provinces where provincial departments responsible for traditional affairs that signed off the Intervention Plans.</p> <p>The provinces have a responsibility to support the Local Houses of traditional and Khoi-San Leaders and ensure that they perform the legislated functions. They are also required to support the Local Houses with resources to enable them to participate in government development programmes and further advise the district and or metropolitan municipalities on matters affecting traditional communities. Therefore, the Local Houses' participation in DDM is very critical as a mechanism to (i) advise government on developmental matters affecting traditional communities, (ii) collaborate with government in planning the development of traditional communities and lastly be part of the government processes which monitors the implementation of the One Plans in terms of the DDM approach.</p> <p>The project will entail coordinating Local Houses on the following:</p> <ul style="list-style-type: none"> <li>• The DDM approach and Regulations</li> <li>• Inclusion of the Local Houses in the DDM IGR Structures</li> <li>• Participation of Local Houses during the Approval/ adoption of the One Plans</li> <li>• Participation of the Local Houses in the DDM -IGR structures</li> <li>• Traditional leaders availing land for development initiatives in their respective areas</li> </ul> <p>The supportive role of the provinces towards the Local Houses necessitates that the DTA should work with and through provinces to monitor the participation of the Local Houses in DDM activities.</p>
<b>Source of data/Collection of data</b>	<ul style="list-style-type: none"> <li>• Provincial Departments responsible for traditional affairs</li> <li>• DCOG</li> <li>• TATGoF</li> </ul>
<b>Method of calculation/ assessment</b>	Total number of TCs that availed land parcels multiplied by 100 divided by the total number of TCs in the 4 local houses.
<b>Means of verification</b>	<ul style="list-style-type: none"> <li>• Reports on participation of Local Houses in DDM</li> <li>• List of land parcels availed for development initiatives in their respective areas</li> </ul>
<b>Assumptions</b>	<ul style="list-style-type: none"> <li>• Provinces monitoring participation of Local Houses of traditional and Khoi-San leaders in DDM activities</li> </ul>
<b>Disaggregation of beneficiaries (where applicable, for Women, Youth and PWD)</b>	Not applicable (The TKLA in section 50 provides that the Local Houses shall be composed of Senior Traditional and Khoi-San Leaders. Therefore, the participation shall be limited to the membership of the Local Houses.
<b>Spatial transformation (where applicable, reflecting which Districts/ Metros as per DDM)</b>	Districts/ Metros with reconstituted Local Houses of Traditional and Khoi-San Leaders.
<b>Calculation Type</b>	Cumulative
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	<p>All Local Houses of traditional and Khoi-San leaders participating in DDM activities.</p> <p>The Local Houses participating in programmes of government whose object is the development of traditional communities.</p> <p>DDM/IGR structures are in existence.</p>
<b>Indicator responsibility</b>	Chief Director: Partnerships and IGR

Indicator title 10	Number of Traditional Mining communities with SLPs that provide procurement, bursaries, learnerships and employment opportunities for historically disadvantaged individuals
<b>Definition</b>	<p>The project entails engagements with DMRE and other relevant stakeholders in the review and implementation of Social Labour Plans (SLP) in traditional communities wherein mining activities are taking place.</p> <p>This seeks to ensure that communities are benefiting from mining opportunities with regard to procurement, bursaries, learnerships and employment.</p>
<b>Source of data/Collection of data</b>	<ul style="list-style-type: none"> <li>Existing Agreements</li> <li>IDPs and LEDs, SLPs</li> </ul>
<b>Method of calculation/assessment</b>	Simple count
<b>Means of verification</b>	Monitoring and Intervention Reports
<b>Assumptions</b>	That Traditional Mining communities have in place SLPs that provide procurement, bursaries, learnerships and employment opportunities for historically disadvantaged individuals.
<b>Disaggregation of beneficiaries (where applicable, for Women, Youth and PWD)</b>	N/A
<b>Spatial transformation (where applicable, reflecting which Districts/ Metros as per DDM)</b>	N/A
<b>Calculation Type</b>	Cumulative
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	Sustainable development projects in traditional communities.
<b>Indicator responsibility</b>	CD: P& IGR

