



Commission for Gender Equality
A society free from gender oppression and inequality

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En-Gendering Transformation in the South African Public Service

Police, Science and Technology Case Studies

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Introduction

To what extent are public sector institutions in South Africa making progress in terms of gender mainstreaming and transformation? A study undertaken in 2013 by the Commission for Gender Equality (CGE) into gender mainstreaming in the South African public service, provides evidence of a mixed picture of slow progress and intractable challenges.

The dawn of democracy in 1994, followed by two decades of democratic governance, have seen the country adopt its much-heralded Constitution, underpinned by principles of equality, freedom and universal rights to human dignity. Under its Constitution, the country went on to promulgate numerous laws, signed up to global treaties and agreements, including the establishment of a plethora of independent democracy-supporting institutions, to realise the rights to equality and freedom as outlined in its Constitution. While there is no doubt about the country's commitment to a range of socio-economic and political transformation ideals and goals, the practical realisation of these ideals and goals is the critical challenge that confronts the country's political and administrative leaderships, including the independent institutions established to support the country's democracy.

The 2014 celebrations of South Africa's 20 years of democratic practice provide an opportunity to review progress in terms of transformation in a number of policy areas, including gender equality. The CGE, one of the numerous democracy-supporting institutions provided for in terms of Section 181 of the Constitution, seeks to "promote respect for gender equality and the protection, development and attainment of gender equality".¹

To do this, the Commission is empowered, among others, "to monitor, investigate, research, educate, lobby, advise and report on issues concerning gender equality".²

This Policy Brief presents the findings of an annual review, undertaken in 2013 by the CGE using its Gender Barometer gender mainstreaming monitoring tool, to assess progress towards gender mainstreaming in the South African public service. The study, focusing on two national government departments (i.e. the Department of Police, and the Department of Science and Technology) and nine provincial government Departments of Community Safety/Policing, highlights some of the progress including the challenges faced by the selected national and provincial government departments in their efforts to achieve gender equality. It should be noted that for the Department of Police, the focus is on the South African Police Service (SAPS).

The Policy Brief will therefore provide an outline of some of the findings of the study, including the policy implications of the findings and the policy recommendations deriving from these findings.

The Policy Brief provides a brief background on some of the relevant policy and legislative frameworks and international instruments. It then goes on to highlight the findings on the two national ministries (Police, and Science and Technology), followed by an overview of the findings relating to provincial government departments. It ends with conclusions and policy recommendations.

¹ The Constitution of the Republic of South Africa, 1996, S187(1)

² The Constitution of the Republic of South Africa, 1996, S187(2)

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Methodology, Approach & Limitations

As indicated above, two national departments (Police, and Science and Technology), as well as nine provincial Departments of Community Safety/Policing were selected for the 2013 annual assessment on gender mainstreaming. This is part of an annual exercise whereby the CGE selects a number of national and provincial (and sometimes local) government departments for assessments on progress towards gender mainstreaming, particularly promoting the rights of women to gender equality through internal structures, procedures, processes and practices.

The CGE’s assessments of gender mainstreaming in the public sector are carried out annually by the

Research Department, using an online/web-based Gender Barometer monitoring tool. It is a self-administered electronic instrument used to collect various categories of qualitative and quantitative data relating to departmental gender mainstreaming activities, policies, procedures and practice. In particular, the data gathered related to areas such as: organisational leadership and gender profile; gender mainstreaming policies; organisational cultures and systems; women’s involvement in decision-making; and gender budgeting. The electronic monitoring tool contains a mixture of closed and open-ended questions, seeking both quantitative as well as qualitative (value-based and experiential) information on gender mainstreaming within the selected institutions.

List of selected national and provincial departments

LEVEL OF GOVERNMENT	DEPARTMENT
NATIONAL GOVERNMENT	Department of Police
	Department of Science and Technology
PROVINCIAL GOVERNMENT	
1. Eastern Cape	Department of Safety and Liaison
2. Limpopo	Department of Safety, Security and Liaison
3. Gauteng	Department of Community Safety
4. Northern Cape	Department of Safety and Liaison
5. KwaZulu-Natal	Department of Community Safety and Liaison
6. North West	Department of Human Settlements, Public Safety and Liaison
7. Western Cape	Department of Community Safety
8. Mpumalanga	Department of Safety, Security and Liaison

The assessment was carried out between May 2013 and February 2014, with selected departments administering the tool with support and assistance from the CGE research staff where necessary. Nonetheless, the exercise encountered a number of constraints that need to be identified. Firstly, some of the departmental officials, especially Gender Focal Persons (GFPs) responsible for internal departmental gender mainstreaming, had limited understanding of the issues and some of the questions, which necessitated briefing sessions between the Commission and the officials concerned. Secondly, even after assistance from Commission staff, the respondents often omitted to respond to certain parts of the electronic monitoring tool. Thirdly, the Department of Community Safety in the Free State Province did not participate in the

assessment, despite agreeing to the request. Finally, many departments still failed to provide vital information, or in cases where they did provide information, this was severely limited, making it difficult to gain a thorough insight into progress made in terms of gender mainstreaming.

