Isalathiso: 20170629-2476
3/3/3/9
Imibuzo: IZiko leeFoni

INgcaciso eMfutshane yeCandelo loLawulo lwaBasebenzi ngoBuchule: 0006/2017

Iya: KumaSekela Balawuli-Jikelele, kuBalawuli abaziiNtloko, kuBalawuli, kumaSekela Balawuli, kuBaphathi beeSekethe, kwiiNtloko zezoLawulo noKuphatha, kwiiNtloko eziNika iNkxaso yeKharityhulam kwiZithili; kwiiNtloko eziNika iNkxaso kuBafundi kwiZithili; kuBasebenzi boLawulo loQhagamshelwano lwaBathengi naBathengisi, kuBasebenzi bezeMali, kwiiNqununu, kwiiNgcali zeMfundo eziziiNtloko, kumaSekela eeNgcali zeMfundo eziziiNtloko, kuBasebenzi beNkonzo kaRhulumente

Isihloko: Abaqeshwa abatyunjiweyo mabakuxele ukuchaphazeleka kwabo kwimicimbi yezemali

1. UMphathiswa weSebe leNkonzo kaRhulumente noLawulo (*MPSA*) wapapasha imimiselo efakelwe izilungiso i-*Public Service Regulations* (*PSR*), 2016, kwiGazethi kaRhulumente No. 40167 yange-29 Julayi 2016, eyaqala ukusebenza ukususela nge-01 Agasti 2016, ethatha indawo yemimiselo eyi-*Public Service Regulations*, 2001. Imimiselo ye-*2016 PSR* inika igunya i-*MPSA* lokutyumba ezinye iindidi zabaqeshwa emazixele ukuchaphazeleka kwazo kwimicimbi yezemali. Ngaphezu koko, i-*MPSA* inamagunya okumisela udidi, umhla nokuchaphazeleka kwimicimbi yezemali omakuxelwe ngumqeshwa.

2. Phambi kukaMatshi 2017, kuphela ngamalungu eNkonzo yaBaphathi aBaphezulu (*Senior Management Service*) (*SMS*) awayetyunjelwe ukuba akuxele ukuchaphazeleka kwabo kwimicimbi yezemali. Nge-16 Matshi 2017, i-*MPSA* yatyumba ezinye iindidi zabaqeshwa njengoko bechaziweyo apha ngezantsi, ekufuneka bekuxele ukuchaphazeleka kwazo kwimicimbi yezemali (ngokoxwebhu i-*MPSA Determination* eqhotyoshelweyo apha):
   (a) Umqeshwa owamkela umvuzo olingana nomvuzo wenqanaba 13 – nangaphezulu nge-*Occupation Specific Dispensation* (*OSD*).
   (b) Umqeshwa oqeshwe kwinqanaba lomvuzo 11 no-12 kuqukwa nabaqeshwa abamkela umvuzo olingana nowenqanaba 11 no-12 nge-*OSD*.
   (c) Umqeshwa oqeshwe kwiyunithi yolawulo loqhagamshelwano lwabathengi nabathengisi kungajongwanga nqanaba lomvuzo wakhe.
   (d) Umqeshwa oqeshwe kwiyunithi yezemali kungaselweso nqanaba lomvuzo wakhe.

(e) Amagosa ajongene nokuthotyelwa kwemigaqo yokuziphatha ngentsulungeko (*ethics officers)* nawaphi na amanye amagosa ekudluliselwe kuwo amagunya kwisistim yasekhompyutheni eyi-*eDisclosure system*.

Umhlathi 4.1 (apho uya kusebenza khona lo mgaqo-nkqubo) we-*MPSA Determination* uchaza ukuba lo mqathango usebenza kuwo onke amasebe nakubaqeshwa bawo abaqeshwe ngokoMthetho weNkonzo kaRhulumente, ka-1994 (uMthetho 103 ka-1994), kuqukwa nootitshala.