Indicator title 11	Number of Provincial Houses of Traditional and Khoi-San Leaders provided with tools of trade as provided for in the draft Hand book for Traditional and Khoi-San Leaders
<b>Definition</b>	<p>The project entails the facilitation of the tools of trade for provincial houses of traditional leadership as provided for on the draft Hand book for Traditional and Khoi-San leaders.</p> <p>The facilitation includes the engagement with all relevant stakeholders for the provision of tools of trade for the PHTKL to enhance their functionality and to ensure that they perform their functions effectively and efficiently.</p>
<b>Source of data/Collection of data</b>	<ul style="list-style-type: none"> <li>Provincial CoGTA Departments</li> <li>DPWI</li> </ul>
<b>Method of calculation/assessment</b>	Simple count
<b>Means of verification</b>	Reports
<b>Assumptions</b>	Functional and well-resourced PHTKL that perform their legislated functions
<b>Disaggregation of beneficiaries (where applicable, for Women, Youth and PWD)</b>	N/A
<b>Spatial transformation (where applicable, reflecting which Districts/ Metros as per DDM)</b>	N/A
<b>Calculation Type</b>	Cumulative
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	PHTKL functional and perform their legislated functions
<b>Indicator responsibility</b>	CD: ID & CB

Indicator Title 12	Tools of trade for members of NHTKL provided as per the provision of the draft Hand book for Traditional and Khoi-San Leaders
Definition	<p>The project entails the provision of tools of trade as per the provision of the draft Hand book for traditional and Khoi-San Leaders.</p> <p>The project involves the engagement with the DTA leadership and other stakeholders, eg, DPWI to make sure what is relevant to the members of the NHTKL is being provided.</p>
Source of data	<ul style="list-style-type: none"> <li>DTA</li> <li>DPWI</li> </ul>
Method of Calculation / Assessment	Simple count
Means of verification	Reports
Assumptions	Tools of trade are provided to members of the NHTKL
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative
Reporting Cycle	Quarterly
Desired performance	NHTKL functional and performs its legislated functions
Indicator Responsibility	CD: ID&CB

Indicator title 13	% of traditional leaders in councils afforded with the benefits and the tools of trade
Definition	This indicator relates to provision of tools of trade to traditional leaders who are participating in municipal councils in line with section 81 of the MSA.
Source of data/Collection of data	<ul style="list-style-type: none"> <li>Provincial CoGTAs</li> <li>DCoG</li> <li>SALGA</li> </ul>
Method of calculation/ assessment	Total number of traditional leaders multiplied by the number of those who received tools of trade divide by 100
Means of verification	Reports
Assumptions	Municipalities will agree to provide similar tools being provided to municipal councillors to traditional leaders serving in the same councils
Disaggregation of beneficiaries (where applicable, for Women, Youth and PWD)	Women and Men
Spatial transformation (where applicable, reflecting which Districts/ Metros as per DDM)	Districts and Metros with traditional leadership
Calculation Type	Non-cumulative
Reporting cycle	Annual
Desired performance	That traditional leaders participating in municipal councils will be enabled to fully perform their councils duties.
Indicator responsibility	CD: P & IGR

## EXPLANATION OF PLANNED PERFORMANCE

The performance of the ISC branch programme will contribute towards the achievement of the departmental outcomes focusing on:

- Effective governance of the Department
- Safe initiation practices
- Developed communities in areas of traditional and Khoi-San Leadership
- Functional Institution of traditional and Khoi-San Leadership
- Transformed institution of traditional and Khoi-San leadership.

### Outcome: Developed communities in areas of traditional and Khoi-San Leadership

**Output 9:** Traditional and Khoi-San leadership availing land parcels for the implementation of the Invest Rural Master Plan in the Eastern Seaboard. Development Initiative.

**Output 10:** Traditional Mining communities with SLPs that provide procurement, bursaries, learnerships and employment opportunities for historically disadvantaged individuals.

### Outcome: Functional Institution of traditional and Khoi-San Leadership

**Output 11:** Provision of Tools of trade for members of Provincial Houses of Traditional and Khoi-San Leaders as per the draft Hand book for Traditional and Khoi-San Leaders.