In addition to the data obtained through the self-administered electronic assessment tool, other sources such as departmental annual reports, information from departmental websites and other published documents were used in order to supplement some of the missing data or the incomplete responses received from the selected institutions. The Policy Brief therefore draws from the analysis of the data and the findings, as outlined in the research report.³

3 Brief Background & Relevant Frameworks

South Africa's first formal participation in international women's conferences was at the Beijing Conference in 1995, where the Beijing Platform for Action (BPA) was formulated. This was the fourth women's international conference to be held by the United Nations. It was also at this international conference where concept of "gender mainstreaming" emerged. According to the United Nations Economic and Social Council (1997), gender mainstreaming is:

"... the process of assessing the implementation for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and social spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal of mainstreaming is to achieve gender equality"

³ Commission for Gender Equality (2013), *Mainstreaming Gender in the Public Service: Reviewing progress in the Departments of Police and Science and Technology*

The South African Constitution makes provision, through its Equality Clause contained in the Bill of Rights (Chapter 2 of the Constitution), for the right to equality on a number of grounds, including gender.⁴

The CGE therefore serves as an institutional underpinning of this constitutional provision for gender equality, while Section 187 mandates the CGE, among others, to promote, protect and attain gender equality through research, monitoring, investigations, education, lobbying and advocacy.

The country has adopted a number of national policy frameworks, among which is the South African National Policy Framework for Women's Empowerment and Gender Equality, which also identifies and mandates the CGE, as part of the National Gender Machinery, to discharge its responsibilities of advancing and promoting the rights of women to gender equality. There are other national legislative frameworks such as the Employment Equity Act 55 of 1998 (as amended), the Domestic Violence Act 116 of 1998 and others that seek to put into effect the Constitutional provisions for gender equality in South Africa. The

country has also signed up to and ratified a number of international treaties, conventions, agreements and protocols (e.g. the Convention on the Elimination of Discrimination against Women, the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa, and the Solemn Declaration on Gender Equality), as well as the International Labour Organisation (ILO) Conventions.⁵

The country's political leadership has made a clear commitment not only to endorse these international instruments, but also to comply with their provisions by incorporating them into domestic legislative and policy frameworks.

According to a Statistics South Africa report⁶ South Africa in its 20 years of democracy ranks fourth among the 87 countries covered by the 2012 Social Institutions and Gender Index of the Organisation for Economic Co-operation and Development (OECD). With 45% representation of women in the country's national parliament, South Africa is second only to Rwanda in terms of women's representation in elective national political institutions.

⁴ See Section 9 (3) of the Constitution of the Republic of South Africa, Act 108 of 1996

⁵ ILO Conventions (100, 111 & 183)

⁶ Statistics South Africa (2011), Gender Statistics in South Africa

The following sections of this Policy Brief will present brief outlines of the findings of the assessment of the selected national and provincial government departments. The Policy Brief highlights some of the findings relating to the following areas: organisational gender profiles, measures by institutions to create an enabling environment for gender mainstreaming, gender budgeting, mainstreaming gender in organisational culture and system, women in decision-making and institutional capacity-building for gender mainstreaming.

4.1. National Department of Police

The Department of Police and in particular the South African Police Service (SAPS), like all other state institutions, is obliged to comply with and implement national policy and legislative frameworks to promote gender equality. It is obliged to promote gender equality and transformation through internal structures, policies, processes and practices. However, the area of policing has historically been the preserve of male dominance, with the ranks of the police service in South Africa, from national to provincial level, traditionally dominated by males. There is also a widespread perception that the police service is characterised by resistance, opposition and efforts to undermine gender equality and transformation of the police service.⁷

4.1.1. Organisational or institutional personnel profile

The SAPS is currently led by the national commissioner, General Riah Phiyega, who took over in 2012 as the first female national commissioner following a long history and tradition of the SAPS

being led by male national commissioners. Even her appointment caused controversy as some critics believed the post was unsuitable for a female commissioner who would be leading a predominantly male team of SAPS senior officers at national level. Data obtained from the SAPS also show that the representation of women in the SAPS stands at 34.66%, which is below the policy target of 50% as adopted by government.

