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GOVERNMENT NOTICE

DEPARTMENT OF PUBLIC SERVICE AND ADMINISTRATION

No. R. 1346

1 November 2002

AMENDMENT OF PUBLIC SERVICE REGULATIONS, 2001

The Minister for the Public Service and Administration has, under section 41 of the Public Service Act, 1994 (promulgated under Proclamation No. 103 of 1994), amended the Public Service Regulations, 2001, published under Government Notice No. R. 1 of 5 January 2001, as amended, as set out in the Schedule, with effect from 1 January 2003.

SCHEDULE

1. The following regulation is hereby substituted for regulation E of Part III of Chapter 1:

“E. INFORMATION PLANNING AND REPORTING

E.1 A head of department shall establish-

- (a) an information plan for the department that supports-
 - (i) the planning process and objectives contemplated in regulation III B; and
 - (ii) compliance with Part I of Chapter 5;
- (b) an information infrastructure plan that supports the information plan; and
- (c) an operational plan that enables the implementation of the information infrastructure plan and information management.

E.2 A head of department shall submit a bi-monthly report to the Director-General: Public Service and Administration on-

- (a) all information technology projects of the department to facilitate the co-ordination of such projects in the public service; and
- (b) compliance with Part I of Chapter 5.”.

2. The following Chapter is hereby inserted after Chapter 4:

**"CHAPTER 5
ELECTRONIC GOVERNMENT REGULATIONS**

PART I. UNDERLYING ELECTRONIC GOVERNMENT VALUE

A. PRINCIPLES

Departments shall manage information technology effectively and efficiently. The Batho Pele principle of offering equal access to services, increase in productivity and lowering of cost, shall inform the acquisition, management and use of information technology. Information technology shall be used as a tool to leverage service delivery by the public service and shall therefore not be acquired for its own sake.

B. OBLIGATION REGARDING ACQUISITION AND MANAGEMENT OF INFORMATION RESOURCES

The head of department shall ensure that the acquisition, management and use of information technology by the department improve-

- (a) direct or indirect service delivery to the public, including, but not limited to, equal access by the public to services delivered by the department;
- (b) the productivity of the department; and
- (c) the cost-efficiency of the department.

PART II. INFORMATION SECURITY

A. PRINCIPLES

As the public service gears itself for the electronic government mode of service delivery, the need for a different breed of information security in the public service becomes imperative. This is as a result of possibilities of integrated government services that will rely heavily on the information security of each and every component of the electronic government value chain. Security breaches to the integrated government services can cause crippling effects on the service delivery by the public service, with major inconveniences to the users of services. The strategic and critical value of public service information and hence the protection thereof, needs appropriate legal recognition.

B. MINIMUM INFORMATION SECURITY STANDARDS

- B.1 The Minister shall, in consultation with the Minister of Intelligence, issue Minimum Information Security Standards (herein referred to as the MISS) for the public service in the form of a handbook called the Handbook on Minimum Information Security Standards.
- B.2 Every employee of a department shall comply with the MISS.
- B.3 A head of department may request exemption from a provision of the MISS. The request shall be submitted to the Minister. The Minister shall, in consultation with the Minister of Intelligence, grant the request for exemption if the exemption is considered necessary for the effective functioning of the relevant department or a part thereof.

C. COMPLIANCE CERTIFICATION

An entity designated by the Minister, in consultation with the Minister of Intelligence, shall from time to time certify every department for compliance with the MISS.

D. INFORMATION SECURITY VIGILANCE

- D.1 A head of department shall ensure the maintenance of information security vigilance at all times in the department.
- D.2 When a non-compliance with the MISS comes to the knowledge of an employee of a department, she or he shall report it immediately to the head of department or an employee designated for this purpose by that head.

- D.3 Every time a change is made to an information system used in the public service the system shall be certified for compliance to the MISS.

E. EXEMPTION AND INCIDENT REPORTS

A head of department shall regularly, on the basis of the threat posed by the incident, submit to the Director-General: National Intelligence Agency, the Auditor-General and such other authorities as the head considers appropriate-

- (a) an incident report of every non-compliance with the MISS;
- (b) a plan on how incidents of non-compliance will be corrected and how to prevent similar incidents in future; and
- (c) an exemption report of all exemptions granted under regulation B.3 of this Part and all deviations from the MISS because of such exemptions.

PART III. INTEROPERABILITY

A. PRINCIPLES

Building and continuously adapting minimum interoperability standards is necessitated by the quick obsolescence of information communication technologies, expensive nature of information communications technology products and services, and a myriad of non-compatible information communications technology products in the market. If interoperability is not carefully managed these factors can result in the public service investing in obsolete, expensive and non-compatible information communications technology products and services that impede effective service delivery. Mandatory compliance by all departments with minimum interoperability standards for the public service is essential for seamless and integrated service delivery.

B. MINIMUM INTEROPERABILITY STANDARDS

B.1 The Minister shall, after consultation with the Government Information Technology Officer Council (herein referred to as the "GITO Council"), issue Minimum Interoperability Standards (herein referred to as the "MIOS") for the public service in the form of a handbook called the Handbook on Minimum Interoperability Standards.

B.2 The MIOS shall include provision for standards and specifications for-

- (a) interconnectivity;
- (b) data integration; and
- (c) information access regarding browsers and viewers.

C. COMPLIANCE

C.1 The following systems shall comply with the MIOS:

- (a) Every part of any new information system developed or acquired for the public service or any upgrade of any existing information system in the public service; and
- (b) every legacy system that is part of electronic service delivery in the public service.

C.2 A head of department shall include compliance with the MIOS in the project approval procedure for the department. The MIOS shall be used in the audit and review of every project of a department.

D. REVIEW OF MIOS

For the purpose of recommending to the Minister new standards or the amendment or repeal of existing standards, the GITO Council shall from time to time review the MIOS.”.

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