

South African National AIDS Council Procedural Guidelines

Adopted 27 May 2008

Table of contents	Page
1. Purpose of the Procedural Guidelines	4
2. Definitions and Acronyms	4
3. Interpretation	6
4. Background	6
5. Functions of SANAC	7
6. Organisational Structure	7
7. Plenary	8
8. Programme Implementation Committee	9
9. Sectoral Coordinating Committees	11
10. Resource Management Committee	12
11. Secretariat.....	13
12. Trust.....	14
13. SANAC organogram	15
14. Election and/or appointment of civil society representatives.....	16
15. Terms of office	17
16. Meetings	17
17. Resolutions and/or recommendations	19
18. Appeals against Plenary resolutions and/or recommendations	20
19. Recording.....	21
20. Applicability of the Guidelines	21
21. Amendment of the Guidelines.....	21
22. Miscellaneous	21
Annexure A: Generic terms of reference for SANAC sectors.....	23

Preamble

WHEREAS –

All government departments and all parts of civil society should be involved in the national HIV and AIDS response;

The national response to HIV and AIDS should be driven by South Africa's political leadership with the support of leaders from and in consultation with all parts of civil society;

Effective implementation of the national response, including the attainment of agreed-upon goals, depends on responsive government leadership in resource allocation, policy development and effective coordination of all programmes and interventions; and

Clear and ongoing communication is an essential tool for the attainment of the aims of all policies and programmes.

WHEREFORE *these Procedural Guidelines are necessary to provide structure and guidance to the work of the South African National AIDS Council in carrying out its mandate.*

BE IT THEREFORE RECORDED AS FOLLOWS:

1. Purpose of the Procedural Guidelines

The South African National AIDS Council was created by Cabinet to advise government on the development and implementation of appropriate *HIV* and *AIDS* policies and programmes, and is comprised of representatives from government departments and civil society. It is not a juristic body. These Procedural Guidelines are adopted by agreement and are intended to facilitate the efficient functioning of the South African National AIDS Council. They do not create an association or any other form of body corporate, nor do they create a contract.

2. Definitions and Acronyms

Unless the context indicates otherwise –

- 2.1 **AIDS** means the Acquired Immune Deficiency Syndrome;
- 2.2 **Chairperson** means the chairperson of the *Plenary*;
- 2.3 **CCM** means Country Coordinating Mechanism;
- 2.4 **Civil society member** means a representative of civil society on a *committee*;
- 2.5 **Cluster** means one of the following five clusters into which national government departments are organised: economic; social; governance; justice, crime prevention and safety; and international relations;
- 2.6 **Committee** means any committee or sub-committee of *SANAC* and includes the *Plenary*;
- 2.7 **Committee member** means a government member or a civil society member;
- 2.8 **Days** means working days unless otherwise specified;
- 2.9 **Deputy Chairperson** means the deputy chairperson of the *Plenary*;
- 2.10 **DoH** means the national Department of Health;
- 2.11 **Global Fund** means the Global Fund to Fight *AIDS*, Tuberculosis and Malaria;
- 2.12 **Government member** means a representative of government on a *committee*
- 2.13 **Guidelines** means these Procedural Guidelines;

- 2.14 **HIV** means the Human Immunodeficiency Virus;
- 2.15 **IMC** means the Inter-Ministerial Committee on *AIDS*;
- 2.16 **M&E Unit** means the Monitoring and Evaluation Unit of the *Secretariat*;
- 2.17 **Month** means a calendar month;
- 2.18 **NSP** means the national *HIV and AIDS and STI Strategic Plan for South Africa, 2007-2011* or, wherever appropriate, any successor thereto;
- 2.19 **PIC** means the Programme Implementation Committee, incorporating the *TTTs*;
- 2.20 **PIC representative** means a representative of a *sector* on the *PIC*;
- 2.21 **Plenary** means the *SANAC* Plenary;
- 2.22 **Resolutions and/or recommendations** mean any decisions made by a *committee*;
- 2.23 **RMC** means the Resource Management Committee;
- 2.24 **RMC representative** means a representative of a *sector* on the *RMC*;
- 2.25 **SANAC** means the South African National AIDS Council;
- 2.26 **SCC** means a Sectoral Coordinating Committee;
- 2.27 **SCC member** means a representative of a *sector* on an *SCC*;
- 2.28 **Secretariat** means the *SANAC* Secretariat;
- 2.29 **Sector** means a civil society grouping as set out in clause 7.3 of these guidelines;
- 2.30 **Sector representative** means a representative of a *sector* on the *Plenary*;
- 2.31 **STI** means sexually transmitted infection;
- 2.32 **Terms of reference** means the generic terms of reference for *SANAC sectors* set out in Annexure A;

- 2.33 **Trust** means the SANAC Trust;
- 2.34 **TTT** means a Technical Task Team of the PIC;
- 2.35 **TTT representative** means a civil society representative on a TTT; and
- 2.36 **Week** means a working week unless otherwise specified.