The figures obtained by the CGE on the top leadership of the SAPS at national level shows that there are eight (8) female officers, compared to 15 males. Also, figures provided by the SAPS relating to the gender profile of the SAPS leadership, especially the command positions at national and provincial levels, show that out of a total of 618 commanders, only 90 (14.6%) are female commanders.⁸

In particular, of the 192 branch commanders, only 22 (11.5%) are female commanders. Also, of the 192 station commanders, 35 (18.3%) are female. Similarly, out of the 192 visible policing heads, only 21 (11%) are female. In terms of the gender profile of SAPS personnel in general, figures supplied by the SAPS show that 132 221 (63.73%) of the service comprises male officers, whereas there are only 8 485 (36.27%) female personnel. Clearly, the gender profile of the SAPS is overwhelmingly male, from senior ranks to rank-and-file personnel. The pattern of male dominance is replicated in all the categories of employment (top management, senior management, visible policing and detectives), with the exception of support services where there are 3 703 (60%) female personnel compared to 2 535 (40%) males.

⁷ See Martin, S (1980), *Breaking and Entering: Policewomen on Patrol*, p. 79, quoted in Prenzler, Tim & Sinclair, G (2013), *The Status of Women Police Officers: An International Review*. *International Journal of Law, Crime and Justice*, p. 4.

⁸ Figures supplied by the SAPS

4.1.2. Women's involvement in decision-making

While internal processes inside the SAPS do allow for women participation in internal leadership structures and decision-making, figures obtained at the time of the study appear to show that men are still dominant within the structures responsible for decision-making relating to planning and budgeting – two key areas relating to police operations.

Organisational gender profile

Structures/ Committees	No. women	No. men
Planning structure	10	25
International delegations	7	unknown
In appointment to government	7	3
Budget processes	10	25

Also, data obtained during the study shows that at senior and middle management levels, male police personnel continue to dominate. For instance, at the senior management level there were 1 555 males compared to only 623 females. At senior level, the study found 517 males compared to 263 females. With regard to the technical services within the SAPS, the same pattern of male dominance continues – 59 574 male technical specialists compared to 18 114 females. The explanation obtained from the SAPS during the study was that while the SAPS encourages women to enter the ranks of the service, in practice the work is physically demanding and entails unsociable hours (i.e. night shifts), and is therefore unsuitable for women. It was further explained that women who enter the service predominantly prefer desk-based work.

4.1.3. Measures to create an enabling environment for gender mainstreaming and capacity building

The key step that the SAPS took towards creating an environment for gender mainstreaming was the appointment of a Gender Focal Person (GFP) at the level of brigadier, which complies with the provisions of the National Gender Policy Framework that GFPs be appointed at the level of Director or upwards. It was also discovered that the GFP has the necessary training and knowledge on gender issues and gender mainstreaming. The role of a GFP is to ensure that department complies with gender mainstreaming policies and legislation, including carrying out specific projects and programmes to promote gender equality.

It was also discovered that the SAPS has established a Women's Network and Men's Forum for Change at national and provincial levels, as institutional underpinnings for gender transformation in the police service, as well as for the empowerment and advancement of women to senior management levels within the SAPS. Further to this, the study found that each province has nominated "champions" to coordinate activities related to women's empowerment. These are important institutional structures to facilitate gender equality and transformation, although information relating to the powers and effectiveness of these structures was not provided.

In addition to the above, data provided from the SAPS shows that more effort is being expended towards recruiting more women in a number of areas such as cyber and commercial crime (50% of the 300 new recruits were female in 2013), as well as the 14 women recruited to the Special Task Force and 12 women as pilots. The study also found that the SAPS undertook a review of its internal employment equity plan, in line with Section 20 of the Employment Equity Act, to enhance female representation by setting a 50% numerical target for the middle and senior management levels. The SAPS also reviewed its internal sexual harassment policy, which led to the reclassification of sexual harassment as a dismissible offence.⁹

⁹ Information obtained from the SAPS. For more initiatives on the activities of the SAPS to promote gender equality and gender mainstreaming, please refer to CGE (2013), op. cit., pp. 17-18

Based on the data obtained during the study, it would appear that the SAPS has made limited progress in terms of the numbers of women in the middle and senior management levels.

4.1.4. Budgeting for gender mainstreaming

The department's budget and planning processes are crucial for its operational needs. It was found that the SAPS did not have clearly defined gender prioritization in its budget. This is despite the SAPS's insistence that funds are being earmarked and made available for various programmes and projects to advance the interests of women.

