
GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF PLANNING, MONITORING AND EVALUATION

NO. 473

07 MAY 2018

30 April 2018

Invitation for Comments on the Draft Integrated Planning Framework Bill, 2018

The Department of Planning, Monitoring & Evaluation (DPME) hereby invites comments on the Draft Integrated Planning Framework Bill, 2018.

Introduction

The imperative of institutionalising planning in Government has been fully recognised, and work is currently underway, led by the DPME to ensure that it finds expression in how Government substantially improves on how it functions more optimally. This process has intensified, more particularly, since the adoption in 2012 of the National Development Plan: Vision 2030 (NDP) which represents the apex plan and policy implementation framework across the whole of Government and the country.

In July 2014, through Proclamation 47, the DPME was established. DPME was created to introduce a renewal system for the three functions of Planning, Monitoring and Evaluation. However, its establishment did not yield the necessary strategic clarity on the new role of DPME. The Draft Integrated Planning Framework Bill, 2018 was developed and aims to provide the necessary strategic clarity.

The entire process is premised on the urgent need to improve the impact, delivery and implementation of Government's transformation and development policies and programmes. This will be achieved through the more effective coordination and integration of the planning powers and functions that the Constitution assigns to all three spheres of Government.

Experience and practice to date have shown that the disparate and diffused nature of planning has resulted in a complex plethora of plans, legislation and structures. This fragmented planning landscape has led to sub-optimal outcomes and asymmetrical impacts of Government policies and programmes and sub optimal returns on the resources allocated to them.

Following the recommendations of both the first and second National Planning Commission (NPC) for the reform of Government's national planning system, DPME has been undertaking consultations and policy development aimed at overcoming a range of systemic challenges in South Africa's planning landscape, and to introduce improved coordination, alignment and integration in planning, guided by the long-term developmental perspective of the NDP.

Specifically, DPME now introduced the Draft Integrated Planning Framework Bill, 2018 to address and remedy the disparities and fragmentation in systems of planning, monitoring and evaluation across Government, and to ensure a functionally more effective system to drive South Africa's development agenda, in which all plans across all spheres are aligned to the NDP.

The following are among the key improvements to the planning landscape that DPME seeks to introduce through the legislation:

- a) To establish a formal process for preparing national plans
- b) To enhance intergovernmental structures for co-ordination of effective planning between the three spheres of government
- c) To align national planning with the national budget and its related processes;
- d) To deepen planning for spatial transformation
- e) To institutionalise the integration and use of a central information repository and data tools in planning across government.

Background

In 2010 the President announced the establishment of the NPC. The NPC compiled the NDP which was adopted by a joint sitting of Parliament and by Government in 2012. The NDP was adopted by Government and is being implemented through the Medium-term Strategic Framework (MTSF): 2014-2019. In 2014, the President proclaimed the establishment of DPME with responsibility for planning, monitoring and evaluation from the centre of Government.

In its close-out report, the NPC stressed the need to institutionalise planning in Government, based on the *Reforming the South African Government Planning System* discussion document the NPC produced. Subsequent consultations by DPME with key departments at national, provincial and local level have informed the conceptual approach to institutionalising planning as outlined in this memorandum in summary, and in the attached proposed draft bill.

While the proposed reform is focused on improving and integrating national planning, the approach taken also extends to the monitoring and evaluation components of the value-chain, in accordance with the scope of the mandate of DPME.

Planning powers and functions in Government are provided for in the Constitution and straddle the national, provincial and local spheres. In system terms, planning in Government undertaken at multiple levels, by multiple entities, through multiple frameworks and time cycles, resulting in multiple plans.

The current system is thus characterised by dispersed, disparate and diffused planning responsibilities with a plethora of structures and legislation, leading to parallel plans, processes and initiatives that affect policy coherence, co-ordination and effective implementation.

Also, while the resource allocation function is constitutionally assigned to National Treasury, the separation between planning and budgeting creates risks of misdirection of resources and under-resourcing of critical policy priorities. This is both a planning and budgeting concern. The setting of focused priorities and performance targets and their resourcing in line with the NDP has not been optimal.

Another critical challenge is to turn the priorities into operational decisions in government as well as State-Owned Companies (SOCs) and Development Finance Institutions (DFIs) and Public Entities.

The absence of a National Spatial Development Framework (NSDF) is limiting government's ability to lead the spatial location of development and shape the investment in and character of places, and overcome apartheid spatial settlement patterns.

Despite the existence of robust planning methodologies and measuring tools, these have not been sufficiently integrated into the planning system. Data and research for evidence-based policy, decision-making and planning have a pivotal role in streamlining priorities and generating buy-in from all stakeholders. Statistics, in particular, play a critical role in illuminating policy choices and programme design, monitoring and evaluating the implementation of plans and impact of policies.

An important part of the intent of the NDP is to encourage and mobilise social actors to work jointly and through participatory approach to achieve the country's common ideals. This aspect of the NDP has not yet been attained.

There has thus been a need for the complex plethora of plans, legislation, data sources, roles and responsibilities to be coordinated to ensure systematic and integrated planning across the whole of Government for socioeconomic transformation and development in South Africa guided by the NDP.