3. Interpretation

For the purpose of interpretation of these *Guidelines*, the headings to clauses are for reference purposes only and shall not affect the construction or interpretation of these guidelines.

4. Background

- 4.1 SANAC was formed in January 2000, replacing the *IMC*, which was at the time the first high-level political body tasked with providing guidance, leadership and political oversight on *HIV* and *AIDS*. The *IMC* comprised of the then Deputy President and all Ministers and Deputy Ministers of government departments.
- 4.2 The establishment of SANAC was in recognition of the need for stronger political leadership as well as meaningful participation of all sectors of civil society in the co-ordination and monitoring of a multi-sectoral national response to *HIV* and *AIDS*.
- 4.3 In September 2006, the *IMC* was revived in order to strengthen the national response to *HIV* and *AIDS*, improve coordination and communication, and monitor implementation. It is chaired by the Deputy President and is comprised of the Ministers of Health, Social Development, Education, Agriculture and Land Affairs, Mining and Public Service and Administration.
- 4.4 Shortly thereafter, agreement between government and civil society resulted in a newly restructured SANAC. At its inaugural meeting on 30 April 2007, the new SANAC endorsed the *NSP*, a five-year multi-sectoral national plan to respond to the challenges of *HIV* and *AIDS* in South Africa, which places much reliance on SANAC to guide and coordinate the national response.
- 4.5 In early May 2007, Cabinet adopted the *NSP*.

5. Functions of **SANAC**

- 5.1 The functions of *SANAC* include the following:
- 5.1.1 Advising government on *HIV* and *AIDS* and *STI* policy and strategy, and related matters;
 - 5.1.2 Providing leadership and creating and strengthening partnerships for an expanded national response to *HIV* and *AIDS* in South Africa;
 - 5.1.3 Receiving and disseminating information on sectoral interventions in respect of *HIV* and *AIDS* and considering challenges; and
 - 5.1.4 Overseeing continual monitoring and evaluation of all aspects of the *NSP*.

6. Organisational Structure

- 6.1 *SANAC* is a national three-tiered multi-sectoral advisory body. Both government and civil society participate and are represented at all tiers.
- 6.2 The three-tiered structure of *SANAC*, the detail of which is set out below, comprises:
- 6.2.1 Tier one: the *Plenary*;
 - 6.2.2 Tier two: the *PIC* and the *RMC*; and
 - 6.2.3 Tier three: the *SCCs*.
- 6.3 *SANAC*'s formal relationships with Provincial AIDS Councils shall be decided by the *Plenary* in consultation with such councils. The nature of these relationships shall be captured in these Guidelines by way of a formal amendment in accordance with the relevant provisions of clause 21.

7. Plenary

7.1 The *Plenary* constitutes the political leadership of SANAC and is chaired by the Deputy President of the Republic of South Africa, with a deputy chairperson being chosen from civil society. The *Plenary* is made up of representatives of seven government departments and seventeen civil society sectors as follows:

7.2 Government departments:

7.2.1 Correctional Services (justice cluster).

7.2.2 Education (education sector);

7.2.3 Health (health sector and a lead department);

7.2.4 Minerals and Energy (mining sector);

7.2.5 Public Service and Administration (governance and administration cluster);

7.2.6 Social Development (social cluster); and

7.2.7 Transport (economic cluster);

7.3 Civil society sectors:

7.3.1 business;

7.3.2 children;

7.3.3 disability;

7.3.4 faith-based organisations;

7.3.5 health professionals;

7.3.6 health-related academic and research organisations;

7.3.7 higher education;

7.3.8 labour;

- 7.3.9 law and human rights;
- 7.3.10 men;
- 7.3.11 non-governmental organisations and community-based organisations;
- 7.3.12 organisations representing people living with *HIV* and *AIDS*;
- 7.3.13 sports and entertainment.
- 7.3.14 traditional healers;
- 7.3.15 traditional leaders;
- 7.3.16 women; and
- 7.3.17 youth.

