



**MINISTRY
PUBLIC SERVICE AND ADMINISTRATION
REPUBLIC OF SOUTH AFRICA**

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**AMENDMENT OF PROTOCOL DOCUMENT ON THE PRINCIPLES AND PROCEDURES TO BE
FOLLOWED FOR THE RECRUITMENT AND FILLING OF POSTS OF HEAD OF DEPARTMENT
(HOD) AND DEPUTY DIRECTOR-GENERAL (DDG) AT NATIONAL LEVEL**

1. The above-mentioned Protocol Document, as contained in Chapter 8 of the Senior Management Service (SMS) Handbook, has reference.
2. The following recent developments necessitated a review of the Protocol Document:
 - 2.1 On 5 May 2010 Cabinet "approves that in keeping with the Public Service Act, 1994, that Heads of National Departments be appointed for a term of five-years, which may be renewed depending on the performance and at the discretion of Cabinet".
 - 2.2 An amendment to the Public Service Regulations, 2001, effective 17 May 2010, provides that a selection committee constituted for the appointment of –

- (a) the head of a national department, shall include at least three Ministers and a national head of department; and
- (b) a Deputy Director-General of a national department, shall include at least two Ministers or Deputy Ministers one of whom is not in the portfolio in which the vacancy exists, and the head of a national department.

2.3 The MPSA's directive issued under cover of DPSA Circular HRP1 of 2010 dated 01 April 2010 on the verification of Public Service Employees' qualifications by the South African Qualification Authority (SAQA).

3. Against the above background, the Protocol Document was appropriately amended in order to cater for these developments. The templates (Annexures C to F) contained in the Protocol Document have also been amended to cater for these and other minor technical amendments.
4. Attached please find a copy of the amended Protocol Document for your cognizance. You are kindly requested to ensure compliance with the amended Protocol Document at all times. An electronic copy of the amended Protocol Document and the accompanying templates will be made available on the **dpsa** website.
5. Your co-operation in this regard will be appreciated.

Kind regards



MR M R BALOYI

MINISTER FOR PUBLIC SERVICE AND ADMINISTRATION

DATE: 2010/06/23



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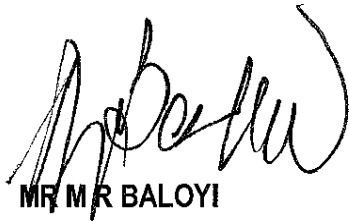
**AMENDMENT OF PROTOCOL DOCUMENT ON THE PRINCIPLES AND PROCEDURES TO BE
FOLLOWED FOR THE RECRUITMENT AND FILLING OF POSTS OF HEAD OF DEPARTMENT
(HOD) AND DEPUTY DIRECTOR-GENERAL (DDG) AT NATIONAL LEVEL**

1. The above-mentioned Protocol Document, as contained in Chapter 8 of the Senior Management Service (SMS) Handbook, has reference.
2. Recent developments pertaining to the appointment of Heads of Department and Deputy Directors-General at national level necessitated a review of the Protocol Document. This process resulted in a revised Protocol Document that caters for such developments. The templates (Annexures C to F) contained in the Protocol Document have been amended accordingly to provide for these and other minor technical amendments. Copies of the amended Protocol Document, together with relevant templates, were subsequently availed to all Executive Authorities at national level, requesting them to ensure compliance with the mentioned document. Attached please find a copy of the self-explanatory letter, together with relevant templates that were forwarded to all Executive Authorities.

3. Although the Protocol Document and the accompanying templates only apply at national level, the above-mentioned documents are also availed to Premiers for information purposes and possible use by Provincial Cabinets.