3. Abaqeshwa abatyunjiweyo mabakuxele ukuchaphazeleka kwabo kwimicimbi yezemali ukwenzela:

- ukuqinisekisa ukwenziwa kwezinto ekuhleni;
- ukuqinisekisa uxanduva lokuphendula ngokwenzayo;
- ukusombulula ukungqubana kweemfuno phakathi kwemisebenzi yabo yaseburhulumenteni nemicimbi yabo yabucala yezemali; kunye
- nokukhuthaza ukuziphatha ngentsulungeko nangentembeko (*ethics and integrity*) kwanokuqubisana nobuqhopholo kwinkonzo karhulumente.

4. ISebe leMfundo leNtshona Koloni liya kuqalisa ngenkqubo yokuqinisekisa ukuthotyelwa komgaqo-nkqubo, ngokungqinelana nemimiselo ye-*MPSA Determination*, phakathi kwe-01 Septemba 2017 ne-31 Oktobha 2017. Imihla ebhalwe kumhlathi 7 wemimiselo i-*MPSA Determination* eqhotyoshelwe apha iya kuqalisa ukusebenza ukususela ngo-2018.

Iindidi zabaqeshwa abatyunjiweyo	**Imihla emisiweyo yokuxela kuchaphazeleka**
Abaqeshwa abaqeshwe kwinqanaba lomvuzo 12 kuqukwa nabaqeshwa abamkela umvuzo olingana nowenqanaba 12 nge-*OSD* (kuqukwa neenqununu ezikumanqanaba emivuzo elinganayo).	Nge-01 Septemba 2017 ukuya kwi-31 Oktobha 2017
Abaqeshwa abagunyaziswe nguMphathiswa wePhondo, nguGunyaziwe weSigqeba, yiNtloko yeSebe ukwenzela ukugcinwa kweerekhodi nokuqaliswa ngempumelelo kweCandelo 2 le-*PSR*, lika-2016	Nge-01 Septemba 2017 ukuya kwi-31 Oktobha 2017
Abaqeshwa abaqeshwe kwinqanaba lomvuzo 11 kuqukwa nabaqeshwa abamkela umvuzo olingana nowenqanaba 11 nge-*OSD* (kuqukwa neenqununu ezikumanqanaba emivuzo elinganayo)	Nge-01 Septemba 2017 ukuya kwi-31 Oktobha 2017

Abaqeshwa abakwicandelo lolawulo loqhagamshelwano lwabathengi nabathengisi kwaneeyunithi zemicimbi yezemali, kungajongwanga nqanaba lamvuzo wabo	Nge-01 Septemba 2017 ukuya kwi-31 Oktobha 2017

5. Kuya kunikwa iiseshoni ezingokusebenza kwesistim yasekhompyutheni eyi-*eDisclosure system* apho kuye kwacelwa njalo.

6. Umqeshwa osandula kuqeshwa otyunjiweyo ongekabhaliswa kwisistim yasekhompyutheni i-*eDisclosure system* makazalise ifom yobhaliso eqhotyoshelweyo apha njengesiHlomelo A. Ifom ezalisiweyo mayingeniswe kwigosa elijongene nokuthotyelwa kwemigaqo yokuziphatha ngentsulungeko *(ethics officer)* eliya kuququzelela ukubhaliswa komqeshwa kwisistim yasekhompyutheni i-*eDisclosure system*.

7. Amathuba okuxela ukuchaphazeleka ngala alandelayo:
   (a) Abaqeshwa abatyunjiweyo abakhoyo: kunyaka-mali odlulileyo (01 Apreli yonyaka ongaphambili ukuya kwi-31 Matshi yonyaka omiyo).
   (b) Abaqeshwa abasandula kuqeshwa abatyunjiweyo: Unyaka-mali ophambi komhla wokuqeshwa (umz. ukuba baqeshwe nge-01 Julayi 2017, abasebenzi mabakuxele ukuchaphazeleka kwabo kwimicimbi yezemali kunyaka-mali 2016/17, o.k.t. nge-01 Apreli 2016 ukuya kwi-31 Matshi 2017).
   (c) Abaqeshwa abasandula kuqeshwa baneentsuku eziyi-30 emva kokuqalisa umsebenzi ukuxela ukuchaphazeleka kwabo kwimicimbi yezemali.