8. Programme Implementation Committee

- 8.1 The *PIC* is a *committee* whose primary function is to share experiences, review the implementation of programmes and strategies of the *NSP* and make recommendations to the *Plenary*.
- 8.2 The *PIC* is comprised of no more than twenty five members:
 - 8.2.1 The chairperson of the *PIC*;
 - 8.2.2 Seven representatives from the government departments represented at the *Plenary*; and
 - 8.2.3 Seventeen representatives from the civil society *sectors* represented at the *Plenary*.
- 8.3 The *PIC* shall be chaired by the Director-Generals of the Social *Cluster* on a rotating basis, and shall be co-chaired by a civil society representative as elected by the *sectors* in accordance with clause 14.6.
- 8.4 The *PIC* will carry out its mandate having regard to the four priority areas of the *NSP*: prevention; treatment, care and support; monitoring, research and surveillance; and human rights and access to justice.
- 8.5 The *PIC* will report to and be directly accountable to the *Plenary*.

Technical Task Teams

- 8.6 The *TTTs* are standing sub-committees of the *PIC* and are accountable to the *PIC*. They provide expert advice to the *PIC* regarding the following:
- 8.6.1 prevention;
 - 8.6.2 treatment, care and support;
 - 8.6.3 research, monitoring and surveillance;
 - 8.6.4 human rights and access to justice;
 - 8.6.5 communications; and
 - 8.6.6 any other areas as directed by the *PIC*.
- 8.7 The primary objectives of the *TTTs* are as follows:
- 8.7.1 providing advice and strategic support to the *PIC*;
 - 8.7.2 making recommendations to the *PIC* regarding the implementation of the *NSP* on key issues identified by members of the *TTTs* and/or as directed by the *PIC*; and
 - 8.7.3 documenting good practice, policy and implementation gaps and making recommendations to the *PIC*, with support from the *M&E Unit* as and when necessary.
- 8.8 Each *TTT* is made up of no more than twelve members:
- 8.8.1 a *government member* of the *PIC*, or his or her alternate, who is a co-chairperson of the *TTT*;
 - 8.8.2 a *civil society member* of the *PIC*, or his or her alternate, who is also a co-chairperson of the *TTT*; and
 - 8.8.3 up to four persons nominated by government and six persons nominated by civil society, such persons being nominated on the basis of their skills, expertise, experience and/or knowledge of the particular focus of the relevant *TTT*.

9. Sectoral Coordinating Committees

- 9.1 The primary objectives of the SCCs are to ensure that –
- 9.1.1 the implementation of sectoral specific programmes is effectively coordinated and reviewed; and
 - 9.1.2 the *PIC* is regularly provided with information regarding sectoral specific programmes to enable it to make appropriate recommendations in this regard to the *Plenary*.
- 9.2 While each SCC is not formally represented on the *PIC* as a voting member, a representative of each SCC shall nevertheless attend *PIC* meetings to ensure that, wherever appropriate, SCC-related matters are tabled for discussion and/or debate at the *PIC*.
- 9.3 The seven SCCs are comprised of government and civil society representatives and are led by various government departments as follows:
- 9.3.1 Public Administration (Department of Public Service and Administration)
 - 9.3.2 Mining (Department of Minerals and Energy)
 - 9.3.3 Transport (Department of Transport)
 - 9.3.4 Agriculture (Department of Agriculture and Land Affairs)
 - 9.3.5 Community Development (The Presidency and the Department of Social Development)
 - 9.3.6 Education (Department of Education)
 - 9.3.7 Justice (Department of Justice and Constitutional Development)
- 9.4 Wherever possible, any government representative on an SCC should be nominated from the *HIV* and *AIDS* programmes within the relevant government department.
- 9.5 Each civil society *sector* may decide whether to have representation on any of the SCCs.
- 9.6 All SCCs are accountable to and report to the *Plenary* through the *PIC*.

10. Resource Management Committee

10.1 The *RMC* is the fundraising arm of *SANAC* and is accountable to the *Plenary*. Its primary objectives are as follows:

10.1.1 co-ordinating the submission of the national proposal for grant funding from the *Global Fund*;

10.1.2 selecting one or more appropriate organisation(s) for *Global Fund* grants;

10.1.3 monitoring the implementation of activities under *Global Fund* approved programmes, including approving major changes in implementation plans;

10.1.4 evaluating the performance of *Global Fund* programmes; and

10.1.5 determining other sources for resource mobilisation to support the implementation of the *NSP*.

10.2 The Minister of Health is the chairperson of the *RMC*. The civil society members of the *RMC* elect the deputy chairperson of the *RMC* from amongst themselves.

10.3 In addition to the Minister of Health, government membership is made up of two further representatives from the *IMC*, chosen from the Ministers of Education, Public Service and Administration, Social Development and Minerals and Energy.

10.4 Civil society will elect or appoint one *RMC* representative from each of the following sectors:

10.4.1 business;

10.4.2 faith-based organisations;

10.4.3 higher education;

10.4.4 non-governmental organisations and community-based organisations;

10.4.5 organisations of people living with *HIV* and *AIDS*;

10.4.6 women and

10.4.7 youth.

11. The Secretariat

11.1 The *Secretariat* is accountable to the *Plenary*.

11.2 The *Secretariat* carries out its administrative, logistical and technical functions as directed by the *Plenary*, the *Chairperson* and the *Deputy Chairperson*.

11.3 The *Secretariat* facilitates the implementation of the overall *SANAC* mandate. Its responsibilities include:

11.3.1 managing the multi-sectoral response to *HIV* and *AIDS*;

11.3.2 supporting resource mobilisation and management for the multi-sectoral *NSP*;

11.3.3 managing *DoH* allocated funds designated to the *Secretariat* to fulfil its functions in terms of the multi-sectoral *HIV* and *AIDS* response;

11.3.4 ensuring collection and analysis of periodic activity reports from various *sectors*;

11.3.5 ensuring preparation of annual situation analysis and progress reports;

11.3.6 providing technical support and capacity building to *sectors*;

11.3.7 ensuring sectoral and donor coordination;

11.3.8 supporting the social mobilisation and advocacy activities of the *sectors*;

11.3.9 attending all meetings of the *Plenary* as well as of the *PIC* and *SCCs* in a non-voting capacity and serving as secretary of these meetings; and

11.3.10 informing *civil society members* of their appointment to the various *committees* in writing.

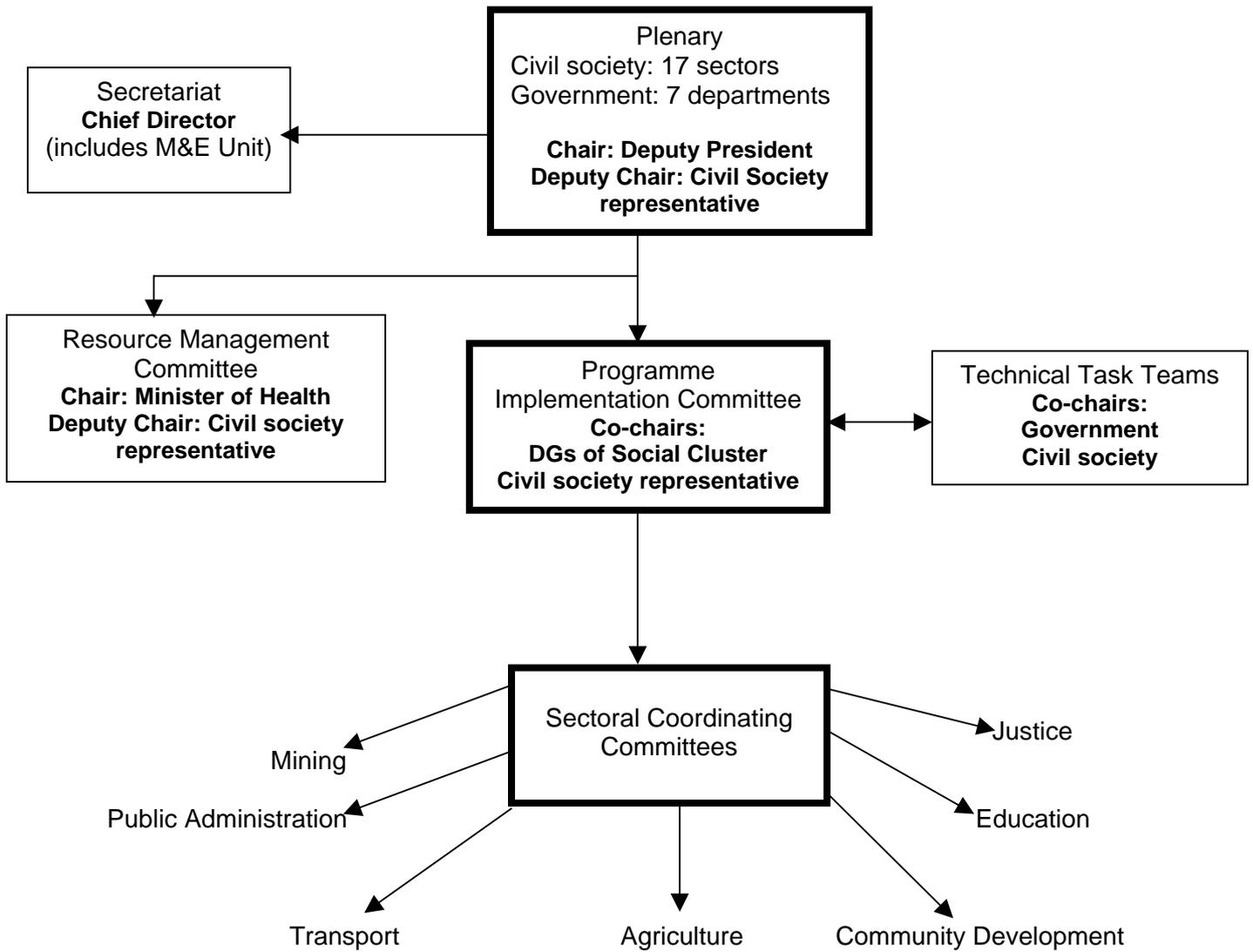
11.4 The *Secretariat* shall keep *committee members* informed of any developments that may be of relevance to the various *sectors* and/or *committees* of *SANAC*.

- 11.5 The *Secretariat* shall coordinate all logistics, meetings, travelling and any other arrangements related to the work of the *committees* and will bear the costs thereof.
- 11.6 The *M&E Unit* –
- 11.6.1 forms part of the *Secretariat* and carries out its functions in line with the relevant monitoring and evaluation framework documents as adopted by the *Plenary* from time to time;
- 11.6.2 is a central coordinating body of the *NSP* and is responsible for developing monitoring and evaluation guidelines, reporting guidelines, terms of reference for mid-term and five-year term reviews;
- 11.6.3 is responsible for capacity building;
- 11.6.4 provides technical support to the research, monitoring and surveillance *TTT*, as and when reasonably required; and
- 11.6.5 shall report to the *PIC* on the implementation of its mandate at least twice a year.

12. The Trust

- 12.1 The objectives of the *Trust* are to provide secure funding for *SANAC* and to promote and facilitate the execution of its mandate.
- 12.2 The Trustees are appointed from government and civil society in terms of the Deed of Trust and hold office for a period of one year.

13. SANAC organogram



14. Election and/or appointment of civil society representatives

- 14.1 Each *sector* shall be formed by a process that is open, fair and transparent, and in consultation with all relevant stakeholders within that *sector*. It is the duty of each outgoing *sector representative* to ensure that processes are in place for his or her successor to be elected or appointed and ensure a proper hand-over of the position.
- 14.2 Subject to clause 14.1, each *sector* shall elect or appoint a *sector representative*. The *Deputy Chairperson* shall be a *sector representative* and shall be elected by *sector representatives* from amongst themselves.
- 14.3 Whilst *sectors* may establish their own processes for the election or appointment of *sector representatives*, the process must at least include the following:
- 14.3.1 processes should be inclusive and clearly documented; and
- 14.3.2 a sector election committee should be established to oversee the nomination and election or appointment process.
- 14.4 The *Secretariat* shall fund any meetings reasonably required to ensure the election or appointment of *sector representatives*, including meetings to form a *sector*.
- 14.5 Each *sector* shall also elect or appoint up to two alternates to the *sector representative*, as well as a *PIC representative* and his or her alternate.
- 14.6 *PIC representatives* shall elect a civil society co-chairperson of the *PIC* from the sitting *PIC representatives*. In the absence of the civil society co-chairperson, the alternate *PIC representative* shall act on his or her behalf.
- 14.7 *PIC representatives* shall elect a civil society co-chairperson for each of the TTTs from sitting *PIC representatives* and their alternates.
- 14.8 Each of the seven *sectors* represented in the *RMC* shall elect or appoint one *RMC representative* and his or her alternate.
- 14.9 *RMC representatives* shall elect a civil society co-chairperson of the *RMC* from sitting *RMC representatives* and their alternates.

- 14.10 *SCC members* of a particular *SCC* shall elect a civil society co-chairperson of that *SCC* from amongst themselves.
- 14.11 *Sectors* shall establish their own processes for the election or appointment of a *sector representative* and shall submit the names of persons elected or appointed to the *Chairperson* for appointment.

15. Terms of office

- 15.1 A *government member* of a *committee* remains in his or her position for so long as he or she remains in that position within government.
- 15.2 Subject to clauses 15.3 and 15.4 below, a *civil society member* of a *committee* shall be elected for a term of two years and shall be eligible for re-election for one additional term.
- 15.3 To ensure continuity, the term of office of a *PIC representative* shall not end until six months after the term of office of the relevant *sector representative* has ended.
- 15.4 Similarly, the term of office of a *TTT representative* shall not end until six months after the term of office of the relevant *PIC representative* has ended.

16. Meetings

- 16.1 Notice of ordinary meetings of all *committees* other than *TTTs* shall be provided to each *committee member* in writing by the *Secretariat* on behalf of the chairperson or co-chairpersons of that *committee* no later than one month before the date of the proposed meeting. The notice shall include a call for agenda items.
- 16.2 Notice of ordinary meetings of *TTTs* shall be provided in writing to each *member* of that *TTT* by or on behalf of the co-chairpersons of that *TTT* no later than two weeks before the date of the proposed meeting and shall include a call for agenda items.
- 16.3 Where it is necessary to convene an urgent meeting, the notice periods contemplated in clauses 16.1 or 16.2 may be abbreviated as is reasonably required in the circumstances, but may not be shorter than one week.

- 16.4 Within a week of the notice contemplated in clause 16.1, members of a *committee* may submit agenda items to the *Secretariat* for consideration by the chairperson or co-chairpersons of that *committee*. The chairperson or co-chairpersons shall make the final decision as to the content of the provisional agenda.
- 16.5 The provisional agenda shall include any item decided upon at a previous meeting.
- 16.6 A provisional agenda, together with supporting documents, shall be distributed to *committee members* one week prior to meetings.
- 16.7 The provisional agenda may be revised during the meeting prior to its adoption. Where appropriate, items may be added, deferred or deleted. Only urgent items may be added to the provisional agenda.
- 16.8 The *Chairperson* shall preside at every *Plenary* meeting. In the absence of the *Chairperson*, the *Deputy Chairperson* shall preside. In the absence of the *Deputy Chairperson*, a person delegated by the *Chairperson* or the *Deputy Chairperson* shall preside at the *Plenary*.
- 16.9 The chairperson or co-chairpersons of a *committee* shall preside at every meeting of that *committee*. In the absence of the chairperson, the deputy chairperson shall preside. In the absence of a chairperson, co-chairpersons and/or deputy chairperson, as the case may be, any person delegated by a chairperson or co-chairperson to perform such a function shall preside at such meetings.
- 16.10 Where a member is unable to attend a meeting, his or her alternate may attend in his or her place. An alternate has the same rights, privileges, and responsibilities as the member he or she is representing. Alternate representatives shall hold office for the same period as the member who he or she represents.
- 16.11 At least fifty percent of the appointed and/or elected members of any *committee* shall constitute a quorum. Notwithstanding the lack of a quorum within an hour of the designated start of any *committee* meeting, it shall continue provided the procedures as set out in this clause have been followed

and a quorum of members had previously indicated their availability for that meeting.

- 16.12 To have any force or effect, *resolutions and/or recommendations* taken at meetings where quorum was not attained must subsequently be ratified in writing by a simple majority of the appointed and/or elected members of that *committee*.
- 16.13 The chairperson or co-chairpersons may invite guests, including outside experts, to attend and/or address any meeting at such times and for such purposes as deemed appropriate by the chairperson or co-chairpersons.
- 16.14 The *Plenary* shall convene at least twice annually.
- 16.15 At each meeting of the *Plenary*, *government members* shall report in writing on what steps, if any, their departments have taken to consider and/or act upon *Plenary* resolutions and/or recommendations.
- 16.16 Meetings of all *committees* other than the *Plenary* shall be convened as and when required but not less than four times annually.

17. Resolutions and/or recommendations

- 17.1 Where *resolutions and/or recommendations* are put to the vote in any *committee*, each member may vote and may only cast one vote.
- 17.2 Except as otherwise provided in these *Guidelines*, *resolutions and/or recommendations* of any *committee* shall, where put to the vote, be made by a simple majority of the members present.
- 17.3 In exceptional circumstances and provided all reasonable steps have been taken to convene an urgent meeting as contemplated by clause 16.3 –

- 17.3.1 the co-chairpersons of the *PIC* may collectively take urgent decisions after having consulted the *Chairperson* and *Deputy Chairperson*;
- 17.3.2 the chairperson of the *RMC*, in consultation with his or her deputy chairperson, may take urgent decisions after having consulted the *Chairperson* and *Deputy Chairperson*; and
- 17.3.3 the *Chairperson*, in consultation with the *Deputy Chairperson*, may make *resolutions and/or recommendations* on behalf of the *Plenary*, provided such *resolutions and/or recommendations* are communicated to the full *Plenary* as soon as is reasonably possible, together with reasons why such a decision was urgent. A report regarding the *resolutions and/or recommendations* taken shall be tabled at the next *Plenary* meeting.

18. Appeals against Plenary resolutions and/or recommendations

- 18.1 Any member of the *Plenary* may appeal a *resolution and/or recommendation* of that *committee* by giving notice in writing to the *Chairperson* within thirty days of the *resolution and/or recommendation*. Such notice shall include full details of the grounds of appeal and the remedy sought.
- 18.2 The *Chairperson*, within two weeks of receipt of the notice shall appoint at least three independent persons on an ad hoc basis who, in his or her opinion, have the necessary expertise to hear the appeal and shall be known as an appeal committee.
- 18.3 The appeal committee shall nominate a chairperson, who shall have a casting vote in addition to his or her deliberative vote. The appeal committee shall decide the appeal on a simple majority.
- 18.4 The appeal committee shall determine the procedure to be followed in deciding the appeal, which procedure shall be just, open, fair and transparent.
- 18.5 The appeal committee shall immediately inform the appellant and the *Chairperson* of its decision with reasons. The *Plenary* shall act in accordance with the decision.

19. Recording

- 19.1 The *Secretariat* shall record and maintain the minutes of the all committees other than the *TTTs*.
- 19.2 *Resolutions and/or recommendations* of any *committee* that affect another *committee* shall be recorded and forwarded to the chairperson or co-chairpersons of that *committee* by the *Secretariat*.

20. Applicability of the Guidelines

All *committee members* and *sectors* are bound by these *Guidelines*. All *committees* may create their own procedural guidelines provided such guidelines are not in conflict with and do not detract from the rights and responsibilities as set out in these *Guidelines*.

21. Amendment of the Guidelines

- 21.1 These *Guidelines* may be amended by a decision taken by at least two-thirds of the full compliment of the *Plenary*, notwithstanding the number of members present.
- 21.2 Any member of *SANAC* may propose an amendment to these *Guidelines* through a member of the *Plenary*.
- 21.3 In order to table an amendment of these *Guidelines* in the *Plenary*, the notice of the *Plenary* meeting at which the amendment is to be proposed, together with supporting documents and the proposed wording of the amendment, shall be provided in writing to the *Secretariat*. The notice shall be circulated to all *Plenary* members by the *Secretariat* no later than two months before the date of the *Plenary* meeting at which the amendment is to be proposed.

22. Miscellaneous

- 22.1 All reports, discussion papers and any other document prepared by a *committee* shall be made available to any member of *SANAC* by the *Secretariat*. The *Secretariat* shall place electronic copies of all such documents on the official *SANAC* website and shall retain original hard copies for at least five years after the expiry of the *NSP*.

- 22.2 All *SANAC* processes and procedures shall be carried out with fairness, openness and transparency.
- 22.3 Each member and/or *committee* of *SANAC* shall act with mutual accountability and shall cooperate with any other member and/or *committee* to achieve their respective objectives and to carry out the *NSP* mandate.
- 22.4 Travel costs for members related to authorised activities conducted on behalf of *SANAC* will be paid for by the *Secretariat* only if the travel is pre-approved by the *Secretariat*.
- 22.5 Only the *Chairperson* and the *Deputy Chairperson* are mandated to represent and/or speak on behalf of *SANAC*. Other members may expressly be mandated in writing by the *Plenary* to represent and/or speak on behalf of *SANAC* on particular issues.
- 22.6 Any *sector representative* may speak or make a statement on behalf of that *sector* provided that he or she is so mandated by the *sector*, he or she presents the majority view of that *sector* and does not purport to speak on behalf of *SANAC* as a whole.

