


NEW BUSINESS PLAN FOR THE NORWEGIAN FUNDED
MARINE FISHERIES COOPERATION FOR THE
REPUBLIC OF SOUTH AFRICA FROM 2005 TO 2009

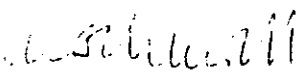
1. PREAMBLE

1.1 Signatures

On behalf of the Republic of South Africa

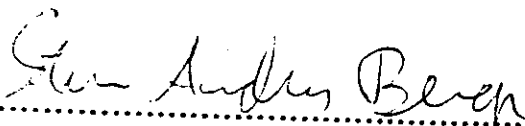

.....
Department of Finance

20/9/2004
.....
Date


.....
Mr HGH Kleinschmidt
Deputy Director-General
Department of Environmental Affairs
and Tourism

14.9.2004
.....
Date

On behalf of the Kingdom of Norway


.....
Mr Sten Anders Berge
Charge d'Affaires
Norwegian Embassy

14.9.2004
.....
Date

With reference to the Memorandum of Understanding between the Government of the Kingdom of Norway ("Norway") and the Government of the Republic of South Africa ("South Africa") on development co-operation, signed in Oslo on 1 December 1994;

With reference to the Agreement between Norway and South Africa concerning the promotion of the Reconstruction and Development Programme of South Africa (the Agreement) signed on 13 June 1997, with the Addendum dated 12 and 17 November 1999, and

With reference to the Declaration of Intent, signed on 26 March 2004, in which South Africa and Norway declared their intentions to strengthen the bilateral political consultations and extend the development cooperation for a further period of five years.

Expressing their desire to strengthen the friendly relations between both States and to develop co-operation within the fields of marine fisheries management and science;

Convinced that the institutions of both States will benefit from enhanced fisheries research, marine living resources management and human resources development co-operation;

Acknowledging that a meaningful way to enhance progress is by way of institutional co-operation between Norwegian and South African institutions,

Desiring to demonstrate the importance both States attach to international co-operation in marine fisheries research, living marine resources management and human resources development matters.

South Africa and Norway therefore have agreed on a Business Plan regarding the Marine Fisheries Co-operation between South Africa and Norway from 2005 to 2009 ("the Programme"), with a Norwegian financial contribution, subject to parliamentary appropriations, of up to NOK 40 million (Norwegian kroner forty million) for the period 2005-2009 ("the Norwegian Grant").

The Norwegian Grant will be drawn from the Country Allocation for South Africa.

The Norwegian Grant shall be used exclusively to finance the implementation of the Programme as outlined in this Business Plan.

In matters pertaining to the implementation of the Business Plan, the Royal Norwegian Embassy in Pretoria ("NEP") and the South African Department of Environmental Affairs and Tourism ("DEAT") shall be competent to represent Norway and South Africa respectively, and shall thereunder be authorised to decide on projects or activities to be included in the Programme. DEAT shall have the overall responsibility and is accountable for the operational planning and implementation of the Programme.

In the case of discrepancy between the Agreement and the Business Plan, the provisions of the Agreement shall prevail.

2. ABOUT THE PROGRAMME

2.1 Name

Marine Fisheries Co-operation between South Africa and Norway from 2005 to 2009.

2.2 Programme Location

The Programme is located in DEAT, specifically the Branch: Marine and Coastal Management ("MCM").

2.3 Programme Description

The Programme provides a framework for co-operation between South Africa and Norway in the marine fisheries sector. For the purposes of this Business Plan the marine fisheries sector also includes aquaculture. The Programme establishes an overall structure for the identification, co-ordination, implementation and monitoring of all co-operative activities within the field of marine fisheries that should contribute to the enhancement of the effectiveness of research and management related to marine fisheries, aquaculture and the ecosystems in which the marine living resources live and aquaculture activities may occur, as well as human resources development in this context.