4. It is trusted that you will find the above in order.

Kind regards



MR M R BALOYI

MINISTER FOR PUBLIC SERVICE AND ADMINISTRATION

DATE:

2010/06/23

Annexure B

PROTOCOL DOCUMENT ON THE PRINCIPLES AND PROCEDURES TO BE FOLLOWED FOR THE RECRUITMENT AND FILLING OF POSTS OF HEAD OF DEPARTMENT (HoD) AND DEPUTY DIRECTOR- GENERAL (DDG) AT NATIONAL LEVEL

PRINCIPLES/PROCEDURES	REFERENCE
1. The purpose of this document is to confirm the principles/procedures that apply in appointing HoDs and DDGs at national level.	
2. Although HoDs and DDGs are appointed by Executive Authorities (EAs), Cabinet also plays a role in their employment.	Cabinet adopted the Protocol Document on 28/6/2000
3. The Minister for the Public Service and Administration (MPSA) has the responsibility to submit motivations for the filling of HoD and DDG posts to Cabinet. Only after Cabinet has concurred with the nomination, can the appointment of the candidate be formalised.	Cabinet decisions of 3/9/1997 and 12/4/2000
4. HoDs are appointed for a term of five years or such shorter period as determined by the relevant EA. Cabinet, however, decided in September 1999 that national HoDs should as a general rule be appointed for a period of three years. On 5 May 2010 Cabinet "approves that in keeping with the Public Service Act, 1994, that Heads of National Departments be appointed for a term of five years, which may be renewed pending on the performance and at the discretion of Cabinet".	Section 12 of the <i>Public Service Act</i> , (PSA), 1994 Cabinet decision dated 5/5/2010
5. DDGs are normally appointed in the same way as any other career public servant.	Section 9 and 11 of the PSA, 1994
6. Before a post is advertised/filled, an EA must first determine the composite requirements for employment in the post based on the inherent requirements of the job. An EA shall - (a) record the inherent requirements of the job; (b) ensure that the requirements for employment do not discriminate against persons historically disadvantaged; and (c) comply with any statutory requirement for the appointment of employees.	Public Service Regulations (PSR) 1/VII/C.1.1 and 1/VII/C.1.2
7. The job must also be evaluated, unless it has been evaluated before.	PSR 1/III/F

PRINCIPLES/PROCEDURES	REFERENCE
<p>8. An EA must ensure that the vacant post is advertised to reach (as efficiently and effectively as possible) the entire pool of potential applicants. The filling of posts of HoD and DDG must be effected by means of advertising such vacancy nationally inside and outside the Public Service. An advertisement for a post must specify the following –</p> <ul style="list-style-type: none"> - Job title. - Core functions to be performed by the incumbent. - Inherent requirements of the post. - All-inclusive package payable. - Contact person to whom enquiries can be addressed. - Closing date. - The contract period (in the case of an HoD). - That the successful candidate will be required to enter into an annual performance agreement and that she/he will have to disclose her/his financial interests. - That all shortlisted candidates will be subjected to personnel suitability checks (PSCs). 	<p>PSR 1/ VII/C.2</p>
<p>9. An EA may only fill a vacant post without advertising in the circumstances outlined in the PSR.</p>	<p>PSR 1/VII/C.1B and 1/VII/C.2.5</p>
<p>10. An EA may utilise an appropriate agency or selection consultant to assist in some or all of the selection processes as long as the prescribed advertising and selection procedures are followed.</p>	<p>PSR 1/VII/C.2.6</p>
<p>11. After the closing date of the advertisement the department concerned must do shortlisting. All shortlisted candidates must be subjected to preliminary security vetting. In this regard departments must conduct personnel suitability checks (PSCs) in respect of all shortlisted candidates. Such PSCs shall, with effect from 1 January 2008, cover at least the following:</p> <ul style="list-style-type: none"> (a) Criminal record checks; (b) Citizenship verification; (c) Financial/asset record checks; (d) Qualification/Study verification; and (e) Previous employment verification (Reference checks) <p>As regards to 11(d) above, verification of qualifications must be undertaken by the South African Qualification Authority (SAQA) in line with a directive issued in this regard by the MPSA, effective 1 March 2010</p>	<p>Cabinet decision of 17/3/1999</p> <p>"Dear Colleague" letter by MPSA dated 24/4/2002</p> <p>PSR 1/VII/D.8(a)</p> <p>National Vetting Strategy approved by Cabinet during December 2006.</p> <p>Directive by MPSA issued under cover of DPISA Circular 14/1/1/P of 23/11/2007</p> <p>Directive by MPSA issued under cover of DPISA Circular HRP1 of 2010 dated 1 April 2010</p>
<p>12. An EA must appoint a selection committee. Such a selection committee constituted for the appointment of a HoD shall include at least three Ministers and a national HoD. The selection committee constituted for the appointment of a DDG shall include at least two Ministers or Deputy Ministers, one of whom is not in the portfolio in which the vacancy exists, and a national HoD.</p>	<p>PSR 1/VII/D.2 as amended with effect from 17 May 2010</p>
<p>13. During the selection process all candidates for a particular post must be assessed against the same selection criteria by the same selection committee.</p>	