The institutional foundations of Government's planning system have been laid in 'waves' from the advent of the democratic dispensation in 1994. In the first wave 1994-2000, the Public Finance Management Act of 1999 was introduced to organise resource planning and associated processes and the Municipal Systems Act of 2000, institutionalised Integrated Development Planning (IDPs).

The second wave 2001-2008 saw innovations for intergovernmental coordination from the Presidency such as the Policy Coordination and Advisory Services (PCAS) unit, interdepartmental Clusters, the Forum of South African Directors-General (FOSAD), the MTSF, as well as the Intergovernmental Relations Framework Act of 2005, and Provincial growth and Development Strategies, amongst others.

In the third wave from 2009, Ministers in the Presidency for National Planning and for Monitoring and Evaluation were appointed, and the NDP was duly adopted. Additional planning and monitoring instruments, including Socio-economic Impact Assessments, a National Evaluation System and Operation Phakisa, among others, were introduced to improve planning, monitoring and evaluations across government. A significant recent addition is the promulgation of the Spatial Land-Use and Management Act of 2014.

The adoption of the NDP marks an important shift, introducing a long-term perspective to planning, and setting a benchmark for subsidiary short- to medium-term plans. The NDP serves as a consensus framework not only in Government but across the political spectrum and society, for clear and consistent developmental objectives, and priorities, as well as the necessary resource allocation to drive implementation in a coordinated and determined manner.

The DPME has the responsibility to further advance the institutionalization of planning in Government, with a view to overcoming the systemic challenges which account for sub-optimal outcomes and impact of Government policies and plans.

In this context institutionalisation means developing and strengthening the institutional, technical and administrative foundations (capacities, systems and processes) for a more coordinated and responsive state that would be more effective in promoting the structural changes required for inclusive growth, and for developing the country's human resource base and a stronger democracy.

To achieve this requires a review of, and where necessary a reversal of, some of the aspects of past systems of planning, monitoring and evaluation to align with the current challenges which supervene across the three spheres of Government.

It is also necessary to strengthen mechanisms for accountability to address poor or non-performance against NDP targets and priorities.

Main Objects of Bill

The main objects of the proposed Draft Integrated Planning Framework Bill, 2018 are to:

- a) Provide for stronger integration, coordination and joint planning among the different spheres of Government;
- b) Create structures for accountability to Cabinet and Government stakeholders on planning decisions and national progress towards the implementation of development goals on a disaggregated basis;
- c) Outline the roles and responsibilities of the Minister in the Presidency for Planning, Monitoring and Evaluation and DPME in relation to national planning;
- d) Formalize the advisory role and functions of the NPC;
- e) Provide for accountability measures for poor performance related to Planning, Monitoring and Evaluation;
- f) Integrate state owned and funded data warehouses for forecasting and to enhance long term planning; and
- g) Provide for the domestication into South Africa's legal and institutional framework of international, continental and regional development plans and treaties, such as UN's Sustainable Development Goals and the AU's Agenda 2063.

Institutionalising planning is in line with the NDP and seeks to give effect to the commitment in the MTSF 2014-2019 to establish mechanisms and capacity within the state to undertake long-term development planning. The Draft Integrated Planning Framework Bill, 2018 seeks to achieve coordinated and integrated planning across all the spheres of Government, and to promote more effective implementation of the NDP.

DPME has thus been undertaking a review and consultation process, including with the NPC, from which it is proposed to introduce legislation (the Integrated Planning Framework Bill, 2018) to direct planning in Government.

The Bill seeks to provide for joint/coordinated planning among the different spheres of government, SOE's and Public Entities guided by the NDP, and future national development plans in general. This will include setting developmental principles, national norms and standards and a broad and effective framework for planning, monitoring and evaluation.

More comprehensively, the Bill will seek:

- a) To provide for the NDP as the primary long-term plan and vision that will guide all government planning;
- b) To introduce a renewed operational framework together with a set of broad principles for the workings of DPME;
- c) To provide greater detail on the distinctive and respective roles of the components of planning, monitoring and evaluation;
- d) To reaffirm the custodianship of the planning, monitoring and evaluation system for the whole of Government in the DPME;
- e) To institutionalise the planning, monitoring and evaluation system across government and the rest of the society;
- f) To ensure better co-ordination, collaboration and alignment of Planning, Monitoring and Evaluation between and across the national, provincial and local spheres of government, and including State Owned Enterprises, Public Entities as well as Development Finance Institutions;
- g) To ensure that planning, monitoring and evaluation and national budgetary decisions contribute to Government's developmental objectives and for improved coordination of high impact outcomes;
- h) To clarify the powers and functions of the NPC;
- i) To provide for the powers and functions of the Minister in the Presidency and the Department of Planning, Monitoring and Evaluations;
- j) To provide for the establishment of a central integrated information data warehouse at the DMPE and enable access to and linkages with Statistics and Data Services, Knowledge Hubs and Research Institutions; and
- k) To provide for all matters connected, related and incidental hereto.

The contemplated institutionalisation of planning is not about the centralisation of responsibility of planning or policy-making. Rather, building on the existing constitutionally assigned powers, structures and processes, the focus is on co-ordination, strategic leadership and integration, recognising that planning happens at different levels and there are different plans. The proposed planning framework, the strategic co-ordination and problem-solving focus of national planning is to ensure these plans are mutually reinforcing and work cohesively.