The Programme is aimed at promoting sector development within fisheries and aquaculture through its focus on:

- Policy and legislation development.
- Management capacity at MCM in terms of:
 - Commercial fisheries
 - Small-scale and subsistence fisheries
 - Aquaculture
 - Non-consumptive utilization of marine living resources ("ecotourism")
- Research Capacity
 - Natural sciences
 - Socio-economics and other relevant human sciences
 - Selection of approaches in technology transfer
- Development of new and improvement of existing human sciences, related to the management of living aquatic resources.
- Partnerships (local, national, international).
- Human resource capacity building.

Close collaboration and interaction between MCM and relevant South African and Norwegian institutions, will form an important pillar for the intended co-operation.

Close collaboration and interaction between these institutions is crucial to support and strengthen the overall goals of the co-operation and to ensure that the planned outputs are delivered.

In order to ensure that all relevant stakeholders' interests and concerns are addressed adequately, proposals for appropriate projects or activities will be widely and nationally solicited annually, scrutinised and, if desirable, recommended to the appropriate decision-makers.

DEAT, through MCM, shall enter into a contractual agreement with the Norwegian Centre for Development Cooperation in Fisheries ("CDCF") established between Institute of Marine Research ("IMR") and Directorate of Fisheries ("DoF"). The contract and any subsequent amendments thereof shall be approved by NEP before signing and entering into force.

Funds available for the Programme will include allocations for administration and monitoring of the co-operation in both Norway and South Africa, according to the Programme as reflected in the overarching outputs and deliverables stated below in paragraph 3.4.

Project business plans will be developed for each of the six main focus areas listed above. These project business plans will also include performance indicators. The project business plans will be subject to recurrent annual evaluation and revision in the light of experience gained, and presented at the Annual Meeting for discussion and approval.

2.4 Target group/beneficiaries

The target groups and beneficiaries of the Programme are:

- (i) Women, men and children in communities dependent on the marine resources of South Africa, including setting up appropriate community based liaison structures through appropriate projects.
- (ii) The administrative and technical staff at MCM, with due regard to promotion of representivity, including gender.
- (iii) SADC countries can also benefit from this Programme when results are shared with regional colleagues. Regional partners in the Benguela Environment Fisheries Interaction and Training Programme ("BENEFIT"), Benguela Current Large Marine Ecosystem Programme ("BCLME") and South West Indian Ocean Fisheries Project ("SWIOFP") Agulhas Current Large Marine Ecosystem Programme ("ACLME") programmes will be informed of results. This will harmonise relations and promote fisheries management ideals between the various SADC partners.

3. SCOPE OF THE PROGRAMME

The overarching goal, purpose, objectives and financial framework were reviewed at a LFA Workshop on 19 to 20 March 2004 to ensure that the Programme for 2005 to 2009 remains relevant and meets the changing needs and interests of Norway and South Africa.

The overarching outputs emanating from this workshop and adopted for the Programme are:

3.1 Goal

To contribute to the sustainable development and utilization of South Africa's Fisheries and Aquaculture in biological, economic and social terms, through active partnerships between DEAT:MCM and,

- Other relevant institutions including Government bodies nationally (central, provincial and local level) and, whenever applicable, internationally;
- User groups and other relevant stakeholders.

3.2 Purpose

To increase MCM's capacity, competence and legitimacy to manage marine living resources.

3.3 The Objectives/Indicators emanating from this purpose are:

- 3.3.1 Long-term sustainable utilisation of marine resources leading to improved employment opportunities.
- 3.3.2 Sustainable development of coastal communities by improving social conditions and promoting an ethos of compliance with utilisation regulation for aquatic resources.

3.4 Overarching Outputs/Deliverables

- 3.4.1 Fisheries management capacity of MCM improved through the planned and effective organisation and implementation of policies, rights allocation, research, and monitoring, control and surveillance (MCS).
- 3.4.2 Development, improved management and sustainable utilization of consumptive and non-consumptive resources in the small scale and ~~subsistence~~ fisheries through the implementation of a strategic core management plan.
- 3.4.3 An improved scientific basis for new and existing fisheries management achieved.
- 3.4.4 Socio-economic research has contributed to policy and strategies for coastal community livelihoods and enhancement and fisheries management.
- 3.4.5 A policy for the enhancement of aquaculture research, management and sector development adopted, and appropriate legislation promulgated.

