



**DEPARTMENT: PUBLIC SERVICE AND ADMINISTRATION  
REPUBLIC OF SOUTH AFRICA**

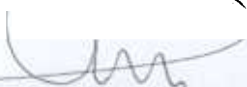
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TO HEADS OF NATIONAL DEPARTMENTS

**A POLICY DIRECTIVE ON SESSIONAL ASSISTANCE**

- 1 Since the dispensation for sessional assistance and its elements were inherited from the pre-1994 era, fundamental changes occurred that have influenced the application of the prescripts to this dispensation with the most prominent change being the extension of the duration of the Parliamentary Programme from six to ten months.
2. It has come to the attention of the Department of Public Service and Administration that the changes mentioned above present departments with a challenge especially in reconciling the application of the existing dispensation to the relevant changes in the Parliamentary Programme leading to a situation where there are inconsistencies in the application thereof.
3. Resulting from these challenges, this Department has constantly been inundated with enquiries regarding the interpretation and application of the prescripts contemplated in Clause XX of PSCBC Resolution 3/1999 regarding sessional assistance.
4. To ensure the uniform and consistent interpretation and application of the sessional dispensation as contained in Clause XX of PSCBC Resolution 3 of 1999, the Minister for the Public Service and Administration has approved that the attached Policy Directive on Sessional Assistance be issued in terms of section 3(3)(c) of the Public Service Act, 1994.
5. You are further advised that this policy directive does not replace or amend ~~the provisions~~ contained in PSCBC Resolution 3 of 1999.

  
DIRECTOR-GENERAL  
DATE: 21/12/04



# **A POLICY DIRECTIVE ON SESSIONAL ASSISTANCE**

**Issued by:**

**The Department of Public Service & Administration**

December 2004

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## **1. INTRODUCTION**

- 1.1 Executing Authorities (EA) require administrative and logistical support during the activities of Parliament in Cape Town as well as at their headquarters.
- 1.2 For this reason, Chapter XX of the PSCBC Resolution 3 of 1999 makes provision for heads of department to designate personnel as sessional officials to perform sessional duties in Cape Town away from their headquarters for the duration of the Parliamentary Programme.
- 1.3 However, fundamental changes have occurred since 1994 of which the most salient is the extension of the Parliamentary Programme from six to ten months. This has resulted in inconsistent interpretation and application of the current sessional assistance dispensation in terms of Chapter XX of Resolution 3 of 1999.
- 1.4 In order to assist departments with the problems experienced in the application of the dispensation, the need has been identified to develop a clear policy directive to ensure a consistent application of the sessional assistance dispensation.

## **2. PURPOSE OF THE POLICY**

- 2.1 The purpose of this policy is to provide the parameters and measures within which the employer may designate and compensate sessional officials.
- 2.2 This policy is not an attempt to replace or amend any of the determinations contained in PSCBC Resolution 3 of 1999.

## **3. SCOPE OF APPLICABILITY**

- 3.1 This policy is applicable to employees designated by heads of department as sessional officials, and who must temporarily relocate to Cape Town to perform sessional duties.

## **4. AUTHORISATION**

- 4.1 This policy directive is issued by the Minister for the Public Service Administration in terms of section 3(3)(e) of the Public Service Act, 1994.

## **5. LEGISLATIVE AND REGULATORY FRAMEWORK**

Other related legislative and regulatory frameworks are:

- 5.1 Public Service Act, 1994
- 5.2 The Public Service Regulations 2001, Chapter 1, Part V B (a) and (b).
- 5.3 Chapter XX of PSCBC Resolution 3 of 1999.
- 5.4 Clause 11 of the Financial Manual.

## 6. GLOSSARY OF TERMS

The terms indicated below have, for purposes of this policy as well the application of Chapter XX of PSCBC Resolution 3 of 1999, the following meaning:

