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Enquiries: Call Centre

Strategic People Management Minute: 0006/2017

To: Deputy Directors-General, Chief Directors, Directors, Deputy Directors, Circuit Managers, Heads: Management and Governance, Heads: District Curriculum Support, Heads: District Learner Support, Supply Chain Management Staff, Finance Staff, Principals, Chief Education Specialists, Deputy Chief Education Specialists, Public Service Staff

Subject: Designated employees to disclose their financial interests

1. The Minister for the Public Service and Administration (MPSA) issued the amended *Public Service Regulations (PSR)*, 2016, published in Government Gazette No. 40167 of 29 July 2016, which became effective from 01 August 2016, to replace the Public Service Regulations, 2001. The 2016 PSR empowers the MPSA to designate other categories of employees to disclose their financial interests. Furthermore, the MPSA has the power to determine the form, date and financial interests to be disclosed.
2. Before March 2017, only members of the Senior Management Service (SMS) were designated to disclose their financial interests. On 16 March 2017, the MPSA designated other categories of employees as identified below, to disclose their financial interests (MPSA Determination attached):
 - (a) An employee earning the equivalent of salary level 13 and above through an Occupation Specific Dispensation (OSD).
 - (b) An employee appointed at salary level 11 and 12 including employees earning the equivalent of salary levels 11 and 12 through an OSD.
 - (c) An employee employed in a supply chain management unit irrespective of their salary level.
 - (d) An employee employed in a finance unit irrespective of their salary level.
 - (e) Ethics officers and any other officials with delegated authority on the eDisclosure system.

Paragraph 4.1 (Scope of application) of the MPSA Determination states that this provision applies to all departments and its employees employed in terms of the Public Service Act, 1994 (Act 103 of 1994), inclusive of educators.

3. Designated employees must disclose their interests to:
 - ensure transparency;
 - ensure accountability;
 - manage conflicts of interest between their official duties and their private financial interests; and
 - promote ethics and integrity and combat corruption in the public service.

4. The Western Cape Education Department will implement compliance, in accordance with the MPSA Determination, between 01 September 2017 and 31 October 2017. The dates reflected in paragraph 7 of the attached MPSA Determination will be effective from 2018.

| Categories of designated employees | Deadlines for disclosure |
|---|--------------------------------------|
| Employees appointed at salary level 12 including employees earning the equivalent of salary level 12 through an OSD (inclusive of principals on equivalent salary levels) | 01 September 2017 to 31 October 2017 |
| Employees who are authorised by the Provincial Minister, Executive Authority, Head of Department for record-keeping and the effective implementation of Part 2 of the PSR, 2016 | 01 September 2017 to 31 October 2017 |
| Employees appointed at salary level 11 including employees earning the equivalent of salary level 11 through an OSD (inclusive of principals on equivalent salary levels) | 01 September 2017 to 31 October 2017 |
| Employees in supply chain management and finance units, irrespective of their salary level | 01 September 2017 to 31 October 2017 |

5. Information sessions on the eDisclosure system will be provided where requested.

6. A newly appointed designated employee who is not yet registered on the eDisclosure system must complete the registration form attached as Annexure A. The completed form must be submitted to the ethics officer who will facilitate the employee's registration on the eDisclosure system.

7. Periods for disclosure are as follows:

- (a) Existing designated employees: the previous financial year (01 April of the previous year to 31 March of the current year).
 - (b) Newly appointed designated employees: the financial year before the date of appointment (e.g. if appointed on 01 July 2017, the employee must disclose for the financial year 2016/17, i.e. 01 April 2016 to 31 March 2017).
 - (c) Newly appointed employees have up to 30 days after assumption of duty to disclose their financial interests.
8. Designated employees (except for the Head of Department (HoD)) disclose their financial interests to the HoD.
 9. In terms of paragraph 11 (Non-compliance and Reporting) of the MPSA Determination, compliance to complete the financial disclosure is compulsory.
 10. For ease of reference, a quick guide is attached on how to register and disclose financial interests on the eDisclosure system as listed below:
 - Shares or any other form of equity in a registered private or public company or any other corporate entity recognised by law
 - Loan accounts (excluding bond, vehicle finance, and retail accounts)
 - Income generating assets
 - Trusts
 - Directorships and partnerships
 - Consultancy and retainerships
 - Sponsorships
 - Gifts and hospitality from a source other than a family member
 - Ownership and other interests in movable property
 - Vehicles
 - Any other financial interests
 - Other remunerative work outside the employee's department (RWOPS)
 11. The Western Cape Government's Policy on Remunerative Work Outside the Public Service (RWOPS), implemented from 01 September 2012, regulates the performance of remunerative work by employees outside the public service and is attached to this circular.

Paragraph 13(c) of Part 1, Chapter 2 of the PSR, 2016, which came into effect on 01 August 2016 states that an employee shall:

"not conduct business with any organ of state or be a director of a public or private company conducting business with an organ of state, unless such employee is in an official capacity a director of a company listed in schedule 2 and 3 of the Public Finance Management Act". This provision is *mutatis mutandis* applicable on employees appointed in terms of the Employment of Educators Act, 1998 (Act 76 of 1998).

12. The following ethics officers may be contacted for queries or questions of clarity:

| Name | Email address | Tel. no. |
|--------------------|--|-----------------|
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SIGNED: BK SCHREUDER

HEAD: EDUCATION

DATE: 2017-09-09