

**MINISTRY: PUBLIC SERVICE AND ADMINISTRATION**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**QUESTION NO.: 3389.**

**Mr A P van der Westhuizen (DA) to ask the Minister of Public Service and Administration:**

What has he done to expedite the filling of the post of the chairperson for the Public Service Commission that has been vacant for 10 months? NW4048E

**REPLY**

The Public Service Commission (PSC) is an independent constitutional body established in terms of Section 196 of the Constitution of the Republic of South Africa, 1996. It comprises 14 Commissioners appointed by the President of which five (5) are approved by the National Assembly and nine (9) are nominated by each of the Premiers of the respective province.

Section 4(1) and (2) of the Public Service Commission Act, 1997 states that:

“(1) Whenever the President is required to appoint a commissioner who has been approved by the National Assembly, the President shall address a request in writing to the Speaker of the National Assembly that a fit and proper person contemplated in section 196(10) of the Constitution be approved of as soon as may be practicable by the National Assembly in accordance with section 196(8)(a) of the said Act”, and

“(2) Whenever the President is required to appoint a commissioner who has been nominated by the Premier of a province, the President shall address a request in writing to the premier of that province that a fit and proper person contemplated in section 196(10) of the Constitution be nominated as soon as may be practicable by that Premier in accordance with section 196(8)(b)”,

In terms of Section 5(1) of the Public Service Commission Act, 1997, “the President shall designate one commissioner as chairperson and another as deputy chairperson of the Commission”.

Therefore, the chairperson of the Public Service Commission is not a direct appointment as the vacancy does not get advertised but the chairperson is drawn from amongst Commissioners within the employ of the Public Service Commission. It is the prerogative of the President to designate one Commissioner as the chairperson and another as a deputy chairperson of the Public Service Commission.

The President is waiting for the filling of the vacant post at national level of which the National Assembly of Parliament is in a process of identifying the candidate for nomination and recommendation to fill this vacant post.