



WOMEN EMPOWERMENT AND GENDER EQUALITY BILL

Important Definitions

Gender - The roles, duties and responsibilities which are culturally or socially ascribed to women, men, girls and boys.

Gender Equality - The full and equal enjoyment of rights and freedoms and equal access to resources, opportunities and outcomes, by women, men, girls and boys.

Gender Mainstreaming - The process of identifying gender gaps and making women's, men's, girls' and boys' concerns and experiences integral to the design, implementation, monitoring and evaluation of policies and programmes in all sectors of life to ensure that they benefit equally.

Substantive Gender Equality - Gender equality in fact and in law and involves achieving equitable outcomes and equal opportunities.

Women Empowerment - The advancement of women in social, political and economic spheres to promote the realisation of gender equality.

Objectives of the Act

- To align all aspects of the laws and the implementation of the laws relating to women empowerment and the appointment and representation of women in decision-making positions and structures
- The development and implementation of plans and strategies by designated public bodies and designated private bodies for the promotion of women empowerment and gender equality; and the submission of those plans and strategies to the Minister for consideration, evaluation and guidance
- Provide for the implementation of measures to achieve the progressive realisation of a minimum of 50 per cent representation and meaningful participation of women in decision-making positions and structures including Boards by designated public bodies and designated private bodies
- Provide for the implementation of gender mainstreaming by designated public bodies and designated private bodies
- Provide for the development and implementation of public education programmes on practices that unfairly discriminate on grounds of gender



All of the below sections are required to develop, implement and submit plans to the Minister within 1 year of being designated (on request proof of implementation as well).

Social Development: Education and Training

- Address the pervasive discriminatory patriarchal attitudes and the lingering effects of apartheid faced by women in the education system
- Educate and train women in order to achieve the progressive realisation of equitable and sustainable development
- Capacitate and enable women to assimilate and develop knowledge, requisite skills and values
- Improve access to education on reproductive rights for women, particularly young women
- Eliminate prejudices and current practices that hinder the achievement and enjoyment of gender equality and social cohesion

Social Development: Public education on prohibited practices, including gender based violence

- To educate the public on practices that unfairly discriminate on grounds of gender, including gender based violence, in order to achieve substantive gender equality in society and the workplace

Equal Representation and Empowerment: Equal Representation and Participation

Despite any other law, designated public and private bodies must within their ambit of responsibilities and available resources, develop and implement plans, in order to achieve the progressive realisation of a minimum of 50 per cent representation and meaningful participation of women in decision-making positions and structures including Boards.

The measures must include:

- Building women's capacity to participate
- Enhancing the understanding and attitudes of communities to accept the capabilities and participation of women as their equals
- Developing support mechanisms for women



Equal Representation and Empowerment: Gender Mainstreaming

Measures may include:

- Integration of gender considerations into all policies, structures, systems and processes; decisions are preceded by a gender equity analysis; remedial measures to alleviate prejudice and reduce disparities between men and women

Equal Representation and Empowerment: Measures to Empower Women and Eliminate Discrimination

Despite any other law, targets for women in all laws and policies on empowerment shall be at least 50%.

- Develop and implement plans as prescribed, and measures which will assist women to gain power and control over decisions and resources that determine the quality of their lives
- Take measures such as: changing conditions and circumstances; measures designed to recognise and support the roles of women in various sectors of life; auditing factors that cause and contribute to non-compliance
- Develop and implement policies and programmes: equal opportunities; advance women; eliminate gender discrimination, exploitation & violence and related matters

Equal Representation and Empowerment: Economic Empowerment

Despite any other law, targets for women in all laws and policies on economic empowerment shall be at least 50%:

- Develop and implement plans and measures to align their laws and policies within two years
- Promote the economic empowerment of women
- Promote women's access to economic and educational opportunities and productive resources
- Increase access to financing, procurement, land rights, skills development, especially entrepreneurial skills and capacity building of women
- Facilitate employment opportunities and access to the markets for women
- Compile such data relating to economic empowerment of women as may be prescribed
- Comply with prescribed measures aimed at achieving the economic empowerment of women as contemplated by the applicable legislation



Equal Representation and Empowerment: Socio-economic Empowerment of Women in Rural Areas

- Facilitate sustainable livelihoods and decent work for women in rural areas, largely but not solely within agriculture

Equal Representation and Empowerment: Socio-economic Empowerment of Women with Disabilities

Develop and implement plans for the economic empowerment of women with disabilities, including special measures regarding equal access to education and employment, and their meaningful participation in all areas of economic, social and cultural life.

Review and Enforcement

Subsequent to a review the Minister May:

- Approve a plan
- Make a recommendation
- Publish an annual report naming and shaming

Failure to Comply

The Minister may use any dispute resolution mechanisms to address non-compliance with this Act. An accounting officer is guilty of an offence and liable on conviction to a fine or to imprisonment for a period not exceeding five years, if that accounting officer fails to comply with the provisions of this Act. To commits an offence and is liable to a fine not exceeding 10% of the total annual turnover of the designated private body or specific sector sanctions or imprisonment for a period not exceeding five years.



TURNOVER THRESHOLD APPLICABLE TO DESIGNATED BODIES

Sector or subsectors in accordance with the Standard	Total annual turnover
Industrial Classification	
Agriculture	R6,00m
Mining and Quarrying	R22,50m
Manufacturing	R30,00m
Electricity, Gas and Water	R30,00m
Construction	R15,00m
Retail and Motor Trade and Repair Services	R45,00m
Wholesale Trade, Commercial Agents and Allied Services	R75,00m
Catering, Accommodation and other Trade	R15,00m
Transport, Storage and Communications	R30,00m
Finance and Business Services	R30,00m
Community, Special and Personal Services	R15,00m

Taken from Schedule 4 of the Employment Equity Act 1998, (Act 55 of 1998)