

COMPLAINT FORM

THE DIRECTOR GENERAL

ADDRESS:

EMAIL:

FAX:

LANGUAGE RIGHT COMPLAINT IN TERMS OF REGULATION 2 (2) OF THE REGULATIONS ISSUED IN TERMS OF THE USE OF OFFICIAL LANGUAGES ACT, Act 12 OF 2012 AS PUBLISHED IN GAZETTE NO. 37398 ON THE 28TH OF FEBRUARY 2014.

I, the undersigned,

1. FULL NAME AND SURNAME
2. ADDRESS / ES
 - 2.1 EMAIL:
 - 2.2 POSTAL:
 - 2.3 PHYSICAL (HOME OR WORK ADDRESS)

3. Complainants mother tongue:

4. Wish to file the following complaint against the Department

in regard to an incident regarding the infringement of a language right or language related matter.

4.1 Date of occurrence of incident:

4.2 Name of official involved:

4.3 At which office of the Department did the complaint arise?

5. The details regarding the complaint are as follows:

(if there is not sufficient space, please attach an annexure on which the complaint is recorded).

6. With which official have you discussed the issue?

7.1 In which language did you communicate with the official?

7.2 In which language did the official communicate with you?

7.3 Have you understood each other?

7.4 If the discussion was not in one language, was an interpreter necessary?

7.5 If so, was the interpreter available?

7.6 If so, was the interpreter used?

7.7 If not, why not?

8. Which steps have you undertaken in order to resolve the matter amicably?

9. What is the proposed solution or preferred outcome sought which you require?:

PLEASE NOTE:

- a) Please take notice that you may be required to supply additional information in order to consider the complaint properly.
- b) Be pleased to take further notice that you will have to be prepared to attend an oral enquiry in regard to the complaint.
- c) Please note that this complaint must be filed within 90 days from the occurrence alternatively, you must apply for condonation for the late filing of the complaint with an explanation of the reasons why it is filed late.
- d) Please note that the Director General has 90 days to consider the complaint and to furnish you in writing with the decision.

- e) The Director General must consider and furnish his decision to the complainant's contact particulars as set out on the complaint form.
- f) If the complainant is not satisfied with the said decision, he / she / it must appeal to the Minister within 1 month of receipt of this decision
- g) *Please note further that, if you are not satisfied with the decision, you may lodge an appeal in writing to the Minister or to the accounting officer in the event of a public enterprise or public entity within 30 days from the date of the receipt of the decision and the Minister has 90 days to consider the appeal and give a decision.*
- h) Please take notice that if you are still then dissatisfied, you may take the matter on review in terms of section 6 of the Promotion of Administrative Justice Act, Act 3 of 2000 to the High Court and it should be done within 6 months in terms of section 7 thereof after the decision of the Minister came to your knowledge or being the date on which you were notified thereof to your given address in regard to the appeal.
- i) Please take further notice that you may file any unfair language discrimination case at any equality court in your area. The magistrate or judge may in terms of section 20 of the Promotion of Equality and the Prevention of Unfair Discrimination Act, Act 4 of 2000, stay the equality court matter pending the outcome of this complaint process or if this complaint procedure was not followed, that it should first be followed. (The form 2.2 in all 11 official languages is available on the Department of Justice's website: www.justice.gov.za)
- j) The Minister will then have 3 months to consider the appeal and to furnish the complainant with an answer. If the complainant is still not satisfied, he / she / it may take the Minister on review in terms of rule 53 of the High Court rules within 180 days in terms of the Promotion of Administrative Justice Act, Act 3 of 2000 or with good reasons after a longer period. The complainant's attention is also drawn to his right in terms of section 11(4) of the Pan South African language Act 59 of 1995, as amended with Act 10 of 1999 in terms of which a complaint regarding the infringement of a language right may be referred to the Pan South African language board. PanSalb's postal address, fax number and email address are as follows: