

PROCLAMATION*by the**President of the Republic of South Africa***No. 47, 2014****TRANSFER OF ADMINISTRATION AND POWERS AND FUNCTIONS ENTRUSTED
BY LEGISLATION TO CERTAIN CABINET MEMBERS IN TERMS OF SECTION 97
OF THE CONSTITUTION**

In terms of section 97 of the Constitution of the Republic of South Africa, 1996, I hereby transfer the administration and powers and functions entrusted by the specified legislation, and all amendments thereto, to the specified Cabinet member as set out in the Schedule in English and isiZulu with effect from the date of publication of this Proclamation in the *Gazette*.

Given under my Hand and the Seal of the Republic of South Africa at ...Pretoria...
this..12th... day ofJuly....., Two Thousand and Fourteen.

**President**

By Order of the President-in-Cabinet:

**Minister of the Cabinet**

SCHEDULE

1. The administration and the powers and functions entrusted by the legislation, mentioned in column 1 of the tables below, to a Cabinet member as executive authority of that department mentioned in column 2 of the tables, immediately before the President assumed office on 24 May 2014, are transferred to the Cabinet member mentioned in column 3 of the tables.

1.1 COMMUNICATION RELATED LEGISLATION:

Column 1	Column 2	Column 3
Legislation	Previous Cabinet Member	New Cabinet Member
Post and Telecommunication-Related Matters Act, 1958 (Act No. 44 of 1958)	Minister of Communications	Minister of Telecommunications and Postal Services
Films and Publication Act, 1996 (Act No. 65 of 1996)	Minister of Home Affairs	Minister of Communications
Sentech Act, 1996 (Act No. 63 of 1996)	Minister of Communications	Minister of Telecommunications and Postal Services
Former States Posts and Telecommunications Act, 1996 (Act No. 5 of 1996)	Minister of Communications	Minister of Telecommunications and Postal Services
Former States Broadcasting Reorganisation Act, 1996 (Act No. 91 of 1996)	Minister of Communications	Minister of Telecommunications and Postal Services
Postal Services Act, 1998 (Act No. 124 of 1998)	Minister of Communications	Minister of Telecommunications and Postal Services
Department of Communications Rationalisation Act, 1998 (Act No. 10 of 1998)	Minister of Communications	Minister of Telecommunications and Postal Services
Broadcasting Act, 1999 (Act No. 4 of 1999)	Minister of Communications	Minister of Communications

Independent Communications Authority of South Africa Act, 2000 (Act No. 13 of 2000)	Minister of Communications	Minister of Communications
Media Development and Diversity Agency Act, 2002 (Act No. 14 of 2002)	Minister in The Presidency responsible for Performance Monitoring and Evaluation	Minister of Communications
Electronic Communications and Transactions Act, 2002 (Act No. 25 of 2002)	Minister of Communications	Minister of Telecommunications and Postal Services
Electronic Communications Act, 2005 (Act No. 36 of 2005)	Minister of Communications	Minister of Telecommunications and Postal Services
South African Post Bank Limited Act, 2010 (Act No. 9 of 2010)	Minister of Communications	Minister of Telecommunications and Postal Services
South African Post Office SOC Ltd Act, 2011 (Act No. 22 of 2011)	Minister of Communications	Minister of Telecommunications and Postal Services
State Information Technology Agency Act, 1998 (Act No. 88 of 1998)	Minister for the Public Service and Administration	Minister of Telecommunications and Postal Services
Telegraph Messages Protection Act, 1963 (Act No. 44 of 1963)	Minister of Communications	Minister of Telecommunications and Postal Services

1.2 ENVIRONMENTAL RELATED LEGISLATION:

Column 1	Column 2	Column 3
Legislation	Previous Cabinet member	New Cabinet member
Sea-Shore Act, 1935 (Act No. 21 of 1935)	Minister of Water and Environmental Affairs	Minister of Environmental Affairs
Prince Edwards Islands Act, 1948 (Act No. 43 of 1948)	Minister of Water and Environmental Affairs	Minister of Environmental Affairs
Sea Birds and Seals Protection Act, 1973 (Act No. 46 of 1973)	Minister of Water and Environmental Affairs	Minister of Environmental Affairs

Column 1	Column 2	Column 3
Legislation	Previous Cabinet member	New Cabinet member
Dumping at Sea Control Act, 1980 (Act No. 73 of 1980)	Minister of Water and Environmental Affairs	Minister of Environmental Affairs
Section 38 of the Sea Fishery Act, 1988 (Act No. 12 of 1988)	Minister of Water and Environmental Affairs	Minister of Environmental Affairs
Environment Conservation Act, 1989 (Act No. 73 of 1989)	Minister of Water and Environmental Affairs	Minister of Environmental Affairs
Antarctic Treaties Act, 1996 (Act No. 60 of 1996)	Minister of Water and Environmental Affairs	Minister of Environmental Affairs
Environment Conservation Act Extension Act, 1996 (Act No. 100 of 1996)	Minister of Water and Environmental Affairs	Minister of Environmental Affairs
Marine Living Resources Act, 1998 (Act No. 18 of 1998)	Minister of Water and Environmental Affairs to the extent that powers and functions had been transferred to that Minister by Proclamation No. 16 of 2013, published in <i>Government Gazette</i> No. 36527 of 31 May 2013	Minister of Environmental Affairs to the extent set out in paragraph 1.2.1 below
National Environmental Management Act, 1998, (Act No. 107 of 1998)	Minister of Water and Environmental Affairs	Minister of Environmental Affairs
World Heritage Convention Act, 1999 (Act No. 49 of 1999)	Minister of Water and Environmental Affairs	Minister of Environmental Affairs
South African Weather Service Act, 2001 (Act No. 8 of 2001)	Minister of Water and Environmental Affairs	Minister of Environmental Affairs
National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003)	Minister of Water and Environmental Affairs	Minister of Environmental Affairs

Column 1	Column 2	Column 3
Legislation	Previous Cabinet member	New Cabinet member
National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004)	Minister of Water and Environmental Affairs	Minister of Environmental Affairs
National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004)	Minister of Water and Environmental Affairs	Minister of Environmental Affairs
National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008)	Minister of Water and Environmental Affairs	Minister of Environmental Affairs
National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008)	Minister of Water and Environmental Affairs	Minister of Environmental Affairs

1.2.1 The administration of and the powers and functions entrusted to the Minister of Water and Environmental Affairs in relation to the provisions of the Marine Living Resources Act, 1998 (Act No. 18 of 1998), and subordinate legislation mentioned in column 3 of Proclamation No. 16 of 2013, published in *Government Gazette* No. 36527 of 31 May 2013, are hereby transferred to the Minister of Environmental Affairs.

1.3 GENDER RELATED LEGISLATION:

Column 1	Column 2	Column 3
Legislation	Previous Cabinet member	New Cabinet member
Commission on Gender Equality Act, 1996 (Act No. 39 of 1996)	Minister of Women, Children and People with Disabilities	Minister in The Presidency responsible for Women

1.4 SMALL BUSINESS DEVELOPMENT RELATED LEGISLATION:

Column 1	Column 2	Column 3
Legislation	Previous Cabinet member	New Cabinet member
Section 2A of the Small Business Development Act, 1981 (Act No. 112 of 1981)	Minister of Trade and Industry	Minister of Small Business Development
Close Corporations Act, 1984 (Act No. 69 of 1984)	Minister of Trade and Industry	Minister of Small Business Development
National Small Enterprise Act, 1996 (Act No. 102 of 1996)	Minister of Trade and Industry	Minister of Small Business Development
Co-operatives Act, 2005 (Act No. 14 of 2005)	Minister of Trade and Industry	Minister of Small Business Development

