



MANGAUNG LOCAL MUNICIPALITY LANGUAGE POLICY

Approved by Council on 27 November 2003 under item 51A3, and further amended
by Council on 27 May 2004 under item 27A1

PREAMBLE

WHEREAS the Constitution of the Republic of South Africa, Act 108 of 1996, provides that municipalities must take into account the language usage and preferences of their residents;

WHEREAS the Government must take practical and positive measures to elevate the status and advance the use of indigenous languages;

AND WHEREAS the Government should ensure the use of at least two of the eleven designated South African languages in official domains;

NOW THEREFORE the Municipality subscribes to the language policy set out in this document and binds itself to ensure that the language policy will be implemented and executed at all levels of administration in its area of jurisdiction.

Definitions

PANSALB	Pan South African Language Board
Municipal Languages	Official languages of the Municipality
Administrative Languages	These languages have the same status as Municipal languages with specific use of Setswana and Isixhosa for Thaba Nchu and Mangaung Township respectively but will not be referred to as official languages.
Previously Marginalized Languages	Languages that previously did not have official status.
Within a reasonable period	Within such period of time as may be justifiable to execute the task but not exceed four weeks.
Business of the Municipality	Day to day activities involved in the running of the affairs of the Municipality.
Administrative Purposes	Activities, actions and/or communication relating to the working and/or the affairs of the municipality a specific area of the Municipality.

1. Guiding principles

The following guidelines underlie the language policy of the Municipality:

- (1) The norms for language policy as contained in section 6(4) and 6(2) of the Constitution of the Republic of South Africa, 1996, must be adhered to in accordance with advice provided from time to time by PANSALB.
- (2) The limiting factors contained in section 6(3) must be applied in the selection of languages for the business of the Municipality, and also in accordance with advice provided from time to time by PANSALB.
- (3) Service delivery to the communities within the area of jurisdiction of the Municipality must take place in the municipal language of the citizens.
- (4) There shall not be discrimination on the basis of language preference in the management and administration of the Municipality.

- (5) The Administration must strive to promote the use of the municipal official languages.
- (6) The Administration must strive to develop those previously marginalized municipal languages chosen by the Municipality.
- (7) It is the responsibility of the Municipality to provide language facilitation services such as translation and interpreting, and such others as may be required, and to make sufficient funds available for these services.
- (8) Multilingualism in the Administration will be encouraged and minimum language proficiency standards will be determined for appointment and promotion.
- (9) Facilitate equitable access to municipal services, knowledge and information;
- (10) Promote good language management for efficient public service administration to meet client expectations.

2. Municipal languages

- (1) For the purpose of conducting the business of the Municipality, Sesotho, English and Afrikaans are to be used as the official languages of the Municipality (hereafter called the *municipal languages*) in accordance with the norms of status and use provided by section 6 of the Constitution.
- (2) Notwithstanding the provision in 2(1) other prominent languages may be used for administrative purposes, such as Setswana and IsiXhosa (hereafter called the *administrative languages*). These languages will have the same status but not be referred to as official municipal languages. The administration will strive to develop these previously marginalised administrative languages together with the municipal languages.
- (3) Upon request from people with disabilities and where practical, Council will make provision to address their special needs.

3. Proceedings and languages of record of the Municipality

- (1) The municipal languages, and other administrative languages, must be used at all meetings, namely council meetings, committee meetings, ward/constituency meetings, ward committee meetings of the Municipality and provision must be made for professional interpreting services during such meetings, to be paid for by the Municipality: Provided that the participants will be required to indicate their language preference with the Office of the City Manager and/or chairperson of the proposed meeting(s) upon receipt of the agenda/notice of the meeting or at least 24 hours before the date and time of the meeting.
- (2)
 - (a) All minutes of meetings of the Municipal Council and its committees must be recorded in the municipal languages used at such meetings. A translation thereof must be made available in at least one of the other municipal languages, determined by the limiting factors provided for by section 6 of the Constitution.
 - (b) In addition, a summarised translation into English must be made available within a reasonable time after the meeting.
- (3) All By-laws, official reports, agendas and resolutions of the Municipal Council and its committees must be made available in all the municipal languages: Provided that practical arrangements may be made in order to make By-Laws, official reports and resolutions drawn up in one municipal language first and that it is made available in the other two municipal languages within a reasonable period. All documentation received from external sources may remain in its original format i.e. the original language it was written in.