**Output 12:** Provision of Tools of trade facilitated for members of the National House of Traditional and Khoi-San Leaders as per the draft Hand book for Traditional and Khoi-San Leaders.

**Output 13:** Resourced traditional leaders participating in municipal councils.

## Programme Resource Considerations

R Thousand Programmes	Audited Outcome			2022/23 Adjusted Appropriation			
	2019/20	2020/21	2021/22		2023/24	2024/25	2025/26
Management	5 375	4 088	7 419	5 237	5 356	5 474	5 606
Institutional Dev and Capacity Building	6 320	5 885	6 212	7 946	8 841	9 039	9 205
Intergovernmental Relations and Partnership	7 667	6 805	7 266	8 576	9 345	9 519	9 660
National House	24 101	16 976	19 785	23 110	24 126	25 280	25 997
CRL Commission	45 189	46 046	46 032	46 818	46 998	49 109	51 309
CTLDC	6 189	1 622	-	-	-	-	-
<b>TOTAL</b>	<b>94 841</b>	<b>81 422</b>	<b>86 714</b>	<b>91 687</b>	<b>94 666</b>	<b>98 842</b>	<b>101 777</b>
Economic Classification							
Compensation of Employees	26 546	27 477	32 467	30 652	32 771	33 195	33 478
Goods & Services	23 000	6 864	7 985	14 217	14 747	16 117	16 990
Transfers and Subsidies	45 290	47 081	46 123	46 998	46 998	49 109	51 309
Payments for Capital Assets	-	-	-	-	150	-	-
Payments for Financial Assets	5	-	139	-	-	-	-
<b>TOTAL</b>	<b>94 841</b>	<b>81 422</b>	<b>86 714</b>	<b>91 687</b>	<b>94 666</b>	<b>98 842</b>	<b>101 777</b>

## NARRATIVE ON PLANNED EXPENDITURE

For 2023/24 financial year the bulk of the budget for the Institutional Support and Coordination Branch will be utilized for the following programmes and projects:

- Local Houses of Traditional and Khoi-San Leaders (LHTKL) availing land parcels for the implementation of the Invest Rural Master Plan and Eastern Seaboard Development Initiative, through DDM processes.
- Traditional councils transforming mining companies through development and job creation projects in line with the implementation of the Social Labour Plans (SLPs) on mining activities in traditional communities.
- Provincial Houses of Traditional and Khoi-San Leaders provided with tools of trade as provided for in the draft Hand book for Traditional and Khoi-San Leaders.
- Tools of trade for members of NHTKL provided as per the provision of the draft Hand book for Traditional and Khoi-San Leaders.
- Traditional leaders in councils afforded with the benefits and the tools of trade.

## UPDATED KEY RISKS AND MITIGATION FROM THE STRATEGIC PLAN

Outcome	Key Risks	Treatment Plan
Effective governance of the Department	Ineffective system to monitoring compliance to ensure good governance.	Monitor compliance to compliance indicators framework
	Lack of compliance to representivity targets for WYPD	Monitor the implementation of the EE plan of the Department
Safe initiation practices	Inability to regulate customary initiation practice.	Monitor the implementation of various sections of the CIA
	Lack of inclusion of Women in the Customary Initiation structures to achieve gender equity and equality	Monitor the establishment of the CIA structures to achieve gender equity and equality
Functional institution of traditional and Khoi-San leadership.	Lack of enabling tools of trade to perform legislated functions	Build capacity to make use of technology
	Illegal traditional councils in compliance with the TKLA provisions.	Engage/consult Provinces to enforce compliance with the TKLA
	Lack of financial resources for traditional leadership to perform legislated function	Facilitate the costing of the TKLA and CIA with Provinces
Developed communities in the areas of traditional leadership.	Ineffective development within Traditional and Khoi-San communities.	Empower traditional communities, through facilitating development and implementation of partnerships
	Lack of targeted beneficiation for WYPD	Monitor the implementation of socio-economic development programmes targeted at WYPD
Developed communities in the areas of traditional leadership.	Lack of a willingness by the institution to transform	Develop and implement the transformation empowerment plan for the institution of traditional leadership, working with key partners (SAHRC, Gender Commission, CRL Commission, etc).
		Monitor the implementation of the transformation empowerment plan









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