Annexure A: Generic terms of reference for SANAC sectors

23. Purpose of terms of reference

- 23.1 These terms of reference are intended to assist each *sector* to develop *sector* specific terms of reference for that *sector*.
- 23.2 *SANAC* will also encourage sectors to organise themselves and provide progress reports to it regarding the implementation of the *NSP*.
- 23.3 In addition, *SANAC* functions as the *CCM* for the *Global Fund*. The *Global Fund* Governance Guidelines (revised 2005) state that

“Membership in the CCM should be broadly representative of a variety of stakeholders, each representing an active constituency with an interest in fighting one or more of the three diseases. Each constituency brings a unique and important perspective, thus increasing the probability of achieving measurable impact against the diseases. Representation of a gender perspective in the CCM is desirable. The role and function of each player within the partnership of the CCM will be agreed upon by the mechanism, safeguarding equity and transparency among partners. “

24. Civil society sectors

- 24.1 *Sectors* are civil society groupings that have in common issues and/or characteristics. The 17 civil society *sectors* are as follows:
- 24.1.1 business;
 - 24.1.2 children;
 - 24.1.3 disability;
 - 24.1.4 faith-based organisations;
 - 24.1.5 health professionals;
 - 24.1.6 health-related academic and research organisations;
 - 24.1.7 higher education;
 - 24.1.8 labour;

- 24.1.9 law and human rights;
- 24.1.10 men;
- 24.1.11 non-governmental organisations and community-based organisations;
- 24.1.12 organisations representing people living with *HIV* and *AIDS*;
- 24.1.13 sports and entertainment.
- 24.1.14 traditional healers;
- 24.1.15 traditional leaders;
- 24.1.16 women; and
- 24.1.17 youth.

25. Formation of sectors

- 25.1 Most civil society *sectors* do not have a single or uniform structure. One of the strengths of civil society is the diversity and number of formations. The various *sectors* bring diverse perspectives and contributions across geographical areas, types of organisations, cross-cutting or issue-based perspectives within each *sector*.
- 25.2 The *Global Fund* governance guidelines recommend that the *CCM*:
- “...seek representation at the highest possible level of various sectors...*CCM* members representing the non-government sectors must be selected/elected by their own sector(s) based on a documented, transparent process, developed within each sector.”
- 25.3 Each *sector* shall therefore decide how it will be formed and, in developing mechanisms for *sector* representation selection, should follow the *Global Fund* Governance Guidelines.

26. Principles for formation of sectors

- 26.1 When forming a *sector*, civil society groups should try to adhere to a process that is consistent with the following principles:

- 26.1.1 the process should be inclusive while acknowledging that the process may not be fully representative;
- 26.1.2 no single stakeholder speaks for the diversity of interests that exist in any sector. This must be drawn on as strength rather than seen as a problem to be solved. Broad consensus should be sought with provision for minority views to be heard; and
- 26.1.3 at all stages, the process must be underpinned by a commitment to reflecting the views and needs of the widest possible range of stakeholder groups.

27. Roles, responsibilities and functions

- 27.1 Implement *NSP* goals as widely as possible within the *sector*.
- 27.2 Implement *NSP* goals in collaboration with other sectors and the government, where possible under the auspices of *SANAC*, Provincial AIDS Councils and District AIDS Councils.
- 27.3 Elect or appoint representatives and recommend these to various *SANAC* structures.
- 27.4 Establish working groups or similar structures for close working with representatives and *sector* networks.
- 27.5 Develop, implement and monitor mechanisms for consultation, communication and accountability.
- 27.6 Ensure that *sector* perspectives, experiences and concerns are communicated to the relevant structures and processes.
- 27.7 Participate in *SANAC* meetings and processes.
- 27.8 Support or advocate for support for coordination within *sectors* and between *sectors* at national, provincial and local levels.
- 27.9 Build consensus within the *sector* and within *SANAC*.
- 27.10 Mobilise and support involvement in *SANAC* structures and processes and in the implementation and monitoring and evaluation of the *NSP*.

- 27.11 Hold *SANAC* accountable and actively participate in the meaningful functioning of *SANAC* structures and processes including the *NSP*.
- 27.12 Support *sectors'* engagement in *SANAC* and the *NSP*.
- 27.13 Meet at least twice a year.
- 27.14 Report to the *Plenary* on progress in achieving *NSP* goals.

28. **Accountability of sectors**

- 28.1 In order to ensure accountability to the *sectors* and to *SANAC* as a whole, *sector representatives* must ensure:
 - 28.1.1 they communicate regularly with their members by sharing information and documentation;
 - 28.1.2 maintain the contact details of *sector* participants;
 - 28.1.3 ensure meaningful consultation with constituents within the *sector*;
 - 28.1.4 ensure the opportunity for critical reflection and review within the *sector*;
 - 28.1.5 ensure that representative views and concerns from various levels are communicated at the *Plenary*; and
 - 28.1.6 ensure transparency in decision-making.