- 3.4.6 Strengthened and expanded partnerships aimed at improved management of marine living resources at local, national and international level.
- 3.4.7 Developed and enhanced human resource capacity within priority areas.

4. **DEVELOPMENT PATH OF THE PROGRAMME**

4.1 **Projects for co-operation activities**

To ensure transparency and to obtain the optimum range of proposals for projects, invitations to submit proposals will be distributed to all relevant stakeholders and interested parties. Proposals received will be evaluated in a transparent manner according to a set of criteria/objectives for appropriateness and priority by the Steering Committee (ref. paragraph 5.1) according to the Business Plan and recommended to DEAT for approval. Such proposals if accepted will be sufficient authority for MCM to enter into contracts with the approved institutions or organisations to implement the activities without further procurement process as described in paragraph 5.3.

Project business plans and associated work plans will be developed from these proposals.

4.2 **Time Schedule**

April 2005 to March 2010

5. **PROGRAMME IMPLEMENTATION**

5.1 **Programme management**

Norway and South Africa shall co-operate fully to ensure that the Programme is accomplished successfully. To that effect, each party shall furnish to the other all information that may reasonably be required. Further, each party will promptly inform the other of any condition that interferes or threatens to interfere with the successful implementation of the Programme.

Coordination of the implementation of the projects of this Business Plan shall be performed by a Steering Committee constituted by two representatives from South Africa and two representatives from Norway. The Annual Meeting approves the members of the Steering Committee after suggestion from DEAT. Additional persons from South Africa and Norway approved by the DDG at MCM, may also participate as observers. The Steering Committee will be responsible for:

- evaluating and assessing progress with current projects and their budgets
- evaluating and recommending proposals and budgets for new projects
- facilitating the conceptualisation and articulation of projects in a way that makes them implementable and likely to succeed

- facilitating successful implementation of approved projects
- ensuring the success and sustainability of institutional co-operation between participating institutions in Norway and South Africa.
- encouraging exchange of knowledge between Norwegian and South African institutions
- advising DEAT on training, human resource development and capacity-building
- making recommendations to DEAT regarding corrective actions to current projects, if applicable, and regarding new projects to be supported under the co-operation.

The Steering Committee will be constituted and meet once or twice each year when deemed necessary to evaluate and assess past progress and future proposals, annual work plans and budgets and to agree on recommendations to make to the Annual Meeting, NEP and DEAT.

The Steering Committee will liaise with the relevant parties before final plans are presented to the Annual Meeting or DEAT management and NEP for approval. Observers from collaborating partners can be accommodated at Steering Committee meetings.

Any disagreement in the Steering Committee shall be referred to the Deputy Director General of MCM, for a decision to be made on the matter.

5.1.1 Implementation agency

DEAT, specifically the Branch: MCM, representing the Director-General, will be responsible for the implementation of the Programme and the co-ordination and monitoring of all proposed projects under it. Disbursement of funds will be done twice a year.

5.1.2 Programme implementation structure

Official Contact Person in DEAT

Director: International Liaison and Coordination

DEAT
 Private Bag X447
 PRETORIA, 0001
 South Africa

Tel: (012) 310-3027
 Fax: (012) 322-3588
 E-mail: zfakir@deat.gov.za
 Cell: 082 653 0630

Responsibilities:

- Receiving and processing of, and reacting to all correspondence from Norwegian Embassy in Pretoria (NEP).
- Arrangement of all official engagements. i.e. annual meetings, visits, etc.
- Review of annual reports and financial statements as well as annual work plans and budget to be presented at the Annual Meeting.
- Ensuring appropriate flow of funds.
- Overall programme management support.
- Approve project business plans.

National Programme Manager

Chief Director: Research, Antarctica and Islands
 DEAT Branch: Marine and Coastal Management
 Private Bag X2
 ROGGE BAY, 8012
 South Africa
 Tel.: (021) 402-3102
 Fax: (021) 425-6977
 CELL: 082 829 3911
 E-mail: augustvn@deat.gov.za

Responsibilities:

- Ensuring that the project proposals support the goals of the Department.
- Managing Norwegian-funded marine fisheries research as an integral part of MCM.
- Considering project proposal recommendations by the Steering Committee and presenting it to the Director-General in DEAT or MCM for approval to be submitted to the Annual Meeting.
- Ensuring that the capacity-building component supports the Branch's human resource management.
- Obtaining quarterly and contractual reports and sending them through the system.
- Attending quarterly monitoring meetings.

Implementation Manager

Implementation Manager: NORSA Programme
 DEAT
 Branch: Marine and Coastal Management
 Private Bag X2
 ROGGE BAY, 8012
 South Africa
 Tel.: (021) 402-3105 Fax: (021) 425-6977
 Cell: 082 569 3579
 E-mail: tnkomana@deat.gov.za

Responsibilities:

- Detailed preparation of a work plan and the configuration control thereof.
- Detailed preparation of project proposals.
- Being a member of Steering Committee.
- Arranging quarterly monitoring meetings and ensuring co-ownership for implementation of projects.
- Submitting annual progress reports, financial statements, annual work plans, budget, audit reports and contractual reports to DEAT as specified in the Business Plan.
- Financial and administration issues of the Programme.

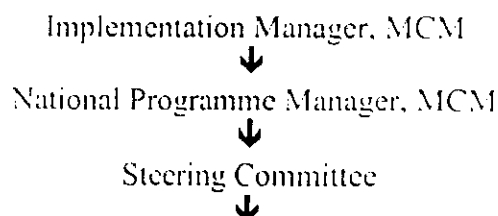
DEAT, through MCM, will enter into an implementation contract with the CDCF in Norway, representing Norwegian institutions (ref. clause 2.3). The contact person will be:

Head of CDCF
Institute of Marine Research
PO Box 1870
5817 BERGEN
Norway
Tel: (0947) 5523-6967
Fax: (0947) 5523-8579
E-mail: hans.erstad@imr.no

Responsibilities

- The CDCF shall make available services and sufficient and qualified personnel from IMR and DoF for the Programme or, if required, provide professional personnel from other Norwegian or international institutions through specific contracts.
- Furnish MCM with activity and result reports and financial reports from the Norwegian institutions in accordance with the project business plans in the format as agreed to from time to time.
- Provide assistance and guidance to South African personnel when on visits to Norway.
- If deemed practical, the CDCF will assist MCM in the process of procuring instruments and equipment in Norway for the use of MCM in programme related activities.

5.1.3 Decision-making process and hierarchy



Deputy Director General: MCM



Annual Meeting

5.1.4 Accountability chain

The generic accountability chain will function as follows:

Delegation of authority for the Programme:

Director-General of DEAT (Accounting Officer)



Deputy Director General: MCM



National Programme Manager: MCM



Implementation Manager



Official responsible for the implementation of the individual projects (Project Manager)

5.2 Resources required for Programme implementation

5.2.1 Funding plan/flow of funds 2005-2009

From South Africa:

This BP commits South Africa through DEAT to making available the necessary resources to ensure its effective implementation over the period 2005 - 2009 by financing the following in kind:

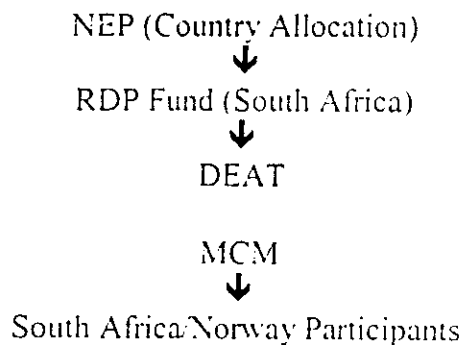
- National Programme Manager
- Director: International liaison and coordination
- Administrative Staff
- Support personnel
- Some activities of the Project Manager
- Individual activities of MCM project leaders
- Office accommodation and operational support for the above.

