



**higher education
& training**

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

MARKING GUIDELINE

NATIONAL CERTIFICATE PUBLIC ADMINISTRATION N4

12 JUNE 2018

This marking guideline consists of 11 pages.

MARKING GUIDELINES FOR EXAMINERS

1. Examiners are reminded that Public Administration N4 lends itself to broad interpretations and therefore a broad spectrum of answers.
2. The marking guideline serves as a guideline to markers/examiners and is not intended to be absolute or prescriptive.
3. The answers provided in this marking guideline are therefore not exhaustive and examiners/markers are requested to use their discretion when marking. Answers provided by students should also be assessed within the context of their life experiences.
4. Content should be marked and not grammar.

SECTION A**QUESTION 1**

- | | |
|------|-------|
| 1.1 | False |
| 1.2 | False |
| 1.3 | False |
| 1.4 | True |
| 1.5 | True |
| 1.6 | True |
| 1.7 | False |
| 1.8 | True |
| 1.9 | True |
| 1.10 | False |

(10 × 2) **[20]**

QUESTION 2

- | | |
|------|---|
| 2.1 | F |
| 2.2 | H |
| 2.3 | B |
| 2.4 | C |
| 2.5 | A |
| 2.6 | G |
| 2.7 | I |
| 2.8 | E |
| 2.9 | J |
| 2.10 | D |

(10 × 2) **[20]**

TOTAL SECTION A: 40

SECTION B**QUESTION 3**

- 3.1 3.1.1
 - Usually appointed by the head of state (president) on advice of the cabinet
 - Appointed by the premier of a province acting on advice of the provincial executive council
 - Investigate a particular issue (Any 1 × 2) (2)
- 3.1.2
 - Political office bearers are persons who have been elected to fill positions in government.
 - They are publicly accountable and have a public responsibility towards the citizens of South Africa.
 - They have the final say in legislative and budgetary proposals.
 - The president, deputy president, ministers, deputy ministers, premiers, members of the provincial executive council, mayors, deputy mayors and members of the municipal executive committees are examples of political office bearers. (Any 2 × 2) (4)
- 3.1.3
 - The president presides over cabinet meetings.
 - The cabinet functions as a consensus-seeking body in reflection of the spirit of national unity.
 - Each cabinet minister administers and manages his/her own portfolio in accordance with decisions made by the cabinet.
 - The cabinet is the top executive institution of the South African government and acts as the government-of-the-day of South Africa.
 - The cabinet acts as the top policy-maker of the country and must approve all bills submitted to them by the houses of parliament.
 - It is the top financial decision-maker and decides how the total income of the country must be divided and spent. (Any 3 × 2) (6)
- 3.1.4
 - Determines what the status, powers and functions of national or provincial bodies are when there is a dispute between them
 - Determines whether a bill before or law of parliament or provincial legislature is constitutional
 - Determines if amendments to the constitution are constitutional
 - Determines whether another court was correct when it found that the behaviour of the president was unconstitutional
 - Determines if the working of parliament is constitutional
 - Determines if a provincial constitution or amendments to a provincial constitution is constitutional
 - Each matter must be heard by at least 11 judges
 - Does not hear evidence or question witnesses
 - Usually works from written arguments presented to it – most of the work of the court consists of reading and analysing documents and preparing judgements (Any 3 × 2) (6)

3.1.5 Public protector

- Receives and investigates complaints from the public against government or state agencies or officials
- Investigates any conduct in state affairs or public administration at any level of government that is improper (maladministration, abuse of power, violations of human rights, dishonesty).
- Reports on that conduct to the public
- May not investigate any court decision

Auditor-general

- Audits and reports on the financial statements of all state departments, provincial departments and local governments
- Audits and reports on any institution funded by public money
- Makes all reports public
- Acts as watchdog for the parliament and people of South Africa.

(Any 3 + Any 3) (6)

- 3.2 3.2.1
- Citizens have the opportunity to choose their leaders through voting.
 - All people have a say in how the country can be governed.
 - The constitution/Bill of Rights gives people the right to participate in general elections to choose their representatives.