PRINCIPLES/PROCEDURES	REFERENCE
<p>14. In addition to paragraph 13, at least two candidates identified during the interviews must be sent for a competency assessment as mandated by the dpsa with effect from 1 December 2008. With reference to the competency assessment, only mandated tools developed by the dpsa may be used.</p>	<p>Cabinet decision of 26 to 28 July 2006 dpsa circular of 4/3/2008</p>
<p>15. The selection committee shall make a recommendation on the suitability of a candidate after considering only –</p> <ul style="list-style-type: none"> (a) Information that is based on valid methods, criteria or instruments for selection that are free from any bias or discrimination; (b) the training, skills, competence and knowledge necessary to meet the inherent requirements of the post; (c) the needs of the department for developing human resources; (d) the representativeness of the component where the post is located; and (e) the department's affirmative action programme. 	<p>Section 11 of the PSA, 1994 PSR 1/VI/D</p>
<p>16. The selection committee shall record the reasons for its recommendation. The appointment of the successful candidate should only be approved after consultation with the MPSA (who is responsible for obtaining Cabinet's concurrence) and once the President has exercised his prerogative on deployment.</p>	<p>Cabinet decision of 4/8/1999</p>
<p>17. In order to allow the MPSA to add value and to facilitate the appointment of nominated candidates to posts of HoD and DDG in national departments, national EAs are required to forward information on these candidates to the MPSA. For this purpose a pro-forma letter (Annexure C of this Chapter) and a Cabinet Memorandum (Annexure D of this Chapter) containing all relevant information, should be forwarded to the MPSA at least two weeks before the Cabinet meeting. For practical reasons, departments must only deal with one appointment per Cabinet Memorandum.</p> <p>Note: The Cabinet Memorandum must be accompanied by a relevant <i>curriculum vitae</i>. The <i>curriculum vitae</i> must indicate the number of Boards the nominee is currently serving on.</p>	<p>Cabinet decisions of 12/4/2000, 22/8/2001 and 24/3/2010</p> <p>Cabinet decisions of 12/4/2000 and 22/8/2001</p>
<p>18. Agreement on the remuneration of the prospective appointee must be reached between the relevant EA and the prospective appointee before Cabinet is approached for approval of the appointment. The remuneration to be awarded to the relevant person should be included in the proposal to be presented to Cabinet. An EA may not request a deviation after Cabinet has taken a decision on the matter.</p> <p><u>Note:</u></p> <p>With reference to the Cabinet Memorandum (Annexure D of this Chapter), departments are required to list and inform Cabinet about the extent of representivity of the institution concerned, and how this will be affected by the appointment.</p>	<p>Cabinet decisions of 28/5/2003, 8/2/2006 and 5/12/2001</p>

PRINCIPLES/PROCEDURES	REFERENCE
<p>19. After Cabinet's concurrence has been obtained the relevant EA will issue an appointment letter to the successful candidate. Such a letter should include the following:</p> <ul style="list-style-type: none"> - Indicate in accordance with which provision of the Act the appointment is effected. - Term of contract and all-inclusive package. - Attach the prescribed employment contract and refer to the requirement to enter into a performance agreement within the first three months of appointment. - Date of assumption of duty (The date of appointment will be with effect from a date as agreed to by the relevant EA and the appointee.). - Requirement to disclose financial interests within one month of appointment. 	<p>PSR, Annexure 2, Parts 1,2 and 3 .</p>
<p>20. Should any candidate require reasons why she/he was not appointed, it will be the responsibility of the relevant EA to provide such reasons.</p> <p><u>Note:</u> For purposes of dealing with an extension of a contract a <i>pro forma</i> letter and Cabinet Memorandum are attached at Annexures E and F.</p>	

Mr M R Baloyi
Minister for the Public Service and Administration
Private Bag X 916
PRETORIA
0001

Dear Colleague

FILLING OF THE VACANT POST OF: DEPARTMENT OF

The above-mentioned post was advertised nationally within and outside the Public Service during After assessment of all applications against the key performance areas and requirements attached to the post as advertised, candidates were shortlisted.