Structure of the Bill:

The Bill is structured as follows:

- Chapter 1: Definitions, applications and objectives of the Bill.
- Chapter 2: Development Principles and Norms and Standards
- Chapter 3: Custodianship and institutionalisation of Planning System
- Chapter 4: National Planning Commission
- Chapter 5: Planning, Monitoring and Evaluation Framework
- Chapter 6: Accountability Management
- Chapter 7: General Provisions

Access to Draft Integrated Planning Framework Bill, 2018 and submission of public comments

The closing date for comments is 8 May 2018. Please note, comments received after the closing date will not be considered. The Draft Bill and Memorandum of its Objects are available on the DPME website at www.dpme.gov.za

Comments on the Bill may be sent:

By post to:

The Director-General: Planning, Monitoring and Evaluation

Attention: Mr Hanief Ebrahim

Private Bag X944

PRETORIA

0001

By e-mail to:

hanief@dpme.gov.za

Hand delivery:

Attention: Mr Hanief Ebrahim

Room 239

(c/o Ms Patti Smith)

1st Floor, Union Buildings, East Wing, Government Avenue, Pretoria, South Africa.

All Enquiries: **Mr Hanief Ebrahim (012) 312 0285**

REPUBLIC OF SOUTH AFRICA

INTEGRATED PLANNING FRAMEWORK BILL

*(As introduced in the National Assembly (proposed section 76); explanatory
summary of Bill published in Government Gazette No. 41614 of 7 May 2018) (The English text
is the official text of the Bill*

**(MINISTER RESPONSIBLE FOR PLANNING, MONITORING AND EVALUATION
IN THE PRESIDENCY)**

[B - 2018]

010318se

BILL

To provide for the functions of the Department responsible for Planning, Monitoring and Evaluation; to establish an institutional framework for a new predictable planning paradigm and discipline within and across all spheres of government; to support effective monitoring and evaluation of government programmes aimed at improved service delivery and positive impact on society, to provide for the continued existence of the National Planning Commission; and promote better coordination, collaboration and alignment of Planning, Monitoring and Evaluation between and across the national, provincial and local spheres of government, and including public entities; and to provide for matters connected therewith.

PREAMBLE

AND WHEREAS the President established the National Planning Commission (NPC) to develop a National Development Plan: Vision 2030, outlining the vision for country by 2030, taking a broad, crosscutting, independent and critical view of the challenges and opportunities facing South Africa, as well as to advise on how to achieve that plan;

WHEREAS in 2014, the President proclaimed the establishment of the Department of Planning, Monitoring and Evaluation (DPME) with responsibility for planning, monitoring and evaluation from the centre of government;

WHEREAS the Constitution, in terms of sections 1, 40(1) and 41(1)(b) and (c)—

- provides that the Republic is one, sovereign, democratic state and that the government is constituted as national, provincial and local spheres of government which are distinctive, interdependent and interrelated; and
- requires all spheres of government to provide effective, efficient, transparent, accountable and coherent government for the Republic to secure the well-being of the people and the progressive realisation of their constitutional rights;

WHEREAS South Africa, through the National Development Plan: Vision 2030 and the government's Medium Term Strategic Framework (MTSF), has undertaken major efforts to ensure that planning, monitoring and evaluation improve development outcomes in the country, these are not yet having the desired impact;

WHEREAS the National Development Plan: Vision 2030 noted that significant progress has been made since 1994, notably through the introduction of the South African constitution which underlines the fact that the country is one sovereign state founded on the values of human dignity, equality and the advancement of human rights and freedoms, non-racialism, non-sexism and the supremacy of the law;

WHEREAS South Africa needs to provide opportunities to all, yet historical disadvantages continue to have an adverse effect on our citizens – particularly as regards poverty, unemployment and inequality, the most pressing challenges facing the country;

WHEREAS various measures exist to eradicate the impact of Apartheid spatial planning, but have not had sufficient effect;

WHEREAS South Africa is a member-state of various global, continental and regional organisations such as the United Nations, African Union and Southern African Development Community, which from time to time conclude various accords on critical issues of development, which become politically or legally binding on all signatory states and therefore has the obligation to incorporate these into the country's national planning frameworks;

BE IT THEREFORE ENACTED by the Parliament of the Republic of South Africa, as follows:—

TABLE OF CONTENTS

CHAPTER 1

DEFINITIONS, APPLICATION AND OBJECTS OF ACT

1. Definitions
2. Application of Act
3. Objects of Act

CHAPTER 2

DEVELOPMENTAL PRINCIPLES AND NORMS AND STANDARDS

4. Application of developmental principles
5. Developmental principles
6. Norms and standards

CHAPTER 3

COORDINATION AND INSTITUTIONALISATION OF PLANNING SYSTEM

7. Status of National Development Plan
8. Powers and functions of Minister
9. Role of national and provincial departments, municipalities and public entities
10. Coordination of planning system and obligations of Department
11. Institutionalisation of planning
12. Establishment of central information repository
13. Purposes of central information repository
14. Information sharing

CHAPTER 4

NATIONAL PLANNING COMMISSION

15. Continued existence, administration and expenditure of Commission
16. Appointment and composition of Commission
17. Objectives of Commission
18. Functions of Commission
19. Committees of Commission
20. Remuneration and allowances of Members of Commission and members of committee
21. Secretariat of Commission