From Norway:

This BP commits Norway to contribute a total amount up to NOK 40 million as stipulated in paragraph 8 of Chapter 1, Preamble.

Flow of Funds

NEP will channel funds from the Country Allocation to MCM via the Reconstruction and Development Programme Fund (RDP Fund) in the Reserve Bank of South Africa. All disbursements from the Country Allocation will be done twice a year upon a written request from MCM and on the basis of work plans and budgets approved by the Annual Meeting.



Disbursements are recommended by each Project Manager to the Implementation Manager for her/his support. Thereafter they are approved by the National Programme Manager.

Funds for programme activities will be disbursed as follows:

1. Norwegian organisations/institutions: from DEAT: MCM to the CDCF to organisations/institution's bank accounts.
2. Funds for South African organisations/institutions: from DEAT: MCM to beneficiaries/implementing agent's bank accounts.

5.2.2 Provision for recurrent expenditure

The sustainability of all activities under the Business Plan shall be ensured by the DG: DEAT by making adequate provision for recurrent expenditure in his/her national budget. Every project/activity shall address this aspect in detail. The Director: International Liaison and Coordination (Pretoria) is responsible for monitoring this. Budgets of relevant institutions must reflect this approach.

5.2.3 Programme budget

A budget for the Programme indicating the tentative allocations for each focus area will be decided upon between the Parties before the start of the financial year 2005-2006.

Any funds not fully utilised for one project may, during the Annual Meeting, or otherwise upon written agreement between the Parties, be utilised for the benefit of other projects within the aim of the Programme.

5.2.4 Consultants and advisers

If consultants and/or advisers are needed the following should apply:
South African consultants and advisers, contracted by South Africa, appointed to support Norwegian funded activities, must be appointed by the appropriate South African Treasury and DEAT procurement procedures. IMR/CDCF will propose appropriate Norwegian institutions/contractors to support this Programme. Institutions/contractors contracted by IMR/CDCF shall be contracted in accordance with Norwegian procurement procedures.

The use of long term consultants/advisers (more than six months) should be agreed to in the Annual Meeting or in writing between DEAT and NEP.

Bona fide South African institutions may apply for funding and in such cases may be recommended and designated as implementing agents by the Steering Committee and according to South African government rules and regulations.

5.3 Procurement Procedures

Except where procurement takes place in terms of the conditions of paragraph 4.1, the under - mentioned procurement procedures must be utilised by DEAT for the procurement of goods and services by South African service providers:

Procurement of goods and services to the value of or less than R750 000 must be determined by DEAT on the evaluation of three written quotations.

Procurement of goods and services exceeding R750 000 must be determined by DEAT as follows:

- in accordance with the relevant Supply Chain Management Regulations issued in terms of the Public Finance Management Act No. 1 of 1999; and
- the Preferential Procurement Policy Framework Act No 5 OF 2000; and
- approval by the Departmental Bid Committee of DEAT

South Africa shall observe the highest ethics during the procurement and execution of the contracts. All procurements shall be performed in accordance with generally accepted principles and good procurement practices. Invitations to tender or to make offer as well as procurement contracts shall, respectively, include a clause stating that the tender/offer will be rejected and the contract cancelled, in case any illegal or corrupt practices have been connected with the award or the execution of the contract.

No offer, gift, payments or benefit of any kind, which would or could be construed as an illegal or corrupt practice, shall be accepted, either directly or

indirectly, as an inducement or reward for the award or execution of procurement contracts. Any such practice will be grounds for cancellation of this Agreement and/or the procurement contract concerned.

Copies of contracts entered into by MCM will be made available to NEP on request.