A Selection Committee conducted interviews with all the shortlisted candidates. Ms/Mr, acted as scribe to assist the Committee.

After thorough consideration of the candidature of the shortlisted individuals against the particular requirements and circumstances of the post, Ms/Mrwas found to be the most suitable candidate for the post.

The following documents regarding the filling of the post are attached:

- (a) Copy of advertisement.
- (b) List of the candidates who applied for the post.
- (c) Cabinet Memorandum for submission to Cabinet.
- (d) Copy of letter from NIA regarding security vetting.
- (e) Documentary proof of the outcome of personnel suitability checks.
- (f) Exposition of representivity profile at SMS level.
- (g) Copy of curriculum vitae/résumé.
- (h) Copy of ID.
- (i) Copy of competency assessment report.
- (j) Copy of written verification of qualification(s) issued by SAQA

In view of the aforementioned, it will be appreciated if you can obtain Cabinet's concurrence with the appointment of Ms/Mrfor a term of years (in the case of a contract appointment), to the vacant post of Director-General/Deputy Director-General:, with an all-inclusive remuneration package of R per annum with effect from a date to be agreed between myself and the nominee.

Thank you for your co-operation and assistance.

Kind regards

MINISTER

(TO BE CLASSIFIED AS SECRET ONCE COMPLETED)

Annexure D



MINISTRY FOR THE PUBLIC SERVICE AND ADMINISTRATION

CABINET MEMORANDUM NO : **OF 2010**

DATE : **2010**

FILE NUMBER :

1. SUBJECT

Filling of the post of Director-General/Deputy Director-General:
..... in the Department of

2. PURPOSE

To obtain Cabinet's concurrence for the intended appointment of Ms/Mr
..... to the advertised post of at the
Department of

3. SUMMARY

It is the intention of the Minister of to appoint Ms/Mr
..... to the advertised post of Director-General/Deputy Director-
General: on the establishment of the Department of
.....

(TO BE CLASSIFIED AS SECRET ONCE COMPLETED)

(TO BE CLASSIFIED AS SECRET ONCE COMPLETED)

4. **STRATEGIC FOCUS OF THE MEMORANDUM**

The filling of this post will contribute to the achievement of the strategic aims of the Department.

5. **DISCUSSION**

5.1 The post ofwas advertised in the media and in the Public Service Vacancy Circular with a closing date of

5.2 A total number of applications were received for the advertised post.

5.3 The following key performance areas for this post have been identified:

5.3.1

5.3.2

5.3.3

5.3.4

5.3.5

5.4 A pre-selection was done by scrutinising each of the applications received, with due consideration to the core functions and requirements for the post as indicated in the advertisement. The following candidates were shortlisted and invited to the final interviews:

NAME	EMPLOYER/DEPARTMENT	RANK/POSITION

(TO BE CLASSIFIED AS SECRET ONCE COMPLETED)

(TO BE CLASSIFIED AS SECRET ONCE COMPLETED)

5.5 A Selection Committee was constituted consisting of:

5.5.1

5.5.2

5.5.3

5.5.4

5.5.5

5.6 The Committee conducted interviews with the short-listed candidates. Following the interviews, selected candidates were subjected to the prescribed competency assessments. After thorough consideration of the candidature of these individuals, the Committee unanimously agreed to recommend the appointment of Ms/Mr on the basis of the strengths she/he displayed against the required competency profile and in comparison with the other candidates who were interviewed.

5.7 Ms/Mr is in possession of the following qualifications:

5.7.1

5.7.2

5.7.3

5.8 (Provide motivation together with an indication of overall assessment of the most suitable candidate, including possible areas in need of further development.)

.....
.....
.....

