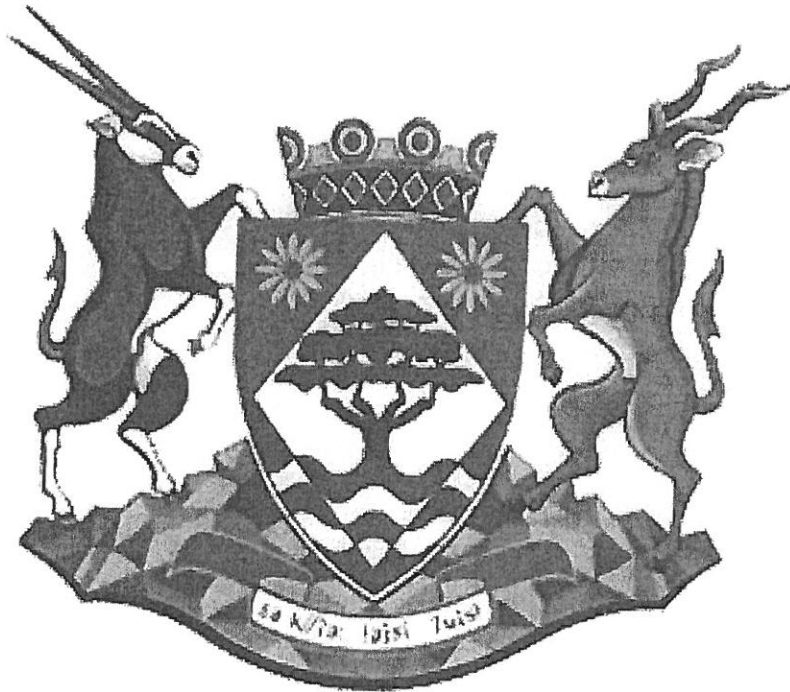


2012

DEPARTMENT
OF SPORT
ARTS AND
CULTURE



[POLICY ON RESETTLEMENT]

Purpose of the Policy: This policy serves to regulate the resettlement compensation of employees as a result of changes in personnel life cycles.

1. PURPOSE

To regulate the compensation of employees for the resettlement costs incurred by the employee or his immediate family within the Republic as a result of the:

- 1.1 Transfer in the interest of the state and initiated by the state;
- 1.2 An appointment in the Department;
- 1.3 Termination of service due to:
 - 1.3.1 normal retirement ;
 - 1.3.2 death;
 - 1.3.3 voluntary severance package;
 - 1.3.4 early retirement.

2. LEGISLATIVE REGULATORY FRAMEWORK

This Policy document draws its mandate from, *inter alia*, the following legislation:-

- 2.1 Constitution of the Republic of South Africa, 1996;
- 2.2 Public Service Act, 1994 (as amended), Proclamation 103 of 1994;
- 2.3 Agreement on remunerative allowances and benefits: Chapter XV of PSCBC Resolution 3 of 1999;
- 2.4 Public Service Regulations, 2003 (as amended), and
- 2.5 Compensation for Occupational Injuries and Diseases Act, Act 130 of 1993.

3. DEFINITIONS

For the purposes of this policy the following terms shall be defined as follows:

- 3.1. "**Accommodation Expenditure**" refers to expenditure in respect of lodging, meals including non-alcoholic beverages taken with meals, dry cleaning, laundry and parking;
- 3.2 "**Employee**" An employee is, for purposes of this policy framework, defined as a person who is employed in a permanent capacity (including permanent on probation or as a Head of Department) anywhere in the Public Service or in terms of any public service employment legislation. An employee in employment, as described above, but on a fixed term contract for a continuous period of at least three years, and who, based on a formal recruitment and selection process, has been transferred to a public service post in the DSAC, is likewise defined as an employee.
- 3.3 "**Employer**" for purposes of this provision refers to the state;
- 3.4 "**Furnished Accommodation**" refers to a hotel or boarding room, rented furnished private house or official quarters furnished with basic and essential furniture by the lessor or owner;



- 3.15 **“Retiree”** A retired employee refers to a person who is or has legally given notice to, or who has been granted authorisation to be, or shall be, retired from holding an employment in terms of the Public Service Act, 1994 (as amended) within the DSAC. For purposes of this policy framework, an employee is regarded as retired if the termination of service is governed by any provision or contractual provision, which so directs;

4. SCOPE OF APPLICATION

This policy framework applies to the following in the manner as defined in the appropriate sections of paragraph 7:

- 4.1 All employees of the employed in terms of the Public Service Act, 1994 (as amended);
- 4.2 Public Servants employed permanently (including permanent on probation) elsewhere in the Public Service, in terms of any public service employment legislation, upon their transfer / appointment to a post in the DSAC;
- 4.3 New appointees to the DSAC including Public Servants employed on contract elsewhere in the Public Service.

5. SCOPE OF APPICATION

This policy framework is applicable to the following:

- 5.1 All employees of the DSAC employed in terms of the Public Service Act, 1994 (as amended);
- 5.2 Public Servants employed permanently (including permanent on probation) elsewhere in the Public Service, in terms of any public service employment legislation, upon their transfer / appointment to a post in the DSAC;
- 5.3 New appointees to the DSAC including Public Servants employed on contract elsewhere in the Public Service.