<b>Term</b>	<b>Definition</b>
“Adjourns”	When Parliament stops activities for the December holidays.
“Dependant child”	A biological, adopted or step minor child for whose care the sessional official is legally responsible and who is – (a) engaged in full-time study; or (b) unable to attend a normal school or obtain reasonable full-time paid employment due to disabilities.
“Dependant relative”	The person who lives with the sessional official and who relies on the sessional official for the bulk of her/his subsistence.
“Employee”	Designated sessional official.
“Employer”	The Head of Department (HOD).
“Household”	Includes – (a) the sessional official, (b) the spouse or the life partner; and/or (b) the dependent child; and/or (c) the dependent relative; and (d) not more than one domestic worker employed in a full-time capacity by the sessional official.
“Married couple”	A couple married in terms of customary or indigenous law or in terms of the Recognition of Customary Marriages Act, 1998 or the Marriages Act, 1961.
“Parliamentary Programme”	The period from the time Parliament is officially opened until the time it adjourns.
“Personal effects”	The movable property of an officer and his/her household which is normally applied to personal use, including vehicles, but excluding livestock, domestic animals and pets.
“Recess”	The period that Parliament breaks for Easter, July and October holidays.
“Registered life partner”	The partner as registered in terms of the GEPF and who is not married to any other person in terms of the Recognition of the Customary Marriages Act No 120 of 1998 or the Marriages Act No 25 of 1961. Provided that an employee may register only one life partner who is not married with the employer.

Term	Definition
"Sessional duty"	Parliamentary work performed in Cape Town during the Parliamentary programme.
"Sessional official"	The official who is designated by the HOD to perform sessional duty in Cape Town.
"Single official"	An official who is not married in terms of the Recognition of the Customary Marriages Act No 120 of 1998 or the Marriages Act No 25 of 1961 or does not have a registered life partner.
"Special traveling privilege"	The traveling costs from and to Cape Town.
"Spouse"	<p>A person registered by the official with the employer as the lawful husband or wife or life partner for the use of the benefit, worker compensation or work facility: Provided that an employee:-</p> <ul style="list-style-type: none"> <li>(a) may register one spouse married under customary or indigenous law, with the employer; or</li> <li>(b) may not register a life partner with the Employer.</li> </ul>

## **7. SESSIONAL ASSISTANCE DISPENSATION**

### **7.1 PARLIAMENTARY PROGRAM**

The designation of sessional officials is directly linked to the duration of the parliamentary program. The start and discontinuation of the payment of the sessional assistance is applied in conjunction with the parliamentary program, and the sessional assistance does not apply during recess and constituency periods.

### **7.2 ELIGIBILITY**

7.2.1 In terms of clause 2 of Chapter XX of the PSCBC Resolution 3 of 1999, the employer shall provide sessional assistance to an employee:

- (a) whom the HOD designates as a sessional official;
- (b) who must stay temporarily in Cape Town to perform sessional duties, and
- (c) who must meet the costs of maintaining two households.

### **7.3 CEASING OF SESSIONAL ASSISTANCE**

7.3.1 The general point of departure for the payment of sessional assistance should be that the designated sessional official must be available for sessional duty for the pre-determined period of designation.

7.3.2 The fact that sessional allowance is paid at a daily tariff is an indicator that payment should be ceased if a sessional official cannot be available to render sessional duties.

### **7.4 EXCLUSION**

7.4.1 The employer shall not provide sessional assistance to a sessional official who is recruited locally in Cape Town and/or stationed permanently in Cape Town.

## **7.5 CATEGORIZATION OF OFFICIALS**

7.5.1 For the purpose of designation, the following categories should be taken into consideration.

### **7.5.2 GROUP 1 (not office-bound)**

- (a) Officials in this group are not office-bound and are required to accompany the EA at all times. The HOD may only designate those officials who



spend 50% or more of their time away from their head quarters while performing sessional duties in Cape Town.

- (b) Officials who do not spend 50% or more of their time in Cape Town while performing sessional duties, may not be designated as sessional officials.

#### 7.5.3 GROUP 2 (locally recruited officials)

- (a) Officials in this group are locally recruited in Cape Town and are preliminary office-bound. These officials may not be designated as sessional officials.
- (b) Should it be expected by the employer that these officials perform normal duties during periods of recess at headquarters other than Cape Town, the employer shall meet the reasonable costs of travel and accommodation for official purposes in terms of Chapters XI and XII of the PSCBC Resolution 3 of 1999.

#### 7.5.4 GROUP 3 (designated sessional official)

- (a) Officials in this group will temporarily relocate to Cape Town for the duration of the Parliamentary Programme to perform sessional duties and typically will temporarily reside in the official accommodation provided by the Department of Public Works. It would be expected of these sessional officials to meet the costs of maintaining two households. These officials may be designated by the HOD as sessional officials and would **be eligible** for the sessional assistance.

