



# de wet van schalkwyk

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## NUUSBRIEF NEWSLETTER

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### Tien dinge wat goeie bestuurders doen

**Bestuurders is nie gewoonlik daarvan bewus dat hulle slegte base is nie. Die feit is dat niemand wil glo dat hulle self die probleem is nie. Tog is daar 'n statistiese verspreiding vir alles wat met mense te doen het, wat beteken dat daar min werklik slegte base en min werklik goeie base is, en die meeste van julle val iewers in die middel.**

Vir my sê dit dat vir die oorgrote meerderheid van julle daar heelwat ruimte vir verbetering is.

As jy regtig jou bestuurstyl wil verbeter, dalk selfs eendag die geleedere van uitvoerende bestuur of eienaarskap wil betree, sal jy minstens 'n paar van die dinge moet begin doen uit hierdie **Tien dinge wat goeie base doen**.

So terloops, dit kom nie uit een of ander akademiese studie nie. Dit is regte eienskappe van regte base, saamgestel uit dekades van waarneming, wat werknemers motiveer en inspireer om na die beste van hul vermoë te presteer.

Steve Tobak, bestuurskenner op [www.bnet.com](http://www.bnet.com), skets hierdie tien dinge wat goeie base doen:

1. **Betaal mense wat hulle werd is, nie dit waarmee jy kan wegkom nie.** Wat jy aan onkoste verloor, kry jy veelvuldig terug in prestasie.
2. **Neem die tyd om jou ervarings en insigte te deel.** Etikette soos mentor en afrigter word te veel gebruik. Kom ons wees spesifiek. Werknemers leer by diegene wat vrygewig genoeg is om hul ervarings en insigte te deel. Hulle het nie 'n beste vriend of 'n skouer om op te huil nodig nie.
3. **Sê dit reguit vir werknemers, selfs al is dit slegte nuus.** Vir my is die enkele belangrikste ding wat enige baas kan doen om manmoedig te wees en dit reguit vir mense te sê. Geen ompaie en geen versuiking nie, veral wanneer dit slegte nuus of korrektiewe terugvoer is.
4. **Bestuur boontoe ... effektief.** Goeie base hou die bestuur van werknemers se nekke af. Die meeste mense verstaan dit nie, maar die belangrikste aspek hiervan is om die bestuur te gee wat hulle nodig het om hul werk te doen. Dit is wat die bestuur weghou.
5. **Vat die pak en deel die lof.** Dit verg moed om die pak te vat en nederigheid om die lof te deel. Dit kom natuurlik vir wonderlike base; die res van ons moet dit so algaande leer.
6. **Delegeer verantwoordelikheid, nie take nie.** Elke baas delegeer, maar die slegtes dink dit beteken om take wat hulle haat op werkers af te laai. Goeie base delegeer verantwoordelikheid en hou mense aanspreeklik. Dit is bevredigend en kweek professionele groei.
7. **Moedig werknemers aan om hul natuurlike vermoëns te slyp en daag hulle uit om hul kwessies te oorkom.** Dit beteken dat jy mense sover kry om na die beste van hul vermoë te presteer.

8. **Bou spangees.** Soos ons al geleer het, wonderlike groepe presteer beter as wonderlike individue. En wonderlike leiers bou wonderlike spanne.
9. **Behandel werknemers soos hulle verdien om behandel te word.** Jy hoor altyd dat mense sê hulle verdien respek en om as gelykes behandel te word. Wel, sommige mense wil dit dalk nie hoor nie, maar (a) respek moet verdien word en (b) die meeste werkers is nie hul baas se gelyke nie.

10. **Inspireer jou mense.** Al bogenoemde motiveer mense, maar net 'n paar base het die vermoë om hul werknemers waarlik te inspireer. Hoe? Deur hul passie vir die besigheid te deel. Deur te weet presies wat om te sê en te doen op presies die regte tydstip om 'n moeilike situasie te versag of om te keer. Ware staaltjies help baie. So ook 'n goeie sin vir humor.

## Don't let sickness make your finances sick

*Hesta van der Westhuizen - Consolidated Financial Planning*

**Working for yourself in your own business has numerous benefits, one being that you are the boss. It also means that if you are not at your desk because you are sick or injured, your personal and business's income statement might not look too healthy at the end of the month.**

The illnesses or injuries that can prevent us from earning an income are endless: 'minor' ailments such as lung infections, critical illnesses such as heart attacks or month-long comas due to a car accident. Worrying about how you will provide for living expenses and keeping your business afloat may even delay recovery.