(Any 1 × 2) (2)

3.2.2 Independent Electoral Commission

(2)

- 3.2.3
- Serves as ceremonial head and represents his/her town
 - First citizen of a town/city
 - Chairperson of the municipal council
 - Receives an allowance to enable him/her to carry out duties
 - Part of the allowance is used for entertaining visitors/guest and diplomats
 - Often the leader of the local branch of the political party that won the proportional seats during the local elections

(Any 3 × 2) (6)

- 3.2.4
- Water
 - Roads
 - Sanitation
 - Electricity
 - Transport
 - Primary health services
 - Education (not school education)
 - Housing
 - Traffic control
 - Cemetery/Crematorium control
 - Storm-water drainage
 - Fire brigade
 - Library
 - Art galleries
 - Abattoirs
 - Sports and recreation
 - Prevention of pollution
 - Municipal security
 - Tourism
 - Airports
 - Urban and rural development

(Any 6 × 1) (6)
[40]

QUESTION 4

- 4.1 4.1.1 National or central sphere of government
- Governs the state at the highest level
 - Responsible for the main organisation and administration on central level by making laws and policies which bind all other forms of government
 - Parliament has the authority to make laws at central level
- Provincial or regional sphere of government
- Second level of government
 - Nine provincial governments for the nine provinces
 - Not completely independent and can only govern the province as far as the central government allow them to govern
 - Provincial laws and policies must not clash with central laws and policies
 - Provincial legislature passes laws for the province
- Local or municipal sphere of government
- Smallest form or third level of government
 - Plays an important role in the government processes of a democratic society as almost all residents of a town or city can be involved in the local elections
 - Opportunity for ordinary citizens to manage their own affairs independently
 - Decisions must be consistent with any laws or policies made by central or provincial government (Any 3 × 2) (6)
- 4.1.2 • Particular territory
- Independent from any other state
 - People part of a community
 - Permanent rules in the form of a constitution
 - Public institution to ensure law and order
 - Government chosen by the people of the country to rule them (6)

- 4.1.3 Legislative authority
- Includes the writing of laws
 - Monitors the executive
 - Legislator who enacts laws may not also execute them or administer justice
- Executive authority
- Includes activities in the preparation of writing laws
 - Includes the running of different state departments within government
 - Laws are carried out
 - Not involved in enacting legislation or in administering justice
- Judicial authority
- Apply, administer and interpret the laws of the country
 - May not enact laws or execute them
 - Independent and only follow the constitution and the law
 - Apply the law impartially (3 × 2) (6)
- 4.1.4 • Eastern Cape
- KwaZulu-Natal
 - Northern Cape
 - Limpopo
 - North-West
 - Free State
 - Gauteng
 - Western Cape
 - Mpumalanga (9)
- 4.2 4.2.1 • Persons subject to an order of court declaring him/her to be of unsound mind or mentally disturbed
- Persons committed to an institution for the mentally disturbed
 - Illegal immigrants
 - Persons detained because of drug dependency or a similar offence
 - Persons detained in a prison after being convicted and sentenced without the option of a fine in respect of attempting to commit murder, rape, kidnapping, indecent assault, abduction robbery, bribery (all prisoners are however allowed to vote)
 - Persons guilty of corrupt or illegal behaviour at an election may not vote even though they are registered as voters (Any 4 × 1) (4)

- 4.2.2
- Disposable polling booths are used to cast a vote in secrecy.
 - Ballot boxes, used to cast the ballot paper, must be checked before voting to ensure that they are empty.
 - Copies of voting list: It is the responsibility of every individual to check that his/her name appears on all and the correct voting lists in his/her constituency.
 - Ballot papers usually consist of abbreviated names of registered parties, a sign or symbol of each party in colour and the name and photograph of the leader of the party.
 - Indelible ink is used to mark the hands of the voters.
 - Stationery: The electoral officer must provide pens, pencil rulers and any other required writing material.
 - Shredding machines are used to shred spoilt papers.
 - First-aid/Emergency equipment: The electoral officer must ensure that there is sufficient first-aid emergency equipment available in the case of an emergency.

(9)
[40]

QUESTION 5

- 5.1 5.1.1
- Heals the divisions of the past and creates a society based on democratic values, social justice and basic human rights
 - Lays the foundation for a democratic and open society in which government is based on the will of the people and every citizen is equally protected by the law
 - Improves the quality of life of all citizens and frees the potential of all people
 - Has supremacy over parliament
 - Guarantees equal rights for all citizens of the RSA
 - Contains a Bill of Rights that regulates the relationship between state and citizens
 - Makes provision for the formation of a government of national unity
 - Entrenches various interests of the community, for example an electoral system of proportional representation, etc.
 - Builds a united and democratic South Africa able to take its rightful place as a sovereign state in the family of nations
 - Former four provinces were replaced by nine provinces each of which obtained its own provincial government (Any 5 × 2) (10)

