



Verwysing: 20200117-3177
Lêernommer: 3/3/2/4/12
Navrae: Inbelsentrum

Strategiese Mensbestuursminuut: 0001/2020

Aan: Adjunk-direkteurs-generaal, Hoofdirekteure, Direkteure, Adjunkdirekteure, Kringbestuurders, Hoofde: Bestuur en Beheer, Hoofde: Distrikskurrikulumondersteuning, Hoofde: Distriksleerderondersteuning, Prinsipale en alle Staatsdienspersoneel

Onderwerp: Die belangrikheid van opvoeders en staatsamptenare wat om toestemming aansoek doen om besoldigde werk buite die staatsdiens (BWBS) te verrig en besigheid met 'n staatsinstelling te doen

1. Artikel 33 van die Wet op die Indiensneming van Opvoeders, 1998 (Wet 76 van 1998), artikel 30(1) van die Staatsdienswet, 1994 (Wet 103 van 1994), en artikel 13(c) van die Staatsdiensregulasies (SDR's), 2016 soos uitgereik in *Staatskoerant* Nr. 40167 van 29 Julie 2016, lig alle werknemers in aangaande hul verpligting om by die Hoof van die Departement (HvD) om toestemming aansoek te doen, indien hulle besoldigde werk buite die staatsdiens wil verrig.
2. Werknemers wat nog nie om goedkeuring aansoek gedoen het om besoldigde werk buite die staatsdiens te verrig nie, asook diegene wat van voorneme is om besoldigde werk buite die staatsdiens te verrig, moet onmiddellik hul aansoeke indien om sodanige werk te verrig. Goedkeuring word per boekjaar (01 April tot 31 Maart van die volgende jaar) toegestaan en dus moet werknemers jaarliks vooruit aansoek doen.
3. Om toestemming te verkry, moet die aangehegte (hersiene) aansoekvorm voltooi en by die volgende adres ingedien word:

Hoof: Onderwys
Vir aandag: Direkteur: Strategiese Mensbestuur
Wes-Kaap Onderwysdepartement
Privaatsak X9114
Kaapstad
8000

OF

Stuur 'n e-pos aan: RWOPS.Applications@westerncape.gov.za

4. Paragraaf 13(c) van Deel 1, Hoofstuk 2 van die *Staatsdiensregulasies*, 2016, wat op 01 Augustus 2016 in werking getree het, verklaar dat 'n werknemer:
"nie sake met enige staatsinstelling sal doen of 'n direkteur van 'n openbare of privaat maatskappy sal wees wat sake met 'n staatsinstelling doen nie, tensy sodanige werknemer in 'n amptelike hoedanigheid 'n direkteur is van 'n maatskappy wat in skedule 2 en 3 van die Wet op Openbare Finansiële Bestuur gelys is". Hierdie bepaling is *mutatis mutandis* van toepassing op werknemers wat ingevolge die Wet op die Indiensneming van Opvoeders, 1998 (Wet 76 van 1998), aangestel is.
5. Die gevolge vir werknemers wat direkteure van 'n openbare of privaat maatskappy is, en wat met 'n staatsorgaan sake doen, is in Strategiese Mensbestuursminuut 0001/2018, gedateer 30 Januarie 2018, uiteengesit.
6. Werknemers wat direkteure van 'n publieke of privaat maatskappy is en wat steeds met 'n staatsorgaan sake doen, sal versoek word om dadelik uit die maatskappy te bedank of hul dienste binne die departement te beëindig.
7. Werknemers wie se persoonlike besonderhede aan 'n privaat maatskappy op die Register van Maatskappye en Intellektuele Eiendomskommissies geheg is en wat nie meer betrokke is by besoldigde werk buite die staatsdiens nie, word vriendelik versoek om te verseker dat hulle behoorlik gederegistreer word.
8. Werknemers wat verplig is om hul finansiële belange te verklaar en aansoek gedoen het om toestemming om besoldigde werk buite die staatsdiens te verrig, moet toesien dat hulle 'n rekord hou van die brief wat hulle toestemming verleen om besoldigde werk buite die staatsdiens te verrig ten einde die brief op die *eDisclosure System* te laai.
9. Werknemers vir wie bykomende besoldiging deur die Wes-Kaap Onderwysdepartement (WKOD) voorsien word wat verband hou met onder meer matriekeksamennasieners, opleiers/fasiliteerders en onderwysers wat toesighoudende pligte by koshuise uitvoer, hoef nie aan die direktief in paragraaf 5 te voldoen nie, aangesien bykomende betalings ingevolge bestaande wetgewende bepalings gewaarborg word.
10. Versuiming om aan die bepaalde voorwaardes in hierdie minuut te voldoen, mag dissiplinêre optrede tot gevolg hê.
11. Bring asseblief die inhoud van hierdie minuut onder die aandag van alle personeel onder u toesig.