6. DELEGATIONS OF AUTHORITY

- 6.1. The authority for approval of Resettlement shall be vested with the Executive Authority of DSAC:-
 - 6.1.1 The MEC for all levels in the DSAC.
- 6.2 Whereas the authority to approve Resettlement shall be delegable to the Accounting Authority of DSAC:-



8. ASSISTANCE TO NEW APPOINTEES

8.1 Assistance to New Appointees Recruited within Republic:

The HOD may pay the reasonable actual costs of resettlement to the new office, provided that the appointee and her / his household reside in South Africa. Furthermore the actual costs incurred by the department shall strictly be in line with the following general conditions as stipulated in *paragraph 8.2*, expenditure may include and is strictly limited to actual costs for:

8.2 Conditions

- 8.2.1 The pre-visit shall not exceed three (3) days and two (2) nights. Such days shall be considered as official working days. Accommodation expenses must not exceed the cost of staying at a hotel with a three (3) star grading;
- 8.2.2 Transport and insurance (not packing and unpacking) of the appointee's personal effects to the new office;
- 8.2.3 One month's storage of personal effects; and
- 8.2.4 One calendar month's accommodation at the new station;
- 8.2.5 If an officer on resettlement interrupts or lengthens his/her journey for his/her own interests (i.e. takes another route than the shortest route or makes use of other means of transport other than the mode that has been approved) travel and subsistence expenditure can be compensated to him/her up to the amount which he/she would have been entitled to in terms of the Policy;
- 8.2.6 Acceptable documentary proof for travel and lodging expenses must be attached to the claim.

8.3 Assistance to New Appointees Recruited from Abroad:

- 8.3.1 If an appointee is recruited from abroad, the costs of travelling, transport and insurance, in respect of the assistance as indicated above, are only payable from the nearest port(s) of entry into the country, as agreed to by the HOD.
- 8.3.2 However, the HOD may provide a once off sum to assist such appointee with initial expenses before she/he receives her/his first salary payment;
- 8.3.3 The amount mentioned in point 8.2.2 shall be limited to the employee's one month salary for utilisation in cases of sundry / incidental costs;
- 8.3.4 No further assistance may be provided to an appointee who has to be resettled in order to take up an appointment, however, the HOD (at his own discretion and with full motivation and support from the Senior Manager HRM and HRD) may provide further assistance in terms of a Scarce Skills Recruitment Plan or an Affirmative Action Plan, provided that such assistance will not be inconsistent with the broader provisions of this policy.



- viii. Costs incurred in connection with the purchase of a dwelling;
- iv. Sundry / incidental costs as per the Financial Manual;
- v. Expenditure on new schoolbooks, uniforms and related costs; and (as per the natural determined tariff);
- vi. Tax and levies on privately owned vehicles that cross international borders.

8.6 ASSISTANCE UPON RETIREMENT OR DEATH OF AN EMPLOYEE

8.6.1 Assistance upon Retirement

The HOD may pay the reasonable actual costs of resettlement of a retired employee to the place of retirement in South Africa.

An employee recruited from abroad may be resettled at the place where she / he was recruited when the contract expires. Subject to the specified and applicable general conditions, expenditure may include reasonable actual costs of packing, transport, insurance and unpacking of the personal effects of a retired employee to the place of retirement.

8.7 ASSISTANCE UPON DEATH OF AN EMPLOYEE

The HOD may pay the reasonable actual costs of resettlement of a deceased employee to the place of final repose in South Africa.

An employee recruited from abroad may be resettled at the place where she / he was recruited. Subject to the specified and applicable general conditions, expenditure may include reasonable actual costs of packing, transport, insurance and unpacking of the personal effects of deceased employee to the place of final repose.

In the event of an employee dying whilst on duty, the HOD shall provide assistance for the transport of the body to an appropriate facility in the region of the residence of the household of the deceased employee including:

- i. the preparation of the body for its safe transportation, as may be required by law;



12. POLICY AMENDMENTS

The policy will be reviewed annually in order to consider legislative amendments and any other socioeconomic factors.

13. DISPUTE RESOLUTIONS

All disputes in this regard will be resolved in terms of the Labour Relations Act, 1995, the Public Service Grievance and Disciplinary code and Procedures.

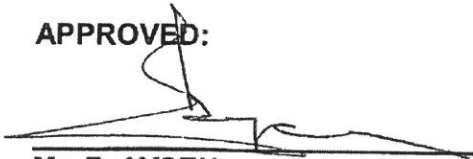
14. MONITORING AND REVIEWING

The Manager Human Resource Development at Head Office will be responsible for overseeing the implementation, monitoring and evaluation of this procedure. This procedure shall be reviewed or replaced as when changes to prescripts occur.

The contents of the abovementioned procedure come into effect with effect from the day of the approval by the HOD by appending his / her signature on this policy.

SUBMISSION FOR ADOPTION

APPROVED:



Mr. F. AYSEN
HEAD OF DEPARTMENT

20/08/2013
DATE

ANNEXURE B

AGREEMENT BETWEEN AN EMPLOYER AND EMPLOYEE IN RESPECT OF RESSETLEMENT COSTS

I,..... in consideration of my appointment on the terms and conditions specified in my notice of appointment issued under the signature of the Head of Department of the Department Sport Arts and Culture ; hereby undertake to refund the aforementioned department a pro rata portion of the expenditure incurred in the Republic of South Africa in the event of my resigning or my services being terminated as a result of unsatisfactory service or misconduct within 1 (one) year of the date upon which I assume duty at .

This period will be extended by any special leave or leave without pay granted to me before I have met my service obligation in full.

SIGNED AT ON THIS DAY.....OF.....YEAR.....

SIGNATURE HOD:

AS WITNESS :-.....

SIGNATURE EMPLOYEE:.....

FULL NAME :

ADDRESS :

.....

.....

OCCUPATION :