1.5 STATISTICS RELATED LEGISLATION:

Column 1	Column 2	Column 3
Legislation	Previous Cabinet member	New Cabinet member
Statistics Act, 1999 (Act No. 6 of 1999)	Minister in The Presidency responsible for Performance Monitoring and Evaluation	Minister in The Presidency responsible for Planning, Monitoring and Evaluation

1.6 TRANSPORT RELATED LEGISLATION:

Column 1	Column 2	Column 3
Legislation	Previous Cabinet member	New Cabinet member
Wreck and Salvage Act, 1996 (Act No. 94 of 1996)	Minister of Water and Environmental Affairs	Minister of Transport

1.7 WATER AND SANITATION RELATED LEGISLATION:

Column 1	Column 2	Column 3
Legislation	Previous Cabinet member	New Cabinet member
Water Research Act, 1971 (Act No. 34 of 1971)	Minister of Water and Environmental Affairs	Minister of Water and Sanitation
Water Services Act, 1997 (Act No. 108 of 1997)	Minister of Water and Environmental Affairs	Minister of Water and Sanitation
National Water Act, 1998 (Act No. 36 of 1998)	Minister of Water and Environmental Affairs	Minister of Water and Sanitation

1.8 YOUTH RELATED LEGISLATION:

Column 1	Column 2	Column 3
Legislation	Previous Cabinet member	New Cabinet member
National Youth Development Agency Act, 2008 (Act No. 54 of 2008)	Minister in The Presidency responsible for Performance Monitoring and Evaluation	Minister in The Presidency responsible for Planning, Monitoring and Evaluation

2. The administration and the powers or functions entrusted by legislation to a Cabinet member mentioned in column 1 of the table below, immediately before the President assumed office on 24 May 2014, are transferred to the Cabinet member mentioned in column 2 of the table.

Column 1	Column 2
Previous Cabinet member	New Cabinet member
Minister of Correctional Services	Minister of Justice and Correctional Services
Minister of Justice and Constitutional Development	Minister of Justice and Correctional Services

3. With respect to the departments mentioned below, the powers and functions entrusted by the Public Service Act, 1994 (promulgated under Proclamation No. 103 of 1994), mentioned in column 1 of the tables in paragraphs 3.1 to 3.4 below, to a Cabinet member as executive authority of that department mentioned in column 2 of the tables, immediately before the President assumed office on 24 May 2014, are transferred to the Cabinet member mentioned in column 3 of the tables.

3.1 GOVERNMENT COMMUNICATION AND INFORMATION SYSTEM

Column 1	Column 2	Column 3
Powers and functions under the Public Service Act, 1994	Previous Cabinet member	New Cabinet member
All powers and functions of the executive authority of the Department	Minister in The Presidency responsible for Performance Monitoring and Evaluation	Minister of Communications

3.2 STATISTICS SOUTH AFRICA

Column 1	Column 2	Column 3
Powers and functions under the Public Service Act, 1994	Previous Cabinet member	New Cabinet member
All powers and functions of the executive authority of the Department, subject to the Statistics Act, 1999 (Act No. 6 of 1999)	Minister in The Presidency responsible for National Planning	Minister in The Presidency responsible for Planning, Monitoring and Evaluation

3.3 PERFORMANCE MONITORING AND EVALUATION

Column 1	Column 2	Column 3
Powers and functions under the Public Service Act, 1994	Previous Cabinet member	New Cabinet member
All powers and functions of the executive authority of the Department	Minister in The Presidency responsible for Performance Monitoring and Evaluation	Minister in The Presidency responsible for Planning, Monitoring and Evaluation

3.4 WOMEN

Column 1	Column 2	Column 3
Powers and functions under the Public Service Act, 1994	Previous Cabinet member	New Cabinet member
All powers and functions of the executive authority of the Department	Minister of Women, Children and People with Disabilities	Minister in The Presidency responsible for Women