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IN 2016, CORRUPTION WATCH IS EMBARKING ON A NATIONWIDE PUBLIC AWARENESS CAMPAIGN TO HIGHLIGHT THE UPCOMING APPOINTMENT OF A NEW PUBLIC PROTECTOR. THE NON-RENEWABLE SEVEN-YEAR TERM OF OUR INTERNATIONALLY ESTEEMED PUBLIC PROTECTOR, THULISILE MADONSELA, ENDS ON 19 OCTOBER 2016. WE PLAN TO ENSURE HER REPLACEMENT IS APPOINTED IN A TRANSPARENT MANNER AND IS INFLUENCED BY PUBLIC OPINION.

## **OBJECTIVES OF THE CAMPAIGN**

AWARENESS: our public awareness campaign will highlight the role of the Office of the Public Protector, its functions and responsibilities, as well as illustrate how the public can help to nominate candidates for the position.

**PUBLIC PARTICIPATION:** we will create avenues for people to participate in the appointment of the new Public Protector through new media technologies and traditional mobilising methods.

**TRANSPARENCY**: we will campaign to ensure that candidates are properly vetted, that they are qualified and suitable for the post, and that the entire process takes place in the public spotlight.





During the multi-party negotiations that led to the country's first democratic election in 1994, it was decided that South Africa needed a Public Protector to establish and maintain efficient and proper public administration. The Office of the Public Protector was established in terms of Chapter Nine of the Constitution, which makes it one of the six state organs that support democracy. It is independent from government and political alliance and no person or organ of state may interfere with its functioning. The Public Protector serves a non-renewable term of seven years; at the end of the seven years, a new Public Protector must be appointed.

## ROLES AND RESPONSIBILITIES

The Public Protector has wide-ranging powers, with jurisdiction over all organs of state, any institution in which the state is the majority or controlling shareholder, and any public entity as defined in Section 1 of the Public Finance Management Act. The Public Protector has the power to investigate any level of government or public entity for misconduct such as maladministration, abuse of power, unfair conduct and unlawful enrichment, and any breach of ethics code that applies to the executive branch of government.

This mandate makes the Office of the Public Protector a crucial corruption-fighting body in the public sector as it aims to ensure that the government fulfils its mandate without fear, favour or prejudice. The Office has also been praised as an accessible and effective alternative to the court.

## APPOINTMENT OF THE PUBLIC PROTECTOR

The Public Protector is appointed by the president of the country on the recommendation of the National Assembly, in terms of Chapter Nine of the Constitution. The Public Protector must be a South African citizen who is suitably qualified and experienced, and has a reputation for honesty and integrity. The proceedings are run by a committee of Parliament that reflects the proportional representation of all political parties represented in the National Assembly. About six months before the appointment is to be made, Parliament issues a notice calling for applications for the post of Public Protector. The nominated candidates are shortlisted and public interviews of the applicants begin. The full National Assembly then votes on a recommended candidate, who must get the support of a 60% majority; this allows the president to make the appointment.



