

Please note that most Acts are published in English and another South African official language. Currently we only have capacity to publish the English versions. This means that this document will only contain even numbered pages as the other language is printed on uneven numbered pages.



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THE PRESIDENCY

No. 801

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It is hereby notified that the President has assented to the following Act, which is hereby published for general information:—

Act No. 12 of 2012: Use of Official Languages Act, 2012



AIDS HELPLINE: 0800-123-22 Prevention is the cure

(English text signed by the President)
(Assented to 1 October 2012)

ACT

To provide for the regulation and monitoring of the use of official languages by national government for government purposes; to require the adoption of a language policy by a national department, national public entity and national public enterprise; to provide for the establishment and functions of a National Language Unit; to provide for the establishment and functions of language units by a national department, national public entity and national public enterprise; to provide for monitoring of and reporting on use of official languages by national government; to facilitate intergovernmental coordination of language units; and to provide for matters connected therewith.

PREAMBLE

WHEREAS the use of the Republic's official languages must be promoted and pursued in accordance with the Constitution of the Republic of South Africa, 1996;

AND WHEREAS section 6 of the Constitution of the Republic of South Africa, 1996, provides for 11 official languages of South Africa; recognises the diminished use and status of indigenous languages and requires the State to take practical and positive measures to elevate the status and advance the use of indigenous languages;

AND WHEREAS the Constitution of the Republic of South Africa, 1996, requires all official languages to enjoy parity of esteem and be treated equitably;

AND WHEREAS section 6(4) of the Constitution of the Republic of South Africa, 1996, provides that national government must regulate and monitor its use of official languages by legislative and other measures,

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

ARRANGEMENT OF SECTIONS

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Definitions

1. In this Act, unless the context indicates otherwise— 10
 - “**Constitution**” means the Constitution of the Republic of South Africa, 1996;
 - “**Department**” means the national Department of Arts and Culture;
 - “**language unit**” means a language unit established in terms of section 7;
 - “**Minister**” means the Minister responsible for language matters;
 - “**national department**” means a department listed in Schedule 1 to the Public 15 Service Act, 1994 (Proclamation No. 103 of 1994), but excluding the Offices of Premier;
 - “**national government**” means national departments, national public entities and national public enterprises;
 - “**National Language Unit**” means the National Language Unit established in 20 terms of section 5;
 - “**national public enterprise**” means a national government business enterprise defined in section 1 and listed in Schedule 3 Part B to the Public Finance Management Act, 1999 (Act No. 1 of 1999);
 - “**national public entity**” means a national public entity defined in section 1 and 25 listed in Schedules 2 and 3 to the Public Finance Management Act, 1999 (Act No. 1 of 1999);
 - “**official language**” means an official language contemplated in section 6(1) of the Constitution;
 - “**Pan South African Language Board**” means the Board established in terms of 30 section 2 of the Pan South African Language Board Act, 1995 (Act No. 59 of 1995);
 - “**prescribe**” means prescribe by regulations; and
 - “**this Act**” includes any regulations made in terms of this Act.

Objects of Act

2. The objects of this Act are— 35
 - (a) to regulate and monitor the use of official languages for government purposes by national government;
 - (b) to promote parity of esteem and equitable treatment of official languages of the Republic;
 - (c) to facilitate equitable access to services and information of national 40 government; and
 - (d) to promote good language management by national government for efficient public service administration and to meet the needs of the public.

Application of Act

3. (1) This Act applies to— 45
 - (a) national departments;
 - (b) national public entities; and
 - (c) national public enterprises.

(2) This Act takes precedence over any inconsistent provision of any other law on the use of official languages by national government. 50