4.2. Department of Science and Technology

While men also traditionally dominate the field and discipline of science and technology, this department appears to have made significant progress regarding gender mainstreaming, in particular the representation of women in senior levels of management, including decision-making structures. It would appear that the key factor here is a progressive leadership within the department, willing to embrace and actively pursue measures aimed at gender equality and advancing the rights of women.

4.2.1. Organisational or institutional personnel profile

The information obtained from the department shows that while males remain dominant in the technical fields and women's representation at the top management level was declining (going from just over 20% in 2012 to below 10% in 2013), at middle and senior management levels women's numerical representation was increasing significantly.¹⁰

Data on the broader gender profile of the department shows that 46% of the personnel are female,

compared to 54% male personnel – the gender balance is fairly close. There were also 15 female senior managers compared to 13 males. Also at middle level management, there were 12 females compared to 11 males. At the technical and professional levels, it was discovered that more females (120) than males (90) technical experts and professionals were appointed.

4.2.2. Women's involvement in decision-making

In terms of the involvement of women at senior level decision-making, the department provided information on two structures. The Executive Committee (which provides leadership and strategic direction to the department) had equal representation (4 each) of males and females. The second structure, the Operational Committee (responsible for alignment of policies and decisions on service delivery), also had virtually equal representation between males (9) and females (10). This represents significant progress in terms of women's representation in the department.

4.2.3. Measures to create an enabling environment for gender mainstreaming and capacity building

The department identified a number of actions taken to create an enabling environment and capacity for gender mainstreaming. These include the establishment of the Women in Management Forum and the Men's Forum to deal with gender mainstreaming. It undertook an employment equity audit in 2010, which focused on women in management, including a review of departmental policies, workforce gender profile training, although no information was made available on the outcomes of these actions. Other relevant interventions are mentioned below.

¹⁰ For further details on employment equity at management levels, See Graph 4, CGE (2013) op.cit

4.2.4. Budgeting for gender mainstreaming

While the department insists that its internal budgeting process is strongly guided by gender-sensitive considerations, information was not provided to show how the budget prioritises gender-mainstreaming activities. Moreover, it was discovered that more funds are directed towards more

male than female beneficiaries in some areas. An example was the allocation of post-graduate bursaries (2 968 females versus 3 214 males) and research grants (1 044 females versus 3 079 males).

The department insisted that funds were being allocated to areas such as the Thuthuka Research Grant and other activities such as Women's Month, where women were the primary beneficiaries.

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Overview of Provincial Findings

An overview of the findings at provincial level indicates that some positive developments have taken place in some of the departments responsible for community policing, amid persistent challenges. Much of the progress has been noticed in the area of appointment and levels of appointment of GFPs, and involvement of women in decision-making structures. The persistent challenges manifest in terms of non-compliance with current policy and legislative frameworks. While this might benefit women in the short term regarding selections and appointments of GFPs, such a perception could fuel the widespread reluctance of males to get involved in gender-mainstreaming work, thus marginalising such work, especially within government departments where commitment to gender mainstreaming is weak.

5.1.1. Organisational / institutional personnel profile and involvement of women in decision-making

At the time when the study was undertaken, it was discovered that at the level of political leadership, the Members of the Provincial Executives (MECs) responsible for community safety/policing were predominantly male.¹¹

Only three provinces (Eastern Cape, Gauteng and Limpopo) had female MECs for Community Safety. In terms of the gender profile of GFPs, it was found that while the gender balance was almost 50/50, there was a strong perception that gender mainstreaming is women's work, which seems to cause departments to want to appoint predominantly female candidates to the position of GFP. In terms of broader departmental staff gender profiles, reliable data was not available to make a determination of progress in this regard. While the study was not able to obtain accurate figures of the gender profiles of SAPS in the provinces, the figures provided by the SAPS regarding the gender profile of the service show that generally policing is an overwhelmingly male-oriented profession, from the command and supervisory levels to rank-and-file personnel.

5.1.2. Women and GFPs' involvement in decision-making

The findings indicate that the majority of these departments have appointed individuals acting in the position of GFP. However, most of the incumbents had been appointed at lower levels of seniority, particularly at deputy director level or below, which

¹¹ See table 5, CGE (2013) op. cit.

limits their access to senior level decision-making processes. This contradicts current policy provisions. However in Gauteng and Mpumalanga it was found that the GFPs were appointed at director level, with the necessary formal training in the area of gender equality. However, involvement in decision-making is generally limited for many GFPs at provincial level. For Mpumalanga, the department had lower representation of women compared to men at middle and senior management levels, including the technical/professional jobs.¹²

For the Eastern Cape, slightly more women than men participate in middle and senior management level structures¹³ including the technical professions. For many of the departments, the GFPs had limited training and knowledge of the gender sector. They are often located in multi-sectoral units handling various other issues such as social diversity, race, youth and disability, which limits their effectiveness and impact. Other provinces such as North West and KwaZulu-Natal did not provide figures on women's involvement in senior level decision-making structures.