### Income replacement cover

One of the more cost-effective strategies to limit the risk of your income being affected by injury or illness is Income Disability cover. All major financial product providers offer this kind of cover in one or other format. However, due to the complexity of these products it is advisable you decide on the kind of product and product provider together with your financial planner once the appropriate level of benefit has been determined as part of your financial plan process.

If your portfolio already includes income disability cover, it is important that you check the appropriateness of your current cover for your circumstances. If not, you may get a nasty surprise when you need to claim.

The following could affect if and how much you get paid when you are sick or injured:

- Is the benefit payable both for 'temporary' disability or short-term illnesses – and when you are permanently unable to work?
- Has the benefit kept up with your escalating income?
- If you are permanently disabled, will the benefit increase every year with the inflation rate for the rest of the policy term?

- When does the cover cease? This is very important as people, especially in their own businesses, continue to work long after reaching the traditional retirement age of 60 or 65. Can you still claim until at least the age of 70?
- When you initially took out the cover you may have been working as a legal adviser for a corporate firm. Now that you are a business owner, are you still covered? The same applies if you in your forties suddenly take up extreme sports – are you covered if you break an arm or leg while sky-diving?
- You do a lot of work in the rest of Africa or work regularly for six months overseas – will you be able to claim if you become sick in non-South African territories?
- What is the waiting period before the benefit becomes payable? Can you carry the risk if you are off sick for two months, but your benefit only starts paying after three months?
- Can you claim a tax deduction for the contribution?
- Does your cover extend to paying for the rental of your office if you are injured and cannot work for a few months?

Implementing an appropriate risk management strategy for unforeseen events such as illness or injury as part of one's own financial plan would pay its dividends when 'life happens'.

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# Health and Safety and the Duties of the CEO

Tinus Boshoff Labour Guide

**In South Africa, health and safety issues are extensively governed by legislation. The Occupational Health and Safety Act (OHS Act) provides the minimum standard legislation that should be complied to.**

**Individual responsibilities apply to every employee in the workplace, including the Chief Executive Officer.**

Section one defines the CEO as:

“In relation to a body corporate or an enterprise conducted by the state, means the person who is responsible for the overall management and control of the business of such body corporate or enterprise”.

In the case of a company with a board of directors, the board has to decide which of the directors will be considered as the person with the most authority or the person with the final say.

The last mentioned person will be “responsible for the overall management and control of the business of such body corporate or enterprise” and deemed to be the CEO.

In the case of a company without a board of directors or a close corporation, the owner of such company or corporation will be deemed to be the CEO.

In the case of the State, the head of a department (Director General) is regarded as the CEO.

There can only be one CEO and the act appoints this person as the “accountable person” for health and safety. We refer to this appointment as the section 16(1) appointee and he or she is charged with specific legal duties or responsibilities.

According to the prescriptions of section 16, these responsibilities include:

- Every chief executive officer shall as far as is reasonably practicable ensure that the duties of his employer as contemplated in this act are properly discharged.
- Without derogating from his responsibility or liability, a chief executive officer may assign any duty contemplated in the said subsection, to any person under his control, which person shall act subject to the control and directions of the chief executive officer.
- The provisions of this section shall not, subject to the provisions of section 37, relieve an employer of any responsibility or liability under this act.
- The head of any state department shall be deemed to be the chief executive officer of that department.

When we read through this section it is clear that the legislator wants to ensure proper delegation of health and safety duties within the organisation.

The legislator starts with the person “who is responsible for the overall management and control” of the business or body corporate, the CEO.

Evidently it will be an impossible task for the CEO to be present and to manage over each and every work task or activity. Section 16(2) provides guidance in this regard; it makes provision for the delegation of responsibilities. According to this subsection the CEO may delegate responsibilities to the employer.

Please note that the section 16(2) appointee shall not, subject to the provisions of section 37, relieve an employer of any responsibility or liability. Sections 16(1) places the responsibility and liability with the CEO to ensure that the duties imposed by this act on the employer, are properly discharged.

The persons to whom duties have been assigned must be under the direction and control of the CEO. The CEO is basically allowed to delegate responsibilities but cannot delegate accountability.

Section 16 should be should also be read in conjunction with section 37 - “Acts or omissions by employees or mandataries”. Section 16(3) makes provision for the CEO to be relieved of his or her responsibility and liability under certain circumstances as stipulated in section 37.