CHAPTER 5

PLANNING, MONITORING AND EVALUATION FRAMEWORK

- 22. National five-year plan
- 23. Monitoring and evaluation

CHAPTER 6

ACCOUNTABILITY MANAGEMENT

- 34. Measures to ensure accountability
- 25. Performance evaluation

CHAPTER 7

GENERAL PROVISIONS

- 26. Intervention support
- 27. Annual report
- 28. Regulations
- 29. Transitional provisions
- 30. Short title and commencement

CHAPTER 1

DEFINITIONS, APPLICATION AND OBJECTS OF ACT

Definitions

1. In this Act, unless the context indicates otherwise—

"Commission" means the National Planning Commission referred to in section 15;

"Constitution" means the Constitution of the Republic of South Africa, 1996;

"Department" means the national Department responsible for planning, monitoring and evaluation;

"evaluation" means a systematic collection and objective analysis of evidence on public policies, programmes, projects, functions and organisations, to assess effectiveness and efficiency, as contemplated in Chapter 5;

"former homeland" means the former—

(a) Republic of Transkei, Bophuthatswana, Venda or Ciskei; or

(b) self-governing territory of Gazankulu, Kangwane, Kwandebele or Lebowa;

"impact" means the developmental results of achieving specific outcomes;

"indicator" means a specific measurement that tracks progress, or not, toward achieving an output, outcome or impact;

"inputs" means the resources required for the production of any output;

"institutionalisation" means developing and coordinating implementation of the planning, monitoring and evaluation systems;

"member" means a member of the Commission;

"Minister" means the Minister responsible for planning, monitoring and evaluation;

"monitoring" includes the collection and analysis of data and reporting on activities, inputs, outputs, outcomes and impacts as well as external factors in a way that supports effective management, as contemplated in Chapter 5;

"National Development Plan" means the long-term plan and vision for the Republic referred to in section 7 and developed by the Commission;

"organ of state" means an organ of state as defined in section 239 of the Constitution;

"outcome" means the medium-term results for specific beneficiaries that are the consequences of achieving specific outputs;

"output" means the final products, or goods and services produced for delivery;

"programme" means a series of projects or activities that have common characteristics, and for which there are economies of scale in implementing as a programme, as opposed to implementing as separate discrete projects or activities, and that are implemented to achieve specific desired outcomes;

"prescribe" means prescribe by regulation in terms of this Act;

"Public Finance Management Act" means the Public Finance Management Act, 1999 (Act No. 1 of 1999);

"Socio-Economic Impact Assessment System (SEIAS)" means a uniquely designed methodology for assessing the social and economic impact of policies, legislation, regulations and other subordinate legislation in line with the national priorities; and

"this Act" includes the regulations made under this Act.

Application of Act

2. This Act applies to all government planning, development, monitoring and evaluation in the national, provincial and local spheres of government, including public entities, and is legislation enacted in terms of—

- (a) section 155(7) of the Constitution insofar as it relates to municipalities; and
- (b) section 44(2) of the Constitution insofar as it relates to provinces.

Objects of Act

3. The objects of this Act are to—

- (a) establish the National Development Plan as the primary long-term plan and vision that must guide all government planning in the Republic;
- (b) reaffirm the Department as the lead-coordinator of the integrated planning system for the whole of government;
- (c) institutionalise the planning system across government and to provide an institutional and legal context for planning across government;
- (d) ensure coordination, integration and alignment of planning between national, provincial and local spheres including public entities;
- (e) ensure that planning and budgetary decisions contribute to the government's development objectives;
- (f) provide for the systemic monitoring and evaluation of the implementation of the government's development objectives;
- (g) provide for the continued existence, composition and functions of the Commission;

- (h) ensure that government performance, as informed by the planning frameworks and specific plans, is properly monitored and evaluated;
- (i) to give effect to the obligations of the country emanating from global, continental, and regional development goals and frameworks to which South Africa is party, such as the United Nations, the African Union and Southern African Development Community ; and
- (j) provide for accountability measures and related interventions.

CHAPTER 2

DEVELOPMENTAL PRINCIPLES AND NORMS AND STANDARDS

Application of developmental principles

4. (1) The general principles set out in this Chapter apply to all organs of state responsible for planning and development in the Republic, and guide—
- (a) the preparation, adoption and implementation of any policy, legislation or framework concerning planning, monitoring and evaluation and development;
 - (b) the compilation and adoption of any development plan;
 - (c) the efficient, economic and sustainable use of resources to drive development; and
 - (d) the performance of any function in terms of this Act or any other law

(2) Notwithstanding the categorisation of principles in this section, all principles contained in this Act apply to all aspects of planning, monitoring and evaluation development.