4. Official notices

- (1) Official notices, publications, advertisements and tenders of the Municipality must be published or issued in all the municipal languages and may also be issued in the administrative languages when required.

5. Identification signs

- (1) If an institution of the Municipality identifies any of its offices or facilities by way of sign boards, or if it can reasonably be expected of the relevant institution to do so, such sign boards, as well as street names and directions, shall be displayed in at least two of the municipal languages, and the administrative languages, in accordance with the language preferences of the specific community concerned.
- (2) At least two municipal languages shall be used in identifying municipal assets and vehicles.
- (3) Where required administrative languages shall also be used in identifying municipal assets and vehicles.

6. Written Communication with the public

Written communication including official notices, publications, advertisements, tenders, accounts, invoices, newsletters, replying to letters, forms and identification signs with the inhabitants of the Municipality must be in the municipal language/administrative language of their preference. Provided that where such preference has not been indicated, the following shall prevail; when replying to letters, such correspondence must take place in the language, in which communication was received and in the case of publishing advertisements at least two of the municipal languages should be used with due regard to the target audience.

Any member of the public -

- (a) may use any of the municipal languages / administrative language when he or she communicates with any institution of the Municipality; and
- (b) may be served in the municipal language / administrative language of his or her choice at or by any institution of the Municipality where possible.

The content of administrative and juristic acts of the Municipality shall be communicated to inhabitants residing in the area of jurisdiction of the Municipality in the municipal language of the person to whom it is addressed in each case: Provided that for the purposes of this subsection the person involved must designate the municipal language if it is not known to the Municipality.

7. Oral communication

- (1) For the purpose of rendering emergency services, members of the public must be communicated with in the municipal language which they understand.
- (2) Oral communication with residents must take place in the municipal language / administrative language of their choice as established through the proper means stipulated in 2(2) and in accordance with the language profile of the target audience.
- (3) Any member of the public -
 - (a) may use any of the municipal languages / administrative language when he or she communicates with any institution of the Municipality; and
 - (b) may be served in the municipal language / administrative language of his or her choice at or by any institution of the Municipality where possible.

8. Communication with other institutions

- (1) Any of the official languages of South Africa may be used to communicate with national, provincial and local governments and any other organs of state, provided that the provisions in section 6 of the Constitution are not violated.
- (2) Any appropriate language may be used for the purpose of international communication.

9. Internal written communication

All three the municipal languages must be used for the purpose of communication in the Administration of the Municipality: Provided that if the addressee does not understand the municipal language in which he or she is

addressed, he or she may request that communication with him or her should take place in another municipal language which he or she understands.

10. Working language of record

For the purpose of the business of the municipality within the administration and taking into account the provisions of clause 8 and 9 above, Council shall use English as the working language for both intra and interdepartmental communication.

11. Language facilitation services

- (1) The Municipality must make financial and administrative arrangements so as to ensure that language facilitation services in the municipal languages are available to representatives and officials of the Municipality.
- (2) Regular language surveys, audits and other methods of data collection should be conducted in order to establish the language needs of municipal officials.
- (3) The Municipality must make financial and administrative arrangements so as to ensure that representatives and officials of the Municipality are competent in the municipal languages.
- (4) All language courses shall be provided to representatives and officials of the Municipality free of charge.
- (5) Dedicated resources and budget vote shall be allocated within the municipality's finances.

12. The promotion and elevation of the status and extension of the use of Sesotho

- (1) The Municipality in association with PANSALB is to develop the previously marginalized municipal languages through appropriate concrete language development programmes.
- (2) For purposes of promotion or appointment -
 - (a) the successful candidate in a post level 1 – 4, must provide proof that he or she is able to use English and two (2) other languages from either municipal languages (Sesotho and Afrikaans) or from administrative languages (Setswana and IsiXhosa) meaningfully for the purposes of the business of the Municipality.
 - (b) the successful candidate in a post level 5 and downwards, must provide proof that he or she is able to use at least two (2) of the municipal languages meaningfully for the purposes of the business of the Municipality;
- (3) The requirements for promotion to or appointment in the posts referred to in 2(a) and 2(b) must be phased in over a period of five (5) years as from the date of commencement of this policy. During this five (5) year period the language requirements will only be regarded as preferences, but thereafter it will become mandatory and prescriptive.
- (4) The Human Resource Development Unit, in conjunction with Skills Development Committee, is charged with the responsibility of monitoring development and reporting to the Local Labour Forum on related aspects such as training, funding needs, etc.
(Amended by Council on 27 May 2004 under item 27A1)

13. Associates of the Municipality

The language policy as set out herein also applies to all contractors, nominees and agents of the Municipality who act in the interests of or on behalf of the Municipality.

14. Code of Conduct

- (1) The Municipality must continuously ensure that councillors and staff are sensitised to the value of multilingualism as a tool for building social cohesion, promoting economic development and consolidating democratic government through respect for cultural diversity.

- (2) The Municipality must ensure that notices are placed in all its buildings/offices informing the public that it promotes multilingualism and that officials will make every effort to use the language(s) of the client(s).
- (3) The Municipality must ensure that all officials and councillors accommodate the language use and preferences of other officials and councillors with courtesy.

15. Officials and Councillors

- (1) Officials and Councillors must be encouraged to learn the three official languages, and training programmes must be organised to assist in the development of their language skills.
- (2) Directorates/Sub-directorates/Units must play an active role in promoting multilingualism in an equitable manner and also to identify the language skills required in order to render an effective and efficient service to its communities.
- (3) When filling vacant posts, Directorates/Sub-directorates/Units must take cognisance and comply with the municipal language policy when advertising, recruiting, selecting and appointing staff.

16. Non-compliance with the provisions of the By-Law

- (1) Non-compliance with the provisions of this By-Law on the part of officials of the Municipality shall be regarded as misconduct which may lead to appropriate disciplinary action.
- (2) Non-compliance with the provisions of this By-Law on the part of contractors, nominees or agents of the Municipality who act in the interests of or on behalf of the Municipality shall, as the case may be, constitute breach of contract or exceeding of the mandate of the person concerned.
- (3) If and when it comes to the attention of the Municipality that a provision of this By-Law has not been complied with, the omission must be rectified immediately.
- (4) If the omission relates to a written notice to a member of the public, a substitute notice, of which the effective date shall be the date of issue of the substitute notice, shall be issued.

17. Municipal Language Committee

- (1) For the purposes of monitoring and revising this language policy in accordance with section 6 of the Constitution, the Council shall, appoint portfolio committee Policy and Transformation to serve as a Municipal Language Committee.
- (2) The Municipal Language Committee may also deal with complaints concerning the violation of language rights of citizens in accordance with this By-Law.
- (3) In addition, the Municipal Language Committee shall be responsible:
 - (a) To be actively involved in the implementation of the language policy;
 - (b) To give rulings, in an expert and impartial way, on handling the policy on language issues in the Municipality which may give rise to friction;
 - (c) To review the language reality of the Municipality on a continuous basis in order to make recommendations regarding the municipal and administrative language(s);
 - (d) To draft revisions to the policy based on feedback regarding the continuous reviewed language reality of the councillors, staff and public;
 - (e) To monitor the phased-in implementation of the language policy;
 - (f) To initiate studies and research directed at:—
 - (i) the promotion of respect for the official languages;
 - (ii) the promotion of multilingualism in the Municipality;
 - (iii) the promotion and use of the language resources of the Municipality;
 - (iv) to prevent the use of any language for exploitation and domination.

- (g) To interact with other stakeholders on language related issues;

18. Implementation

- (1) The Language Policy as set out in this document must, unless otherwise provided, be implemented within a period of five years of the date of commencement of this policy.
- (2) The implementation is to be managed by the Municipal Language Committee.

19. Short title and commencement

This policy shall be known as the Language Policy of the Mangaung Local Municipality, and has commenced on 12 March 2004, being the date of publication in the **Provincial Gazette**.