Section 37 basically regulates who is liable in the case where an employee or mandatory (including contractors) does not comply with the requirements of the act.

Another key section that needs to be incorporated in our discussion is section 8 – “General duties of employers towards employees”. According to this particular section, the employer is duty bound to ensure the provision and maintenance of systems of work, plant and machinery that, as far as is reasonably practicable, are safe and without risks to health.

The implementation and maintenance of a proper occupational health and safety management system will largely give effect to the provisions of this act.

To reflect on our discussion, the following questions could be used to evaluate your organisations current state of compliance.

### Section 16(1)

- Has the Chief Executive Officer been identified?
- Has the Chief Executive Officer been made conversant of his/ her legal duties?

### Section 16(2)

- Did the Chief Executive Officer assign and delegate the duties contemplated in the said subsection, to persons under his or her control?
- Did all appointed persons receive the necessary training and information, empowering them to perform their legal duties?

- Are all assignments by the Chief Executive Officer in writing and included in job descriptions?
- Have all assignees accepted their responsibilities in writing?

### Section 8:

- Did your organisation implement a health and safety management system in order to ensure proper control?

I trust that you find the content of our newsletter useful and a good point of reference for future use.

## 5 wenke om beter sakebesluite te neem

Deur Scott Halford deur BNET Contributor | 18 Februarie 2011

**Om 'n besluit te neem is een van die kragtigste handeling om vertroue in leiers en bestuurders te wek. Tog is baie base beangs daaroor.**

**Party besluit om nie te besluit nie, terwyl ander bloot uitstel. Albei is tipies 'n wegskrammery – en boesem nou nie eintlik vertroue in by die ondergeskiktes nie.**

Om weg te kom van die gewonder oor wat om te doen en wat om te los, kan dit help om te leer hoe om beter besluite te neem. Jy sal as 'n beter leier beskou word en in die geheel beter resultate behaal. Hier is vyf wenke om vinniger, meer berekende besluite te neem:

**1. Hou op soek na perfeksie.** Baie groot leiers sou verkies dat 'n projek of verslag eerder slegs 80% volledig 'n paar uur vroeg as 100% volledig vyf minute laat gelewer word. Les van die verhaal: Moenie wag totdat alles perfek is nie. In plaas daarvan om die onmoontlike te probeer regkry, is doeltreffende besluitnemers geneig om sonder al die antwoorde te spring en te vertrou dat hulle op pad ondertoe hul vlerke sal kan ontwikkel.

**2. Wees onafhanklik.** Goeie besluitnemers is “in samewerking onafhanklik”. Hulle is geneig om hulle met die bestes en slimstes te omring en skerp vrae te vra. Tydens 'n bespreking met vakkundiges sal hulle byvoorbeeld nie vra “Wat moet ek doen?” nie. Hul vraag is eerder: “Wat dink jy hiervan?” Dit kan langer duur om vir komitees of 'n uitgebreide bevelsketting te wag om besluite te neem. Kry jou inligting van geloofwaardige bronne en tree dan vinnig op.

**3. Skakel jou brein af.** Insig kom wanneer jy dit die minste ver wag. Dit is net soos om skielik die naam te onthou van 'n akteur wat jy gedink het jy het heeltemal vergeet. Dieselfde gebeur wanneer jy probeer om 'n besluit te neem. Deur bloot jou gedagtes vir 'n rukkie af te skakel of selfs aan 'n ander kwessie te dink, gee jy jou brein die geleentheid om sy databank te deursoek vir inligting wat reeds gestoor is en wag om herwin te word.

**4. Moenie probleme oplos nie, besluit.** 'n Besluit kan 'n probleem oplos, maar nie elke probleem kan opgelos word deur 'n besluit te neem nie. Besluitneming steun dikwels eerder meer op intuïsie as op ontleding. Om tussen verskaffers te besluit verg byvoorbeeld 'n ondersoek van historiese data, voorkeure en pryse. Maar jou kropgevoel gee dikwels die deurslag. Wat voel soos die regte keuse?

**5. Erken jou foute.** As jou gevoel jou in die verkeerde rigting gestuur het, korrigeer die fout en bely. Selfs die neem van 'n verkeerde besluit sal meer respek en lojaliteit afdwing wanneer jy erken jy het 'n fout begaan en dit regstel as wanneer jy gereeld besluiteloos is.