Developmental principles

5. The following principles apply to planning, monitoring and evaluation and development:

- (a) The developmental; principles applicable to spatial planning, land development and land use management, as provided for in section 7 of the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013);
- (b) the setting of developmental priorities for government must be aimed at redressing past development imbalances;
- (c) developmental frameworks and policies in all spheres of government must prioritise addressing the inclusion of persons and areas that were previously excluded, with an emphasis on informal settlements, former homeland areas and areas characterised by widespread poverty and deprivation;
- (d) government plans must incorporate provisions that prioritise redressing the development of communities or persons disadvantaged by past racially discriminatory laws or practices;
- (e) government plans and development priorities must be within the fiscal, institutional and administrative means of the Republic;
- (f) government plans and developmental priorities must result in communities that are viable;

- (g) government plans must ensure that decision-making procedures are designed to minimise negative financial, social, economic or environmental impacts;
- (h) all spheres of government must ensure an integrated approach to planning and development, that is guided by the national planning and developmental priorities, in accordance with this Act;
- (i) all government departments must provide their sector comments and comply with any other prescribed requirements during the preparation or amendment of the National Development Plan or other national plans and frameworks`;
- (j) the preparation and amendment of plans, policies and developmental priorities must include transparent processes of public participation that afford all parties the opportunity to provide comments on matters affecting them; and
- (k) policies, legislation and procedures must be clearly set out in order to inform and empower members of the public.

Norms and standards

6. (1) The Minister must, after consultation with the Minister of Finance and organs of state in the national sphere of government, provincial governments and municipalities, prescribe norms and standards for planning, monitoring and evaluation and development that are consistent with this Act, the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000), and the Intergovernmental Relations Framework Act, 2005 (Act No. 13 of 2005).

(2) The norms and standards must—

- (a) reflect the national policy and national development priorities;

- (b) promote social inclusion, spatial equity, desirable settlement patterns, rural revitalisation, urban regeneration and sustainable development within the Republic;
- (c) ensure that planning, monitoring and evaluation processes and development timeframes are efficient and effective;
- (d) include—
 - (i) a report on, and an analysis of, existing development patterns;
 - (ii) a framework for desired development patterns; and
 - (iii) existing and future plans, programmes and projects relative to key sectors of the economy and society;
- (e) where appropriate, differentiate between geographic areas and development needs; and
- (f) provide for the effective monitoring and evaluation of compliance with, and enforcement of, this Act.

(3) The Minister may, in consultation with, or at the request of, another Minister responsible for a development or planning function and after public consultation, prescribe norms and standards to guide the relevant sectoral development or plans.

- (4) The Minister may—
- (a) issue practice notes on the interpretation of the norms and standards contemplated in subsection (1) and their practical application in relation to different categories of planning and development; and
 - (b) where the norms and standards contemplated in subsection (1) or practice notes contemplated in paragraph (a) are not adhered to, issue specific directives in any specific case.

CHAPTER 3

COORDINATION AND INSTITUTIONALISATION OF PLANNING SYSTEM

Status of National Development Plan

7. The National Development Plan in existence at the commencement of this Act, as developed by the Commission and as updated from time to time—
- (a) is a multi-year plan that conveys the primary long-term vision for the Republic and must guide all government planning and development;
 - (b) sets out a common set of objectives, actions and priorities to drive growth and development over the long-term; and
 - (c) applies to all organs of state and must be implemented in all government planning.

Powers and functions of Minister

8. (1) The Minister must advise the President with regard to all matters pertaining to the National Development Plan, planning and development in the Republic.
- (2) The Minister is the chairperson of the Commission and must carry out such functions and duties conferred upon or assigned to him or her by or under this Act or any other law.
- (3) Without derogating from the generality of subsection (2), the Minister must—

- (a) table, for the approval of the Cabinet, the National Development Plan and any other short-term, medium-term or long-term development plan, to which the plans of all three spheres of Government must be aligned;
- (b) report to the Cabinet at regular intervals, which may not be more than six months, on the progress being made with regard to the implementation of the National Development Plan and, where necessary, to recommend—
 - (i) measures to ensure implementation of the National Development Plan; and
 - (ii) consequences for any lack of progress relating to the implementation of the National Development Plan;
- (c) annually in consultation with the Minister of Finance develop a budget prioritisation framework in order to guide the allocation of resources to organs of state in the national sphere of government;
- (d) annually give input to the Minister of Finance in the preparation of the budget on—
 - (i) the status of the economy and the possible macro-economic interventions;
 - (ii) its alignment with the National Development Plan; and
 - (ii) the proposed capital and development projects and programmes and related expenditure;
- (e) liaise with the private sector, organised labour and civil society organisations with the view to promote partnership in the pursuance of the National Development Plan;
- (f) request any relevant information from any government department, institution or agency which is necessary to fulfil the mandate of the Commission; and
- (g) ensure the implementation of the National Development Plan.

Role of national and provincial departments, municipalities and public entities

9. (1) All national and provincial departments, including municipalities must—

- (a) identify and give effect to key priorities in areas such as socio-economic development and spatial transformation through national, provincial and local development strategies; and
- (b) integrate into their plans, the National Development Plan and its objectives and targets, priorities and sectoral or related plans.

(2) Municipalities must in the development of their Integrated Development Plans ensure alignment with national and relevant provincial plans.

(3) Public entities must develop plans aligned with the National Development Plan priorities.

Coordination of planning system and obligations of Department

10. (1) The Department is responsible for the coordination of the planning system in the Republic.