5.1.3. Measures to create an enabling environment for gender mainstreaming and capacity building

The study found that some of the provinces have not made progress in terms of initiating relevant internal policies and programmes to mainstream gender. For example, Limpopo and Mpumalanga departments reported that their gender policies had expired and not much has been done to review the situation. While some, such as the Gauteng and North West

Community Safety and Public Safety Departments, had only put in place gender-mainstreaming plans, the departments from the rest of the provinces had put policies in place to combat sexual harassment in the workplace. For the Northern Cape, while a training programme was put in place, the department did not have a GFP, thus pointing to an inconsistency in its approach to gender mainstreaming. For other provinces (especially Limpopo and Gauteng) a number of initiatives were mentioned, including gender audits, employment equity plans and workshops on gender mainstreaming. For the Western Cape department, not much had been done in this regard.

5.1.4. Budgeting for gender mainstreaming

Budgeting and resource allocation are important aspects of operational planning, and departments were assessed in terms of how such processes factor in departmental gender-mainstreaming activities. While some of the provincial departments (e.g. Mpumalanga, Gauteng and North West) insisted that their budgets were gender-sensitive, catering for gender programme and project activities, in general insufficient information was available to examine and analyse such budgetary provisions for gender-mainstreaming work. In other cases the selected departments either did not have gender-responsive budgets (e.g. Western Cape and Limpopo) or provided no information to determine whether or not such a budget existed (e.g. Eastern Cape). The study also revealed that many of the departments were not even aware of the need for, and importance of having, a clearly defined and gender-responsive departmental budget.

¹² See Graphs 8 & 9, CGE (2013), op. cit., p27

¹³ See Graphs 10,11 & 12, CGE (2013), op. cit., p29

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Conclusions

This Policy Brief sought to present a brief outline of some of the key findings of the 2013 annual Gender Barometer, which was administered to the two national government departments (Departments of Police, and Science and Technology) as well as eight provincial departments responsible for community policing/safety and security.

Based on the findings, a number of conclusions were drawn. Firstly, it was clear that the Department of Science and Technology had made significant progress in terms of internal gender mainstreaming, including the representation and participation of women in senior level decision-making. It was also clear that more women were being appointed in the technical and professional categories of employment in the department. Secondly, the SAPS under

the Department of Police is still predominantly male, with the entry of women to the senior and middle level structures (i.e. command and supervisory) still limited. Thirdly, the study found variations across the provinces with regard to areas such as women's involvement in decision-making, internal policies and gender-sensitive budgeting. Fourthly, provincial departments responsible for community policing are generally male-dominated in senior ranks of the SAPS. Fifthly, GFPs or officials responsible for internal gender mainstreaming work are likely to be appointed in positions below the level of director.

Finally, GFPs are subjected to problems such as insufficient resources and lack of skills training, and are also largely excluded from direct participation in senior level decision-making.

The following key recommendations are drawn from the findings of the study, as contained in the research report:

- It is recommended that provincial departments responsible for community safety and policing undertake a review of their current gender-mainstreaming programmes, policies and practices, to ensure effective implementation and compliance with current policies and legislation. This review should be accompanied by a programme of internal awareness-raising among staff members, to increase awareness of national and provincial gender-mainstreaming policy objectives.
- It is imperative that senior level leaders in the different departments dealing with policing, both national and provincial, be thoroughly trained and exposed to training related to gender-mainstreaming policies, programmes and strategies to ensure better understanding of the need for gender transformation within the SAPS. In particular, it would be critical for the SAPS to focus greater attention on the implementation of the Domestic Violence Act and Sexual Offences Act to address issues of secondary victimisation of the victims of domestic violence.
- The leadership of the CGE, together with the Minister for Women, should undertake joint high-level meetings with the national and provincial departments responsible for community policing, in order to sensitise the senior leadership of these departments on the policy, legislative and other obligations relating to gender main-streaming in South Africa.
- The CGE, together with the Minister for Women, should approach government departments to assist in developing internal strategies for gender mainstreaming, including effective internal monitoring and evaluation systems to ensure the impact of these strategies on internal gender mainstreaming.
- Finally, the CGE should approach the Department of Science and Technology with a view to developing a joint public education programme, using lessons in best practice from the department, to assist and ensure buy-in from the senior leadership of other government departments on internal gender mainstreaming.

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