8. Abaqeshwa abatyunjiweyo (ngaphandle kweNtloko yeSebe (*HoD*)) mabakuxele ukuchaphazeleka kwabo kwimicimbi yezemali kwi-*HoD* yabo.

9. Ngokomhlathi 11 (Ukungathobeli mgaqo-nkqubo nokunika ingxelo) wemimiselo i-*MPSA Determination*, kunyanzelekile ukuthobela ukuzalisa iinkcukacha zokuxela ukuchaphazeleka kwakhe kwimicimbi yezemali.

10. Ukukulungiselela ukuba ukwazi ukuzifundela, kuqhotyoshelwe apha isikhokelo esifundeka lula esikuchazela ngendlela yokubhalisa nokuxela ukuchaphazeleka kwakho kwimicimbi yezemali kwisistim yasekhompyutheni i-*eDisclosure system* njengoko kucacisiweyo kule listi ingezantsi:

    - Izabelo okanye naluphi olunye udidi lwezabelo zamashishini (*equity*) kwinkampani yabucala okanye ekarhulumente okanye nakweliphi elinye iqumrhu elamkelekileyo emthethweni
    - Ii-akhawunti zemali-mboleko (kungafakwanga iibhondi, iimali-mboleko zokuthenga imoto, nee-akhawunti zokuthenga iimpahla zeevenkile
    - Ii-asethi ezingenisa imali

- Iithrasti
- Ukuba ngumlawuli nehlakani kwinkampani ethile
- Ukuba ngumcebisi wenkampani
- Abaxhasi
- Izipho nenkonzo yokubukwa kweendwendwe esuka komnye umntu ongelilo ilungu losapho
- Ubumnini nokunye ukuchaphazeleka kwipropathi enokushenxiseka
- Izithuthi
- Kunye nakuphi ukuchaphazeleka kwimicimbi yezemali
- Omnye umsebenzi ohlawulelwayo ngaphandle kwesebe lomqeshwa (*RWOPS*)

11. Umgaqo-nkqubo i-*Western Cape Government's Policy on Remunerative Work Outside Public Service* (*RWOPS*) olawula ukwenziwa komsebenzi ohlawulelwayo ngabaqeshwa ngaphandle kwenkonzo karhulumente, uphunyezwe ukususela nge-01 Septemba 2012, ulawula umsebenzi ohlawulelwayo ngaphandle kwenkonzo karhulumente yaye uqhotyoshelwe kule setyhula.

    Umhlathi 13(c) weCandelo 1, kwiSahluko 2 seMimiselo yeNkonzo kaRhulumente, ka-2016 (*Public Service Regulations (PSR)*, 2016), oqale ukusebenza ukususela nge-01 Agasti 2016 ucacisa ukuba umqeshwa:
    "*akasayi kushishina nequmrhu likarhulumente nokuba leliphi okanye abe ngumlawuli wenkampani karhulumente okanye eyabucala eqhuba ushishino nequmrhu likarhulumente, ngaphandle kokuba umqeshwa onjalo ungumlawuli osesikhundleni wenkampani ekuluhlu lweshedyuli 2 no-3 zoMthetho woLawulo lweMali kaRhulumente*".
    "*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*". Lo mqathando usebenza ngokuthi uguqulwe apho kuyimfuneko (*mutatis mutandis*) kubaqeshwa abaqeshwe ngokoMthetho weNgqesho wooTitshala, ka-1998 (uMthetho 76 ka-1998).

12. Makuqhagamshelwane nala magosa alandelayo azii-*ethics officers* ukufumana ingcaciso okanye iimpendulo ngemibuzo esenokubakho:

Igama	Idilesi ye-imeyili	Ifoni
May Davids	may.davids@westerncape.gov.za	021 467 2365
Mark van der Vendt	mark.vandervendt@westerncape.gov.za	021 467 2509
Grant Abrahams	grant.abrahams@westerncape.gov.za	021 467 2574

ISAYINWE: NGU-BK SCHREUDER
INTLOKO YESEBE LEMFUNDO
UMHLA: 2017-09-09