5.9 Personnel suitability checks, covering the following, were conducted in respect of all shortlisted candidates (**documentary proof attached**):

(TO BE CLASSIFIED AS SECRET ONCE COMPLETED)

(TO BE CLASSIFIED AS SECRET ONCE COMPLETED)

- 5.9.1 Criminal record checks;
 - 5.9.2 Citizenship verification;
 - 5.9.3 Financial/asset record checks;
 - 5.9.4 Qualification/Study verification (SAQA written verification); and
 - 5.9.5 Previous employment verification (reference checks).
- 5.10 In view of the above, Ms/Mr is regarded as the most suitable candidate for the advertised post of
- 5.11 A copy of Ms/Mr *Curriculum Vitae* is attached for information.
- 5.12 The other candidates for the position were found to be either less suitable than the nominee or not suitable at all.

6. **IMPLEMENTATION PLAN**

Not applicable

7. **ORGANISATIONAL AND PERSONNEL IMPLICATIONS**

- 7.1 The relevant post exists on the establishment of the Department of The appointee will fill the vacant post on the establishment.
- 7.2 Should Ms/Mr appointment be approved, representivity of the senior management service in the Department will be affected as follows **(Provide representivity profile before and after appointment).**

(TO BE CLASSIFIED AS SECRET ONCE COMPLETED)

(TO BE CLASSIFIED AS SECRET ONCE COMPLETED)

8. **FINANCIAL IMPLICATIONS**

An all-inclusive remuneration package of R per annum (and the 10% non-pensionable allowance payable only to HoDs) have been budgeted for. Funds are therefore available to cover the expenses of the appointment.

9. **COMMUNICATION IMPLICATIONS**

The Department will inform the candidate of her/his appointment, if Cabinet concurs. The other candidates will be informed in writing that they have been unsuccessful.

10. **CONSTITUTIONAL IMPLICATIONS**

None

11. **IMPLICATIONS FOR VULNERABLE GROUPS**

None

12. **SECURITY IMPLICATIONS**

Preliminary security vetting was conducted in respect of all shortlisted candidates. Ms/Mr was granted a preliminary security clearance and will, once appointed, be vetted for a relevant security clearance.

13. **DEPARTMENTS AND PARTIES CONSULTED, RESPONSES AND COMMENTS**

This memorandum was drafted by the employing department in association with the Department of Public Service and Administration.

(TO BE CLASSIFIED AS SECRET ONCE COMPLETED)

(TO BE CLASSIFIED AS SECRET ONCE COMPLETED)

14. **RECOMMENDATIONS**

It is recommended that Cabinet concurs with the appointment of Ms/Mr to the advertised post of at the Department of with an all-inclusive remuneration package of R per annum (and the 10% non-pensionable allowance payable only to HoDs) - **for a term of years in the case of a contract employee** - with effect from a date as agreed to by the relevant Executive Authority and the successful candidate.

15. **OFFICIAL RESPONSIBLE FOR THE MEMORANDUM**

I declare that the memorandum adheres to the guidelines provided by the Cabinet for the drafting of memoranda.

Name:

Designation:

Contact Details

Telephone:

Cellular:

16. **HEAD OF DEPARTMENT**

(Full Name and Surname)

(Designation)

(Department)

(Contact Telephone Number)

(TO BE CLASSIFIED AS SECRET ONCE COMPLETED)

(TO BE CLASSIFIED AS SECRET ONCE COMPLETED)

17. AUTHORISATION FOR PROCESSING THE MEMORANDUM

MR M R BALOYI

MINISTER FOR PUBLIC SERVICE AND ADMINISTRATION

Is there a need for an electronic presentation to be done in addition to the memorandum?
(Yes or No)

(TO BE CLASSIFIED AS SECRET ONCE COMPLETED)

Annexure E

Mr M R Baloyi
Minister for the Public Service and Administration
Private Bag X916
PRETORIA
0001

Dear Colleague

**EXTENSION OF EMPLOYMENT CONTRACT OF, DIRECTOR-GENERAL:
DEPARTMENT OF**

The employment contract of the Director-General of the Department of,
Ms/Mr, will expire on, It is my intention to
extend Ms/Mr employment contract for a period of
year(s).