- 5.1.2
- Continuously in session in future
 - Members enjoy freedom of speech
 - Has its own penalties
 - Functions by means of debate after which a decision is reached
 - A bill is introduced, a debate takes place and a majority vote is taken
 - Quorum of at least half the house should be present
 - Committee system is used to resolve differences
 - Most important function is the enactment of laws
 - Judicial control over parliament
 - Keeps the executive accountable
 - Can summon any person to give evidence or produce any documents or ask any institution to report to them
 - Must agree to a state of emergency
 - Can pass a vote of no confidence in the cabinet
 - Controls state institutions
 - Can amend the constitution
 - Debates and votes on the annual budget
 - Establishes a joint rules committee to make rules and orders.
- (Any 6 × 2) (12)
- 5.1.3
- Members are elected for a five-year term of office.
 - Parliament can be dissolved by the president at any stage after the commencement of a term of office.
 - The president can dissolve a single house in the five-year term of parliament.
 - An interim term of a house will exist until the term of parliament is over.
- (Any 2 × 2) (4)
- 5.1.4
- Carries out all activities assigned by the president or constitution
 - Assists the president
 - Has the same tasks as members of cabinet
 - Collectively accountable (with members of cabinet) and individually to parliament
 - Provides parliament with full and regular reports about the area he/she controls
- (5 × 2) (10)
- 5.2
- The constitution makes provision for traditional leadership at local, provincial and national levels.
 - National and provincial legislation provide for the establishment of traditional houses to recognise customary law.
 - It makes proposals to the provincial legislature or government in respect of matters relating to traditional authorities, indigenous laws, traditions and customs of traditional communities in the provinces.
 - A provincial bill affecting traditional authorities must be referred to the provincial house of traditional leaders for comments and input by the speaker of the provincial legislature.
 - If the house is opposed to the bill, the provincial legislature does not pass the bill.
- (Any 2 × 2) (4)

[40]

QUESTION 6

- 6.1
- 6.1.1 Parliament
 - 6.1.2 National Assembly
 - 6.1.3 Executive authority
 - 6.1.4 Cabinet
 - 6.1.5 State departments
 - 6.1.6
 - Public protector
 - Auditor-general
 - Human Rights Commission
 - Electoral Commission
 - State corporations (state-owned enterprises)
 - Agricultural control boards
 - Research institutions
 - Universities
 - Technicons (universities of technology)
- (Any ONE)
(6 × 1) (6)
- 6.2
- There are 90 delegates in the NCOP which means a delegation of 10 representatives for each of the nine provinces.
 - There are four special delegates consisting of the premier of the provinces and three other special delegates.
 - There are six permanent delegates.
 - Each provincial delegation is proportionally represented by the political party representatives in the province.
 - A chairperson and two deputy chairpersons are elected as presiding officers.
 - These presiding officers manage the work of the NCOP and preside over debates.
 - The chairpersons are elected for five years, while the provincial premiers take turns to rotate the duty of the deputy chairpersons. Each premier will be in the position for a year.
 - One chief provincial whip organises the work of the provincial delegation of the political parties.
 - A programming whip helps the chief provincial whip schedule the work of the NCOP.
- (Any 5 × 2) (10)
- 6.3
- Where an act of parliament deals with matters that cannot be regulated effectively by provincial legislation
 - Where an act of parliament deals with matters that require being regulated or coordinated by uniform norms or standards that apply generally throughout the RSA
 - Where an act of parliament is necessary to set minimum standards across the nation for rendering of public services
 - Where an act of parliament is necessary for the maintenance of economic enmity, wealth and security services, protection of the environment, promotion of provincial commerce and other important services to be regulated by national law
- (4 × 2) (8)

6.4	• Acts as chief manager of the municipality • Ensures that all assignments of the local government are properly carried out • Responsible for communication between the local government and appointed officials • Acts as a custodian for the provincial government by liaising with them and reporting misconduct by other officials and members of the local government to them • The accounting officer of the municipality who must accept responsibility for the expenditure of the money of the community and accept financial control • Head of administration who manages the policy directions of the municipal council and is responsible and accountable for an effective and efficient administration to carry out the municipality's integrated development plan • Operates in accordance with the municipality's performance management system • Responds to the needs of the local community to participate in the affairs of the municipality • Appoints staff subject to the Employment Equity Act • Management, effective utilisation and training of staff • Maintains discipline • Promotes sound labour legislation • Administers and implements the municipality's bylaws and other legislation • Carries out decisions of the political structures and political office bearers • Implements national and provincial legislation applicable to the municipality • Develops and maintains a system whereby community satisfaction with municipal services is assessed	(Any 5 × 2)	(10)
6.5	• Research • Public relations • Legal services • Notification services • Constructing and maintaining information systems • Data collection, processing and retrieval	(6)	[40]
			160
			200