(2) The Department must—

- (a) provide administrative support to the Commission;
- (b) inform and guide all government policy and legislation by ensuring the development of coherent and constitutionally sound national policy and providing comments on policy and legislation developed by other government departments;

- (c) inform and guide the planning processes in all spheres of government in accordance with this Act;
- (d) engage with all national organs of state, provinces and municipalities to ensure coordination on key development priorities;
- (e) analyse and disaggregate trends and data, including statistical information, in order to inform planning processes across all spheres of government;
- (f) ensure coherence in the spatial planning system and alignment of spatial priorities across sectors in the Republic;
- (g) review and provide comments on a policy, legislation or plan in any sphere of government to ensure consistency with the National Development Plan;
- (h) ensure the achievement of alignment in planning throughout government; and
- (i) ensure the implementation of the National Development Plan by all of government and its inclusion in the plans of all three spheres of government.

Institutionalisation of planning

- 11.** (1) The Department must—
- (a) ensure the institutionalisation of planning in the Republic by strengthening and developing the institutional, technical and administrative aspects of planning in order to achieve a more coordinated and responsive government;
 - (b) ensure that the government is effective in promoting structural changes required for more inclusive growth, developing the Republic's human resources base and engendering a stronger democracy;
 - (c) ensure that the planning system serves the Republic's developmental objectives; and

(d) promote a stronger and more defined developmental focus in all the three spheres of government.

(2) The Minister may prescribe norms and standards to foster the institutionalisation of planning in all three spheres of Government.

Establishment of central information repository

12. (1) The Director-General of the Department must establish and maintain a central information repository which must—

- (a) serve as a source of prescribed information relating to planning, monitoring and evaluation emanating from all organs of state;
- (b) provide linkages, in the prescribed manner, to data points or information centres in organs of states or research institutions determined by the Minister by notice in the *Gazette*;
- (c) support the sharing and dissemination of information relevant to the National Development Plan;
- (d) allow for the uploading of prescribed information from any organ of state or institution contemplated in paragraph (b);
- (e) enable authorised organs of state or institutions contemplated in paragraph (b) to download, in the prescribed manner, information for purposes relating to research, planning, monitoring and evaluation;
- (f) store the information contemplated in paragraph (a)—
 - (i) in a structured manner which is accessible according to specific criteria to enable its easy access, analysis and dissemination;

- (ii) without reference to any information that may identify any natural person to whom it refers;
 - (iii) in such manner that it cannot—
 - (aa) be used or manipulated by a reasonably foreseeable method to identify any natural person to whom it refers; or
 - (bb) be linked by a reasonably foreseeable method to other information that identifies any natural person to whom it refers;and
 - (g) contain appropriate measures to secure the integrity, accuracy and completeness of the information stored on it and prevent—
 - (i) loss of, damage to, or unauthorised destruction of, that information; and
 - (ii) unlawful access to, or processing of, that information.
- (2) The Director-General must, within six months of the commencement of this section, develop standard operating procedures regarding—
- (a) access to the repository contemplated in subsection (1); and
 - (b) the implementation of appropriate safety measures to protect the integrity, accuracy and completeness of the information contained on the repository.
- (3) The Minister must, within 12 months of the commencement of this section, prescribe standard data protocols and standards for data and statistics to enable the interoperability of systems and standardisation of data.

Purposes of central information repository

13. The purposes of the central information repository are—

- (a) to ensure that planning, monitoring and evaluation is evidence-based and informed by research and analysis;
- (b) to collect data to assist in relation to planning, monitoring and evaluation and for research purposes;
- (c) to be a repository of all planning, monitoring and evaluation information in the Republic;
- (d) to enable forecasting and modelling to be employed in planning, monitoring and evaluation; and
- (e) to enable the production of maps and creation of models for future scenarios based on research and analysis, including forward planning and spatial planning.

Information sharing

14. (1) Each organ of state or institution contemplated in section 12(1)(b) must, in the prescribed manner and at the prescribed intervals, upload or submit to the central information repository the prescribed information kept by that organ of state or institution.

(2) The Head of each organ of state or institution contemplated in subsection (1), must take appropriate legislative and other measures to create an enabling environment to ensure that the sharing of information contemplated in section 12(1)(c) is possible.

(3) The Department may enter into written agreements with any organ of state or institution contemplated in section 12(1)(b) with regard to the sharing of information as contemplated in that section.

CHAPTER 4

NATIONAL PLANNING COMMISSION

Continued existence of Commission

15. (1) The National Planning Commission established by the President which exists when this Act takes effect, continues to exist.

(2) The Commission is the apex national planning body in the Republic.

(3) The expenditure incidental to the exercise or performance of the powers and duties of the Commission, including its Secretariat, must be defrayed from moneys appropriated by Parliament for that purpose.

Appointment and composition of Commission

16. (1) The Commission consists of—

(a) the Minister as chairperson of the Commission; and

(b) no fewer than 10 and no more than 25 members appointed by the President.

(2) Before appointing the members contemplated in subsection (1)(b) the Presidency must through the media invite nominations of suitably qualified persons for appointment by the President.

(3) The members of the Commission contemplated in subsection (1)(b) must, when viewed collectively, comprise of persons with expertise and practical experience in the fields, including but not limited to—

- (a) spatial planning, urban planning , regional planning and town planning;
- (b) economic development , industrial development , infrastructure and resource development;
- (c) provincial and local government;
- (d) agriculture, rural development and land use management;
- (e) information and communications technology;
- (f) finance and business development;
- (g) skills development, education and training;
- (h) social policy, public policy and governance;
- (i) innovation and research;
- (j) gender expertise, including gender planning and gender budgeting; and
- (k) community and youth development.