The following documents are attached:

- (a) Copy of Ms/Mr *curriculum vitae*/résumé.
- (b) Cabinet Memorandum for submission to Cabinet.
- (c) Outcome of most recent performance assessment(s).
- (d) Security clearance confirmation.
- (e) Copy of ID

In view of the aforementioned, it will be appreciated if you can obtain Cabinet's concurrence with the
extension of Ms/Mr term of office as Director-General for a period of
.....year (s), commencing on.....and ending on

Thank you for your co-operation and assistance.

Kind regards

MINISTER

(TO BE CLASSIFIED AS SECRET ONCE COMPLETED)

Annexure F



MINISTRY FOR THE PUBLIC SERVICE AND ADMINISTRATION

CABINET MEMORANDUM NO : **OF 2010**

DATE : **2010**

FILE NUMBER :

1. SUBJECT

Extension of the employment contract of the Director-General at the Department of

2. PURPOSE

To obtain Cabinet's concurrence for the intended extension of the contract of the Director-General at the Department of

3. SUMMARY

It is the intention of the Minister of to extend the employment contract of Ms/Mr as Director-General at the Department of for a period of year(s), commencing on and ending on

(TO BE CLASSIFIED AS SECRET ONCE COMPLETED)

(TO BE CLASSIFIED AS SECRET ONCE COMPLETED)

4. STRATEGIC FOCUS OF THE MEMORANDUM

The extension of the relevant contract of employment will contribute to the achievement of the strategic aims of the Department.

5. DISCUSSION

5.1 Cabinet approved on the appointment of (HoD's name) for a period of year(s). This contract expires on

5.2 It is intended to extend the relevant employment contract for a period of year(s), commencing on and ending on

5.3 Ms/Mr (HoD's name) has received a rating in her/his most recent performance assessment and has scored (percentage) for the 20...../20..... performance cycle.

5.4 A copy of the HoD's curriculum vitae/résumé is attached for information.

6. IMPLEMENTATION PLAN

Not applicable

7. ORGANISATIONAL AND PERSONNEL IMPLICATIONS

The relevant post exists on the establishment of the Department of Ms/Mr will continue to fill the post of Director-General on the establishment of the Department.

(TO BE CLASSIFIED AS SECRET ONCE COMPLETED)

(TO BE CLASSIFIED AS SECRET ONCE COMPLETED)

8. FINANCIAL IMPLICATIONS

It is proposed that the employment contract of Ms/Mr be extended with an all-inclusive remuneration package of R per annum plus the 10% non-pensionable HoD allowance. The post has been budgeted for and funds are available to cover the relevant expenses.

9. COMMUNICATION IMPLICATIONS

The Minister will inform the candidate of the extension of her/his appointment, if Cabinet concurs.

10. CONSTITUTIONAL IMPLICATIONS

None

11. IMPLICATIONS FOR VULNERABLE GROUPS

None

12. SECURITY IMPLICATIONS

(Confirm continued compliance with security vetting requirements)

13. DEPARTMENTS AND PARTIES CONSULTED, RESPONSES AND COMMENTS

This memorandum was compiled by the employing department in association with the Department of Public Service and Administration.

(TO BE CLASSIFIED AS SECRET ONCE COMPLETED)

(TO BE CLASSIFIED AS SECRET ONCE COMPLETED)

14. RECOMMENDATIONS

It is recommended that Cabinet concurs with the extension of the contract of Ms/Mr at the Department of with an all inclusive remuneration package of R per annum plus the 10% non-pensionable HoD allowance, for a term of year(s) with effect from (date).

15. OFFICIAL RESPONSIBLE FOR THE MEMORANDUM

I declare that the memorandum adheres to the guidelines provided by the Cabinet for the drafting of memoranda.

Name:

Designation:

Contact Details

Telephone:

Cellular:

16. HEAD OF DEPARTMENT

(Full Name and Surname)

(Designation)

(Department)

(Contact Telephone Number)

(TO BE CLASSIFIED AS SECRET ONCE COMPLETED)

(TO BE CLASSIFIED AS SECRET ONCE COMPLETED)

17. AUTHORISATION FOR PROCESSING THE MEMORANDUM

MR M R BALOYI

MINISTER FOR PUBLIC SERVICE AND ADMINISTRATION

Is there a need for an electronic presentation to be done in addition to the memorandum?

Yes/No

(TO BE CLASSIFIED AS SECRET ONCE COMPLETED)