5.4 Programme Monitoring, Evaluation and Reporting

5.4.1 Key performance indicators:

- 5.4.1.1 Improved employment in the fisheries sector.
- 5.4.1.2 Increased inclusion of socio-economic objectives in project outputs.
- 5.4.1.3 Improved compliance with utilization regulation, e.g. in small-scale and subsistence fisheries.
- 5.4.1.4 Improved MCM management capacity in policy development, rights allocation, research and MCS (Monitoring, Compliance and Surveillance).
- 5.4.1.5 Enhanced capacity in the disciplines of marine science, fisheries economics and fisheries management, through training focused on designated groups.
- 5.4.1.6 Policies developed and legislation implemented for the enhancement of aquaculture in South Africa.
- 5.4.1.7 Increased partnerships and networking in improved management at local, national and international levels.

Indicators for the projects will be developed for project proposals.

5.4.2 Procedures for monitoring and evaluation

Projects will be reported on and monitored on a quarterly and annual basis. The Annual Meeting will review project progress results and annual plans. There will be a mid-term review in order to ensure that the Programme is progressing according to plans. The Grant will finance the mid-term review.

5.4.3 Reports and Audits

It is agreed that MCM, via DEAT, will submit an annual progress report for the Programme to NEP four weeks before the Annual Meeting. This will include progress reports on each project within the Programme. The reporting will also include information on the outputs and progress towards achieving the objectives, as well as a statement of accounts.

Audit report for the Programme for the South African financial year will be provided to NEP according to Article 7(2) of the Agreement not later than 30 September of each year.

In accordance with Article 7 of the Agreement, the South African Auditor-General or his delegated subcontractor will perform the audit on Norwegian funds utilised in South Africa on the Programme and the individual projects. The Norwegian Auditor-General will audit the involved official Norwegian institutions.

A final report of the Programme is to be submitted to NEP within one year of the completion of the Programme. The final report shall give a summary of outputs, achievements compared to Goal, Purpose and Objectives and an assessment of the efficiency and relevance of the Programme.

5.4.4 Annual work plans and budgets shall be prepared for the South African financial year (1 April to 31 March). Annual work plans with budget will be formulated and recommendations made during the Steering Committee meeting. The proposed annual work plans and budget will be submitted to the Annual Meeting for approval.

5.4.5 Annual Meetings

Representatives of Norway and South Africa shall, in accordance with Article 2 (5) of the Agreement, meet annually in October or November ("the Annual Meeting") in order to, *inter alia*:

- review the progress and results of the Programme and the projects, i.e. reviewing the progress reports, including the statement of accounts,
- approve the progress reports and financial statement,
- discuss possible revisions of annual work plans and budgets for the Programme and the projects. Discuss proposals for extension of ongoing projects, closure of ongoing projects or new projects to be included in the Programme,
- approve new projects,
- approve annual work plans and budgets for both the Programme and the projects for the next year,
- discuss issues of special concern for the implementation of the Programme and the projects,
- discuss any changes in the contracts, including the terms of reference, with consultants etc, engaged under the Programme,
- make recommendations and decisions for the future implementation of the Programme,
- approve the members of the Steering Committee,
- agree on responsibility of communication of results.

The Meeting shall be called by DEAT and chaired by the Director General, DEAT, or his representative. The National Project Manager, Implementation Manager and Project Managers shall also be present. Representatives from

South African and Norwegian cooperating partners may also be present as observers if agreed upon by DEAT and can be funded from the Programme.

Central elements of the discussions and agreement reached at the Annual Meeting, including commitments on work plans, shall be recorded in Agreed Minutes of the Annual Meeting. The Agreed Minutes shall be drafted by DEAT and submitted to NEP for comments not later than fourteen days after the Meeting. The Agreed Minutes shall be signed by both Parties.

If deemed necessary by the two Parties, new projects proposed by DEAT and proposed changes in contracts, including terms of reference with consultants etc., may be agreed upon in writing during the year between Annual Meetings.

