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Enquiries: Call Centre

Strategic People Management Minute: 0001/2021

To: Deputy Directors-General, Chief Directors, Directors, Deputy Directors, Circuit Managers, Heads: Management and Governance, Heads: District Curriculum Support, Heads: District Learner Support, Principals and all Public Service Staff

Subject: The importance of educators and public servants applying for permission to perform remunerative work outside the public service (RWOPS) and conducting business with an organ of state

1. Section 33 of the Employment of Educators Act, 1998 (Act 76 of 1998), section 30(1) of the Public Service Act, 1994 (Act 103 of 1994), and section 13(c) of the Public Service Regulations, 2016, published in Government Gazette No. 40167 of 29 July 2016, inform all employees of their obligation to apply for permission from the Head of Department if they wish to perform remunerative work outside the public service.
2. Employees who have not yet sought approval to perform remunerative work outside the public service, as well as those who intend to perform remunerative work outside the public service, must immediately submit their applications to perform such work. Approvals are granted per financial year (01 April to 31 March of the following year) and therefore employees must apply annually in advance.
3. To obtain permission, the attached (revised) application form must be completed and submitted to the following address:

Head: Education
For attention: Director: Strategic People Management
Western Cape Education Department
Private Bag X9114
Cape Town
8000

OR

Email to: RWOPS.Applications@westerncape.gov.za

4. Paragraph 13(c) of Part 1, Chapter 2 of the Public Service Regulations, 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 as a director of a company listed in schedule 2 and 3 of the Public Finance Management Act”. This provision is *mutatis mutandis* applicable to employees appointed in terms of the Employment of Educators Act, 1998 (Act 76 of 1998).
5. The consequence for employees who are directors of a public or private company and who are conducting business with an organ of state was explained in the Strategic People Management Minute 0001 of 2018, dated 30 January 2018.
6. Employees who are directors of a public or private company and who are still conducting business with an organ of state will be requested to resign immediately from the company or terminate their services from the department.
7. Employees whose personal particulars are attached to a private company on the Companies and Intellectual Property Commission's Register and who are no longer involved in remunerative work outside the public service are kindly requested to ensure that they are duly deregistered.
8. Employees who are compelled to declare their financial interest and who have applied for permission to conduct remunerative work outside the public service must ensure that they keep a record of the letter that grants them permission to perform remuneration work outside the public service in order to upload the letter onto the eDisclosure System.
9. Employees for whom additional remuneration is provided by the Western Cape Education Department relating to, among other things, matric exam markers, trainers/facilitators and teachers performing supervisory duties at hostels, do not need to comply with the directive in paragraph 5 as additional payments are warranted in terms of existing legislative provisions.
10. Failure to adhere to the conditions stipulated in this minute may result in disciplinary action.
11. Please bring the contents of this minute to the attention of all staff under your supervision.

SIGNED: LJ ELY

DEPUTY DIRECTOR-GENERAL: CORPORATE SERVICES

DATE: 2021-03-07