

National Assembly approves sign language as official language

The National Assembly (NA) has approved the South African Sign Language (SASL) as the 12th official language during a hybrid plenary sitting last Tuesday. The National Assembly approved the Report of the Portfolio Committee on Justice and Constitutional Development on the Constitution Eighteenth Amendment Bill [B1 – 2023] to amend section 6 of the Constitution of the Republic of South Africa, 1996.

The amendment was to include South African Sign Language as an official language to promote the rights of persons who are deaf and hard of hearing. Until now, the South African Constitution provided for 11 official languages, which include Sepedi, Sesotho, Setswana, siSwati, Tshivenda, Xitsonga, Afrikaans, English, isiNdebele, isiXhosa and isiZulu. “Primarily, the amendment seeks to advance the cultural acceptance of SASL, the deaf culture; ensure the realisation of the rights of persons who are deaf and hard of hearing to equal protection and benefit of the law and human dignity; and to promote inclusive and substantive equality and prevent or eliminate unfair discrimination on the ground of disability, as guaranteed by section 9 of the Constitution,”

Parliament Spokesperson, Moloto Mothapo, said. The Bill was introduced and referred to the committee on 12 January 2023, and the Department of Justice and Constitutional Development briefed the committee on the contents of the Bill on 27 January 2023. In response to the call for public comment, the committee received 58 written submissions from individuals and organisations, with the majority of the submissions in support of the Bill. The committee noted the opposing views expressed by a few commentators, but submitted that the recognition of SASL as a 12th official language “is an important step towards the realisation of the rights of persons who are deaf and hard of hearing”. “Further, the committee acknowledged that SASL is not a universal language (different countries have their own sign language and regions have dialects) but submits that, in South Africa, it is in the promotion and development of SASL that the various dialects are also recognised.

“In terms of section 74(4) of the Constitution of the Republic of South Africa, 1996, a Bill that amends the Constitution may not include provisions other than constitutional

amendments and matters connected with the amendments. The Committee noted that the use of South African Sign Language is mentioned in legislation, such as the Use of Official Languages Act 12 of 2012, the South African Schools Act 84 of 1996, and the Pan South African Language Board Act 59 of 1995,” Mothapo said.

He emphasised that the adoption of the Bill could impact the scope and purpose of the reference to sign language in such legislation. “Relevant departments administering those and related legislation should take note of this constitutional amendment recognising SASL as an official language in terms of section 6 of the Constitution and consider whether the adoption of the Bill may require consequential amendment to associated legislation for purposes of clarifying the status of SASL as expressed in the Constitution,” Mothapo said.

The amendment was adopted without opposition in the NA. “The adoption of this constitutional amendment yesterday will bring to 12 the number of official languages in South Africa, once the President signs the Bill into law.”

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G4S served with notice to terminate Mangaung correctional facility contract

Department of Correctional Services (DCS) Minister Ronald Lamola has told Parliament’s Portfolio Committee on Justice and Correctional Services that the department has served international security company G4S with a notice to terminate its contract. The company was in contract with the department to run the Mangaung Correctional Facility where rapist and murderer Thabo Bester escaped last year.

“The notice to terminate follows a legal opinion that DCS had sought. It has been deemed that BCC is not suitable to continue with the contract. In line with the concession contract agreement, a termination notice for a period of 90 days has been served to BCC, and thereafter, the contract will cease to operate. “DCS has already resumed with an internal exercise for the takeover process,” Lamola said.

The Minister told the committee that in the 2021/22 financial year, there were some 22 escapes from correctional facilities across the country. “We are the first to acknowledge that one escape at our facilities is one too many. We will redouble our security operations to prevent escapes and deal harshly with officials who fail to adhere to Standard Operating Procedures as the National Commissioner acted yesterday in the Mthata management area where there was an escape of two inmates and one has been recaptured.

“Eight officials who were on duty on the date of the escape and did not adhere to standard operating procedures have been suspended,” he said. Meanwhile, police spokesperson Brigadier Athlenda Mathe says at least two more G4S employees have been arrested in connection with Bester’s escape from prison. “The pair will appear before the Bloemfontein Magistrate’s Court on Wednesday... on a charge of assisting an inmate to escape from lawful custody and defeating the ends of justice. “The team investigating this case have so far arrested eight suspects and cannot rule out the possibility of effecting more arrests,” Mathe said.

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Victories in the fight for better working conditions

As the globe observes International Workers’ Day, Parliament’s Presiding Officers have joined millions of workers around the world in celebrating the victories gained in the fight for better working conditions. Since 1994, Workers’ Day in South Africa has been officially recognised as a celebration of workers’ rights, and a reminder of the critical role played by the country’s workforce in the struggle against apartheid. Parliament has paid tribute to workers for the gallant struggles they waged against oppressive labour laws under colonial and apartheid systems of government.

Led by National Assembly Speaker, Nosiviwe Mapisa-Ngqakula and National Council of Provinces Chairperson, Amos Masondo, the Presiding Officers of Parliament acknowledged that workers are the backbone of the economy. Over the years, Parliament has consolidated the rights of workers through a wide range of labour-related laws, which promote, strengthen, and protect workers’ rights.

“Key pieces of legislation such as the National Minimum Wage Bill, the Labour Laws Amendment Bill, the Basic Conditions of Employment Act and the Labour Relations Act

have all contributed to building a socially just labour system. “These laws have ensured acceptable daily wage rates, the extension of bargaining agreements to non-parties, and overall improvements in workers’ conditions in South Africa. Parliament recognises that much more needs to be done to address existing disparities and respond positively to calls for “equal pay for equal work” across all sectors,” Mapisa-Ngqakula and Masondo said.

Recently, the National Assembly assigned the Portfolio Committee on Agriculture, Land Reform, and Rural Development, as well as the Portfolio Committee on Employment and Labour, to assess the implementation and impact of relevant pieces of legislation and to consider the work done by various state agencies, government departments, and social partners in the farming sector. Oversight visits revealed that despite numerous legislative policy formulations and interventions, workers and farm dwellers continue to face challenges, including tenure insecurity, threatened livelihoods, and violations of their human and labour rights.

Parliament, they said, acknowledged the collaborative work within

the farming sector that involves various social partners, farm owners, farmworkers, and farm dwellers in seeking solutions to the challenges faced by farming communities. “Both portfolio committees will work jointly to conduct comprehensive oversight work on the living and working conditions of farmworkers, monitor progress made by the government’s commitments towards improved living and working conditions in the farming communities, and assess the impact of legislation affecting farmworkers.

Parliament also acknowledged that despite progress in protecting workers’ rights and improving working conditions, South Africa’s unemployment rate remains high, particularly amongst the youths. “It is crucial that as many South Africans as possible are included in the labour market through efforts to create jobs, stimulate economic growth, and invest in education and training. Parliament acknowledges the urgency of addressing unemployment and is committed to strengthening oversight over programmes and strategies for sustainable employment opportunities,” the Presiding Officer said. – *SAnews.gov.za*