(4) A member referred to in subsection (1)(b), holds office for a term of five years and is on the expiry of his or her term, eligible for reappointment.

Objectives of Commission

17. The objectives of the Commission are to—

- (a) advise on the implementation of the National Development Plan;
- (b) spearhead the identification of the Republic's developmental objectives;
- (c) deepen planning practice in the whole of government;

- (d) update the National Development Plan, where necessary, and develop and update other short-term, medium-term and long-term national development plans, for the approval of the Cabinet;
- (e) develop monitoring and evaluation mechanisms to ensure the effective implementation of the National Development Plan;
- (f) coordinate the implementation of the National Development Plan to ensure consistency between the national, provincial and local spheres of government;
- (g) evaluate the effectiveness of Government's implementation of the National Development Plan; and
- (h) make recommendations on strengthening the implementation of the National Development Plan for the approval of the Cabinet.

Functions of Commission

18. The functions of the Commission are to—

- (a) update the National Development Plan as required and advise on its implementation;
- (b) collaborate with the Minister to ensure the implementation of the National Development Plan by all spheres of government;
- (c) coordinate the development of overarching plans that elevate key national priorities in respect of all spheres of government;
- (d) provide strategic direction to inform planning in government;
- (e) bring key stakeholders together and build consensus with regard to the implementation of the National Development Plan;
- (f) inform public discourse and build broad public support through developing and disseminating new ideas;

- (g) through the Minister, participate in key government processes, including but not limited to the Cabinet and the Medium Term Expenditure Committee;
- (h) through the Minister, provide ongoing advice to the President and the Cabinet on matters relating to the National Development Plan and the planning function; and
- (i) through the Minister, provide reports to the Cabinet on whether departmental plans and submissions to the Cabinet contribute to the Republic's developmental objectives, including the National Development Plan.

Committees of Commission

- 19.** (1) The Commission may establish one or more committees to—
- (a) exercise any of the powers or perform any of the functions of the Commission, which the Commission delegates or assigns to such committee; or
 - (b) advise the Commission on any matter, which the Commission refers to such committee.
- (2) A committee established under subsection (1)—
- (a) may consist of two or more members, and such other persons, appointed by the Minister, after recommendation of the Commission, to serve for the term of the committee;
 - (b) must be chaired by one of the members of the Commission referred to in paragraph (a); and
 - (c) must have written terms of reference and its effective date and duration determined by the Commission.

Remuneration and allowances of members of Commission or committee

20. (1) A member of the Commission, or a committee contemplated in section 18(1), who is not in the full-time employment or service of the State, is entitled to such remuneration, benefits and allowances, including allowances for the reimbursement of travelling and subsistence expenses incurred in connection with the performance of his or her functions under this Act, as the Minister, with the concurrence of the Minister of Finance, may determine.

(2) The remuneration, benefits or allowances determined for members under subsection (1) may differ according to different functions performed by the members.

(3) Any remuneration, benefit or allowance which may become payable under this section, must be paid from moneys appropriated by Parliament for that purpose.

Secretariat of Commission

21. (1) There is a Secretariat of the Commission, based in the Presidency, tasked with providing technical and administrative support to the Commission.

(2) The Secretariat is headed by a Director-General, known as the Secretary of Planning.

(3) The Secretary of Planning—

(b) serves as the first point of contact for the Commission to—

(i) interact with government and all social partners; and

(ii) provide strategic policy guidance to government; and

(b) must appoint suitably qualified persons to provide technical and administrative support to the Commission.

CHAPTER 5

PLANNING, MONITORING AND EVALUATION FRAMEWORK

National five-year plan

22. (1) The Minister must coordinate the development of a national five-year implementation plan informed by the National Development Plan, integrating plans across government, which must as a minimum—

- (a) be published within nine months after a national election;
- (b) set targets for the term of government for the indicators of the desired outcomes identified in the National Development Plan;
- (c) include a diagnostic analysis of the status *quo*;
- (d) identify any other strategic outcomes, with indicators and time-bound targets, taking into consideration the electoral mandate and international obligations of the country;
- (e) set out how the outcomes referred to in paragraphs (b) and (d) will be achieved;
- (f) identify key outputs required to achieve the desired outcomes and explain how the outputs will achieve the outcomes;
- (g) identify the roles and responsibilities of organs of state at national, provincial and local spheres of government for achieving the outputs;
- (h) in consultation with the Minister of Finance, include estimates of the inputs required to achieve the outputs, including cost estimates, an assessment of

whether they are affordable, and an indication of which organs of state in the national, provincial and local spheres of government will be responsible for which inputs; and

(i) be approved by the Cabinet.

(2) The plan referred to in subsection (1) may be amended at any time on the initiative of the Minister, and the amendments must be approved by the Cabinet.

Monitoring and evaluation

23. (1) The Minister may prescribe guiding principles for monitoring and evaluation that are applicable nationally, in terms of which all evaluations must, at a minimum—

- (a) be development-oriented;
- (b) address key development priorities of the Government;
- (c) include recommendations to ensure the implementation of the National Development Plan and plans for improvement of performance; and
- (d) provide for support and appropriate intervention in cases of poor performance.