GETEKEN: LJ ELY

ADJUNK-DIREKTEUR-GENERAAL: KORPORATIEWE DIENSTE

DATUM: 2020-01-29

SECTION B: WORKING HOURS (TO BE COMPLETED BY THE APPLICANT)

1. Current working hours of the applicant (per week)

--	--

2. Call/standby duties hours (per week)

--	--

3. Current overtime hours worked (per month)

--	--

SECTION C: APPLICATION FOR OTHER REMUNERATIVE WORK (TO BE COMPLETED BY THE APPLICANT)

1. Please select the category of other remunerative work applying for (tick only one option)

Category of Work (please tick appropriate box)		
Architecture Planning and Surveying		
Building Construction		
Consultancy Work		
Design (Textiles; Graphics)		
Engineering and Mechanical Repairs		
Farming and Breeding		
Fashion Design/Sewing		
Financial Markets		
Fitness Industry (including Gym, Yoga, Pilates, and Karate instructor)		
Health Professionals		
Sub Categories of Health Professionals:	Medical Doctors	
	Nursing and Midwifery Professionals	
	Traditional and Complementary Professionals	
	Paramedical Practitioners	
	Sport Scientists (Physiotherapist, etc.)	
	Veterinarians	
	Other Health Professionals (Psychologists, etc.)	
Hospitality Industry (Including Catering, Baking)		
Import and Export Business		
Information and Communication (including Call Centre/Contact Centers)		
Logistics and Transport (including Shuttle Services, Travel Agency)		

Manufacturing Mining Construction	
Retail and Wholesale Trade	
Sales and Marketing (including Advertising, Public Relations and Promotion, as well as direct marketing of Cosmetics, Jewellery, Health Products))	
Security Industry	
Sports Recreation and Cultural (including Dancer, Musician, Singer)	
Training Research and Development (including Lecturing and Tutor)	
Tavern Owner and Restaurants	
Pastoral Services (Religious Leader, Reverend, Priest, etc.)	
Funeral Parlor	

2. Describe in detail the nature of the work that will be performed

3. Dates for performing the remunerative work

3.1. Planned start date of other remunerative work (Note that permission is only granted for a maximum period of 12 calendar months)

y	y	y	y	m	m	d	d
---	---	---	---	---	---	---	---

3.2. Planned end date of the remunerative work

y	y	y	y	m	m	d	d
---	---	---	---	---	---	---	---

SECTION D: DECLARATION (TO BE COMPLETED BY THE APPLICANT)

I, _____ (full name), hereby confirm that the information supplied in this application form is correct and undertake to assist my department in meeting its service delivery demands, including overtime commitments (if applicable), which includes being on call/standby (when applicable) as scheduled. I acknowledge that my first commitment is to meet the operational objectives of my department.

I confirm that my performance of other remunerative work will in no way interfere with my commitments to my department.

I confirm that my performance of other remunerative work will not take place during the hours I am required for duties as agreed in my employment contract.

I confirm that I will not use any state resources for the purpose of performing other remunerative work.

I accept that I shall not conduct business with any organ of the state, either in person or as part of an entity (including non-profit organisations).

I accept that permission to perform other remunerative work is only granted for the time agreed upon (and reflected on the certificate of approval), and that it only applies to the services/types of remunerative work as indicated in this application form.

I accept that, should I wish to continue with such remunerative work, I must submit a new application at least 30 days before expiry.

I accept that non-compliance with any of the conditions, monitoring or control measures pertaining to other remunerative work may lead to disciplinary action and that the sanction imposed includes forfeiture of remuneration and/or benefits gained.

I accept that the normal policies and measures governing discipline also apply in terms of non-compliance with the other remunerative work policy and measures.

I agree to abide by any control measures applicable to the other remunerative work system, including that it may be required of me to sign in and out each time I enter or exit the institution where I perform my basic or overtime duties. I agree to attach the certificate of approval when disclosing my financial interests, if applicable.

I acknowledge that the Executive Authority or delegated authority can, at any time, terminate my authorisation to perform other remunerative work, based on a change in operational requirements and/or poor performance on my part.

Signature of Applicant: _____

Designation: _____

Date:

y	y	y	y	m	m	d	d
---	---	---	---	---	---	---	---

After completing the form and signing the above (sections A-D), please present it to the Ethics Officer for further administrative processing and submission to the Executive Authority/Delegated Official.

SECTION E: RECOMMENDATIONS (TO BE COMPLETED BY THE IMMEDIATE SUPERVISOR)

1. Recommendation by Supervisor

1.1. Application is Supported/Not supported

1.2. Motivation for recommendation/reasons for not supporting

Signature of Supervisor: _____

Designation: _____

Date:

y	y	y	y	m	m	d	d
---	---	---	---	---	---	---	---

SECTION F: RECOMMENDATIONS (TO BE COMPLETED BY THE ETHICS OFFICER)

1. Application is supported/not supported

2. Motivation for recommendation

If not supported please state reason(s):

Reason(s)	Tick
Conflict of interest	
Organisational requirements (work load)	
Impacting negatively on the employee's performance	
Contravening provisions in the Code of Conduct	
Involving the use of State resources to perform other remunerative work (including telephone, fax, email, etc.)	
Prevents the employee from placing their time at the disposal of the State	

Signature of Ethics Officer: _____

Designation: _____

Date:

y	y	y	y	m	m	d	d
---	---	---	---	---	---	---	---

SECTION G: APPROVAL (TO BE COMPLETED BY THE EXECUTIVE AUTHORITY OR DELEGATED AUTHORITY)

1. Application is Approved/Not approved
2. Comments

Signature of Executive Authority/Delegated Official: _____

Date:

y	y	y	y	m	m	d	d
---	---	---	---	---	---	---	---