

Tshwane (Pretoria) Office

Physical:

Block C, Brooklyn Court, Veale Street
New Muckleneuk, Tshwane (Pretoria)

Postal:

PO Box 1787, Brooklyn Square 0075
Tshwane (Pretoria), South Africa

Tel: +27 12 346 9500

Fax: +27 12 460 0998

E-mail: iss@issafrica.org



www.issafrica.org

VAT No: 473 0129 782

Non-Profit Reg No: 006-981 NPO

A Non-Profit Trust, Reg No: T1922/91

Executive Director: Dr Jakkie Cilliers

Chairperson of the Council: Dr Salim Ahmed Salim

Trustees: Selby Baqwa, Lucy Mailula, Jakkie Cilliers

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18 April 2008

Hon Fezile Bhengu
Chairperson
Portfolio Committee on Defence
Parliament of the Republic of South Africa

Dear Hon Bhengu

The Institute for Security Studies (ISS) would like to take this opportunity to comment on the Defence Amendment Bill B6-2008. The proposed legislation deals primarily with administrative matters within the South African National Defence Force and the Defence Secretariat. The ISS agrees and supports the Bill in broad terms and has two specific considerations to highlight.

The first issue that we would like to bring to the attention of the Portfolio Committee on Defence relates to the functions and duties of the Inspector General for Defence. The Defence Amendment Bill seeks to establish a legal framework for the roles and functions of the Inspector General. The ISS agrees with the responsibilities and duties as allocated to the Inspector General in Section 10(b) of the Bill. We would, however, like to highlight for your consideration an inclusion in the defined duties of the Inspector general to reflect a responsibility to monitor and report on the operational preparedness and effectiveness of the South African National Defence Force. The rationale supporting this recommendation is that traditionally the role of the Inspector General has been to conduct internal reviews of the adherence of the SANDF to legal requirements, policies and procedures. The Defence Amendment Bill opens the scope for expanding the role of the Inspector General as a mechanism to review operational aspects of SANDF duties and to monitor the performance of defence functions in line with policy and procedures. In practice this could manifest as inspections of defence facilities and operational deployments to monitor and report on the ability and capacity of the SANDF to fulfil assigned security functions.

The second point we would like to draw your attention to relates to Section 55 and Section 55(a) of the proposed legislation regarding the salary structures and entitlements. The Defence Amendment Bill empowers the Minister of Defence to determine salaries for the SANDF in line with the rest of the public service.

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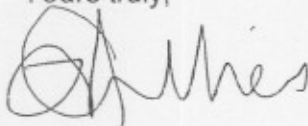
Cape Town Office: E-mail: capetown@issafrica.org • Tel: +27 21 461 7211 • Fax: +27 21 461 7213
Addis Ababa Office: E-mail: addisababa@issafrica.org • Tel: +251 11 372 1154/5/6 • Fax: +251 11 372 5954
Nairobi Office: E-mail: nairobi@issafrica.org • Tel: +254 20 300 5726/8 • Fax: +254 20 271 2902

The ISS supports the Bill as an effort to bring the salary scale of the SANDF in line with the public service but would like to propose for consideration of the Portfolio Committee on Defence an inclusion in the powers assigned to the Minister for Defence in this regard. One of the most pressing matters facing the SANDF is the retention of highly skilled personnel such as pilots and engineers. One of the key reasons for the challenges of retaining scarce skills in the defence force is that there is a lack of alignment between the salaries in the defence sector with that in the public sector. Basically, the SANDF cannot compensate specifically and essentially skilled personnel commensurate with the market value of such skills in the private sector. The ISS, therefore, recommends that the wording of the Bill includes the authority for the Minister of Defence to also approve allowances for special categories of SANDF that are traditionally difficult to retain in service due to the non-alignment of salaries with that of their counterparts in private sector employment. This stipulation could empower the Minister to prioritise the retention of scarce and essential skills within the defence force and could reduce the deficit between public service remuneration and private service pay.

In conclusion, the ISS would like to express our general support the proposed legislation as a means to formalise certain administrative arrangements within the defence structures. The above-mentioned points are submitted for your consideration as a means to bolster the Defence Amendment Bill.

We would like to thank the Portfolio Committee on Defence for the opportunity to highlight these issues for your consideration.

Yours truly,



Dr Jakkie Cilliers
Executive Director
Institute for Security Studies