(2) The Minister must, after the approval of the Cabinet, prescribe mechanisms to monitor the performance of all organs of state in the national sphere of government against the indicators and targets determined in their plans.

- (3) The mechanisms referred to in subsection (2) must provide for—
- (a) the determination of standards for the management of performance;
 - (b) the establishment of baseline performance for organs of state;
 - (c) the monitoring of performance
 - (d) useful information to inform improvements by responsible functionaries;

- (e) methods to facilitate improvements in management;
- (f) the provision of support;
- (g) the development of an improvement plan;
- (h) an appropriate intervention for failure to implement the National Development Plan or for poor performance, where necessary; and
- (i) the tracking of improvements against the baseline performance.

CHAPTER 6

ACCOUNTABILITY MANAGEMENT

Measures to ensure accountability

24. (1) The Minister, after the approval of the Cabinet, must prescribe measures aimed at maintaining or restoring services, mitigating service delivery problems and enforcing accountability with regard to performance.

(2) In the case of lack of capacity to perform functions, or for purposes of ensuring the implementation of plans, the Minister, after consultation with the relevant member of the Cabinet, may recommend to the President to appropriate action.

(3) The Minister may consult with the Minister of Finance and the Minister of Public Service and Administration, as applicable, with regard to the financial or human resource implications contemplated in subsection (2).

Performance evaluation

25. (1) The Minister must prescribe—

- (a) measures to incentivise good performance and to discourage poor performance; and
- (b) procedures and criteria for implementing any measures to incentivise good performance or discourage poor performance that may be put in place as contemplated in paragraph (a).

(2) The Director-General of the Department is responsible for the administration of the matters referred to in subsection (a) and (b)

Intervention support

26. (1) The Minister may develop measures and interventions to unblock constraints and accelerate delivery on national priorities for Cabinet approval.

(2) The national executive may intervene using the measures contemplated in subsection (1).

(3) The Minister may prescribe regulations, frameworks, guidelines, manuals, templates, practice notes for the diagnosis, design, institutionalisation and implementation of change interventions that—

- (a) address national priorities;
- (b) provide for inclusive planning and execution;
- (c) focus on accelerating the pace of delivery;
- (d) unblock constraints; and
- (e) promote transparency and accountability;

(4) The Minister may develop appropriate intervention methodology which can be applied to the development challenges, sectors or departments, and

instruct the department mandated to regulate the sector, to develop an Intervention Planning Proposal, as prescribed, for the application of the intervention methodology.

CHAPTER 7

GENERAL PROVISIONS

Annual report

27. (1) The Secretary of the Commission must, as soon as practicable after the end of each financial year, but not later than 30 June of each year, compile a report on the Commission's activities during the preceding year.

(2) The Minister must submit the report contemplated in subsection (1) to the Cabinet for approval and must thereafter the Minister must cause a copy of the approved report to be tabled in Parliament.

Regulations

- 28.** (1) The Minister may—
- (a) make regulations not inconsistent with this Act concerning any matter that must or may be prescribed in terms of this Act;
 - (b) after consulting the Commission, make regulations relating to the framework for planning for all three spheres of government;
 - (c) after the approval of the Cabinet, prescribe—

- (i) mechanisms to monitor and evaluate the performance of all organs of state in the national sphere of government against the indicators and targets in their plans;
- (ii) factors to be considered in prioritising evaluations;
- (iii) guidelines for the composition of the evaluation teams;
- (iv) standard terms of reference for conducting evaluations; and
- (v) guidelines for the preparation of improvement plans.

(2) The Minister—

- (a) must prescribe norms and standards to foster the institutionalisation of planning in all organs of state;
- (b) must, after the approval of Cabinet, prescribe mechanisms, norms and standards for monitoring and evaluating the performance of all organs of state against the indicators and targets determined in their plans, the application of the Socio-Economic Impact Assessment System (SEIAS), and the establishment of a central data warehouse of government information;
- (c) may, in consultation with, or at the request of, another Minister responsible for planning or developmental function and after public consultation, prescribe norms and standards to guide the relevant sectoral plans or developmental objectives, and the monitoring and evaluation of thereof; and
- (d) may make regulations regarding any other matter that it is necessary or expedient to prescribe for the proper implementation or administration of this Act.

(3) The Minister, before making or amending any regulations in terms of this Act, must publish a notice in the *Gazette*—

- (a) setting out that draft regulations have been developed;
- (b) specifying where a copy of the draft regulations may be obtained; and

(c) inviting written comments to be submitted on the proposed regulations within a specified period.

(4) After complying with subsection (3) the Minister may—

(a) amend the draft regulations; and

(b) publish the regulations in final form in the *Gazette*.

Transitional provisions

29. (1) The National Planning Commission appointed by the President prior to commencement of this Act, and still in existence at the commencement thereof, must be deemed to have been appointed in terms of this Act.

(2) Any member of the Commission contemplated in subsection (1), in office at the commencement of this Act, must continue in office as if appointed in terms of this Act for the duration of his or her term of office.

(3) Anything done, or any appointment made, relating to the Commission and its work, before the commencement of this Act, and which could be done or made under a provision of this Act, is deemed to have been done or made under this Act.

Short title and commencement

30. This Act is called the Integrated Planning Framework Act, 2018, and comes into operation on a date fixed by the President by Proclamation in the *Gazette*.