

MEMORANDUM OF UNDERSTANDING

BETWEEN

*THE GOVERNMENT OF THE PROVINCE
OF THE FREE STATE
OF SOUTH AFRICA*

AND THE

GOVERNMENT OF FLANDERS

PREAMBULE

WHEREAS THE GOVERNMENT OF THE PROVINCE OF THE FREE STATE OF SOUTH AFRICA (hereinafter referred to as the Free State) and THE GOVERNMENT OF FLANDERS (hereinafter referred to as the Government of Flanders), both hereinafter referred to as “the Parties”, desire to:

- (i) encourage development of a stable, democratic, governance structure and development of a capable team of managers in the public service of the Free State;**
- (ii) encourage the development of strong relationships between the Free State and the Government of Flanders founded on co-operation and trust;**
- (iii) share knowledge, expertise and skills; and**

WHEREAS THE GOVERNMENT OF FLANDERS, provides the necessary expertise and support to undertake the initiatives related to developing the governance structures of the Free State

The parties agree as follows:

COMMITMENTS OF THE PARTIES

The parties shall co-operate to allow their respective senior level personnel to share and enhance their knowledge and skills specifically those related to governance structures and processes. The focus of this initiative includes, but is not limited to structures and processes of:

- language project**
- conflict resolution centre**
- executive government**
- financial management**
- human resources (including employment equity)**
- education**

The Parties may identify other areas of interest that with the mutual agreement of the Parties can be added or that may be negotiated in separate agreements.

The Parties shall use best efforts to conduct an exchange of public servants.

The Parties may use other mechanisms including but not restricted to, secondments, workshops, mentorships, seminars, conferences, etc. to strengthen governance in the Free State.

The Parties shall develop work programmes for each mechanism to be used. These programs, to the extent possible, shall be shared in advance.

The Parties agree that the number and complexity of exchanges or other activities will depend on the capacities of the Parties host organisations and the availability of the necessary financial resources.

The Parties agree to identify appropriate individuals to provide support or receive exposure and to release the individuals identified from their duties without loss of employment, pay or benefits, for the duration of their assignments.

The Parties agree to use their best efforts to ensure that the exchanges and other activities are feasible, deliverable and practical.

COMMITMENTS OF PARTICIPATING INDIVIDUALS

Participants in this program shall agree to develop workplans that will address the needs identified and make them available to the partnering province in time for the partner to develop an action plan or suggest changes.

Participants shall agree to submit evaluation reports upon the completion of their assignments, and to the extent possible, share their insights and knowledge with their colleagues upon return to their posts.

AMENDMENTS TO THE MEMORANDUM

This memorandum may be amended with three months written notice to the other Party.

DISPUTE RESOLUTION

Any disputes arising from the interpretation or application of this memorandum shall be resolved amicably by communication between the Parties.

TERMINATION OF THE MEMORANDUM

This memorandum may be terminated with three months written notice to the other Party.

TERM OF THE MEMORANDUM

This memorandum shall continue in force from year to year.

This memorandum shall be binding on the Free State and the Government of Flanders.

COMMUNICATIONS AND ADDRESSES


In this memorandum, if any communication is required, the appropriate addresses are:

Director General
Free State Provincial Administration
P.O. Box 517
BLOEMFONTEIN 9300
SOUTH AFRICA

Head of the Office of the Minister President of the Government of Flanders
Martelaarsplein 19
EI 000 BRUSSEL
BELGIUM

IN WITNESS WHEREOF, the undersigned, being duly authorised thereto by their respective governments, have signed this Memorandum.

DONE AT Bloemfontein in English and Dutch, on this day of 31 October 1996.
Both texts being equally authentic.



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M.G.P. LEKOTA
Premier of the Government
of the Free State Province
of South Africa



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LUC VAN DEN BRANDE
Minister-President of the
Government of Flanders
Minister of the Govern-
ment of Flanders for
Foreign Policy, European
Affairs, Science and Tech-
nology