### 7.6 BENEFITS

7.6.1 An official designated as a sessional official may qualify for the benefits mentioned below.

#### 7.6.2 **Sessional Allowance** (Clause 3 of Chapter XX of PSCBC Resolution 3 of 1999);

The sessional allowance shall be payable as provided in clause 11.1 of the Financial Manual.

**7.6.3 Resettlement costs** (Clause 4 of Chapter XX of PSCBC Resolution 3 of 1999);

- (a) Chapter XV of PSCBC Resolution 3 of 1999 on resettlement has to be read in conjunction with clause 4 of Chapter XX of the said resolution to deal with matters of resettlement.
- (b) Resettlement in the case of a sessional official in Cape Town involves the traveling and subsistence expenses of a sessional official and/or her/his household at the beginning and end of the Parliamentary Programme, as well as the conveyance to and from Cape Town of essential personal effects and the all-inclusive insurance cover thereof.
- (c) The employer should consider the most cost effective option in the transportation of personal effects of sessional officials to and from Cape Town.
- (d) A motivated request for all claims and accompanying dependants in this regard must be a prerequisite in order to allow the employer to consider deserving cases.

**7.6.4 Traveling Privileges (TP's)**(Clause 5 of Chapter XX of PSCBC Resolution 3 of 1999)

- (a) The employer shall pay the reasonable travel and subsistence costs to sessional officials at the beginning and end of the Parliamentary programme as provided in clause 5.1 of Chapter XX of the said Resolution.
- (b) Sessional officials and/or dependants are eligible for a maximum of two Special Travelling Privileges (STP's) for the duration of the Parliamentary programme in order to reunite as a household. If a sessional official does not make use of a STP, s/he forfeits the privilege and the funds of the STP.
- (c) The most cost effective option should be considered in the granting of STP's to sessional officials and/or dependants to reunite as a family. For example, it will be more cost effective to provide funds for the sessional official to travel to her/his headquarters than to provide funds for the family to travel to Cape Town.
- (d) In exceptional cases the employer may pay the travel costs of a sessional official and/or her/his spouse to attend to urgent personal or family affairs as provided in clause 5.2(b) of Chapter XX of the said Resolution.

- (e) If a sessional official undertakes a STP by military aircraft, such a journey is regarded as one of the STPs s/he may be eligible for.
- (f) No STPs are provided for domestic workers employed by the sessional official.
- (g) All expenses arising from the transport of pets to and from Cape Town are for the sessional official's own expense.

**7.6.5 Sessional assistance to children** (Clause 6 of Chapter XX of PSCBC Resolution 3 of 1999)

- (a) The employer shall pay the sessional official a child allowance for each dependant child as provided for in clause 11.2 of the Financial Manual.
- (b) Child allowance is paid irrespective of where the dependant child stays during the Parliamentary programme.
- (c) The employer shall assist in meeting the accommodation costs of a dependant child who, as a result of the sessional official's duties, must stay in a hostel or private lodgings in order to attend school as provided for in clause 6.2 of Chapter XX of PSCBC Resolution 3 of 1999.

**7.6.6 Sessional accommodation allowance** (Clause 7 of Chapter XX of PSCBC Resolution 3 of 1999).

- (a) The employer may compensate the sessional official who cannot obtain official accommodation during all or part of her/his sessional duties, subject to the limitations of clause 7.2 of Chapter XX of PSCBC Resolution 3 of 1999.
- (b) The employer shall meet the reasonable hotel costs only if a sessional official satisfies clause 7.3 of Chapter XX of PSCBC Resolution 3 of 1999 by demonstrating that s/he cannot obtain rental accommodation for the allowance provided.

**7.7 GENERAL MEASURES**

- 7.7.1 As the HOD is in the best position to assess individual sessional officials' personal situation, factors such as reasons for absence, the periods concerned, the necessity to appoint a substitute for the period of absence, the cost of relocating the sessional official to Pretoria (headquarters other than Cape Town), the justifiability for the sessional official to remain in Cape Town during periods of absence, etc. rests with the HOD.

7.7.2 To ensure optimal utilization of funds it is essential that the designation of sessional officials should be handled with circumspection in order to avoid the duplication of expenses due to the appointment of two sessional officials for certain periods in the same post.

## **8. AMENDMENTS AND REVIEW**

8.1 The Minister for the Public Service and Administration will undertake any review and amendment of this policy directive.