5.5 External Programme Communication and Coordination

External communication via any media to the local and international public should be communicated to NEP and it should be ensured that the Norwegian funding is mentioned, if relevant.

6. PROGRAMME RISKS (ASSESSMENT OF ASSUMPTIONS)

Both countries serve notice that they treat this Business Plan seriously in terms of the purpose and scope of this Business Plan outlined earlier. However, there are naturally certain risks and assumptions that arise in any far-reaching agreement of this nature. Among them (the list is not in priority or even complete) are:

- that the marine fisheries component in South Africa resorts under another department (following which a similar agreement would have to be developed);
- that the facility for marine research and/or management in South Africa is curtailed;
- that the cordial relations between the two countries worsen;
- that interest in the Programme wanes on either side;
- that the resources being managed suffer drastic declines for reasons unrelated to the success of fisheries management;
- that the level of national funding ensuring South Africa's participation in the Programme is cut substantially.

None of these risks (or any others not stated above) are considered insurmountable or even threatening to the likely success of the Programme, and action to preclude such a negative influence can be taken at any of the regular meetings between both Parties.

7. ENSURING DEVELOPMENTAL FEATURES AND SUSTAINABILITY

The Branch: MCM in South Africa is facing expanded challenges in terms of efficient management, transformation, new legal responsibilities, research

harmonisation, etc, The LFA Workshop resulted in a revised goal, purpose and objectives for this Programme (see point 3) and the sustainable operation of the Branch, in accordance with the workshop outputs, will be evaluated annually and corrective actions will be planned.

HIV/AIDS

HIV/AIDS is recognised as being a problem that is generic to all people involved in regional and bilateral programmes. To the extent appropriate and possible, it will be attempted to introduce elements of HIV/AIDS awareness and prevention in projects, e.g. especially when communities are being dealt with such as in the subsistence sector.

The Programme will liaise with MCM's HIV/AIDS Coordinator in order to harmonise programme activities in DEAT.

8. VALUE-ADDED TAX (VAT)

DEAT will approach SARS (South African Revenue Service) to certify this Programme as a zero-rated VAT Programme.

9. RESERVATIONS

Norway reserves the right to withhold disbursements at any time in case i.a.:

- the Programme or any of the projects under the Programme develops unfavourably in relation to the Goal, Purpose and Objectives and Outputs;
- substantial deviations from agreed plans and budgets occur;
- resources to be allocated by South Africa are not provided as agreed;
- the documentation specified in Clause 5.4.3, above, is not delivered as agreed;
- the financial management of the Programme or any of the projects is not satisfactory.

Norway reserves the right to claim repayment in full or in part of funds from the Grant if the funds or part of the funds are found not to be used in accordance with the terms and conditions of this Business Plan or not satisfactorily accounted for.

Before withholding any disbursements or claiming repayment the Parties shall consult with a view to reaching a solution in the matter.

Norway will cancel this Business Plan or portion of this Business Plan and have the right to demand the cancellation of any contract or project business plan financed under this Business Plan, with immediate effect if it determines, with respect to any contract to be financed under this Business Plan, that corrupt or fraudulent practices were engaged in by representatives of South

Africa or of a beneficiary of the aid funds during procurement or during the execution of the contract without South Africa having taken timely and appropriate action satisfactory to Norway to remedy the situation.

Norway and South Africa agree to cooperate on preventing corruption within the Programme. Norway and South Africa undertake to take rapid legal measures in their respective countries to stop, investigate and prosecute in accordance with national law any person suspected of corruption or other intentional misuse of resources.

10. **ENTRY INTO FORCE AND TERMINATION**

This Business Plan shall enter into force on the date of its signature and shall remain in force until both Parties have fulfilled all obligations arising from it. Whether these obligations shall be regarded as fulfilled shall be determined in consultations between the Parties.

Notwithstanding the previous clause, both Parties may terminate the present Business Plan by giving three months written notice to the other Party.