TO: ALL HEADS OF DEPARTMENT AND GOVERNMENT COMPONENTS

Dear colleagues,

SUBJECT: DIRECTIVE ON THE FORM TO BE USED BY MEMBERS OF THE SENIOR MANAGEMENT SERVICE AND HEADS OF DEPARTMENT TO DISCLOSE THEIR FINANCIAL INTERESTS

The purpose of this notice is to:

(i) bring to the attention of all Heads of Department (HODs) the Directive on the form to be used by members of the Senior Management Service (SMS members) and Heads of Department (HODs) to disclose their financial interests (Directive) (Tag A); and

(ii) outline the process to be followed in a case of non-compliance with the Directive.

The Minister for the Public Service and Administration (MPSA) issued the Public Service Regulations (PSR, 2016), effective from 01 August 2016, to replace the Public Service Regulations, 2001. Regulations 18(1) and (2), regulate the disclosure of financial interests by SMS members and HODs respectively.

Regulation 18(5) requires the HOD or Executive Authority (EA), as the case may be, to ensure that the disclosure form submitted by a designated employee is submitted electronically to the Public Service Commission (PSC) or the relevant authority unless the Minister\(^1\) determines otherwise. Regulations 18(1) and 18(2) of the PSR, 2016, empowers the Minister to prescribe a form to be used for this purpose.

\(^1\) Refers to the Minister for the Public Service and Administration (MPSA)
The purpose of the Directive is to provide absolute clarity on the use of the eDisclosure system to disclose financial interests by SMS members and HODs. The Minister directs that all SMS members and HODs shall disclose their financial interests electronically, using the eDisclosure system, unless prior written approval has been granted by the MPSA, upon a written request from the relevant EA, indicating reason/s for the request and the number of employees involved.

Kindly note that:
1. The Directive is applicable with immediate effect.

2. In line with the Directive, the eDisclosure system will be opened for disclosure of financial interests by SMS members and HODs on 01 April and will close on 30 April of the year in question. The system will be opened for 30 days to allow any person who assumes duty as an SMS member after 30 April of a year in question, to disclose his/her financial interests. The department should notify the Director-General: Department of Public Service and Administration (DPSA) (for attention Director: Interest Disclosure Management) about such an employee and request that the system be opened for the employee to disclose his/her financial interests;

3. Further if an SMS member fails to disclose his/her financial interests by 30 April of the year in question the HOD should:
   3.1 request in writing for the eDisclosure concession\(^2\) using the attached template (Tag B);
   3.2 ensure that the SMS member discloses his/her financial interests by 30 May of the year in question (to enable the HOD to submit the disclosure to the PSC by 31 May of the year in question);
   3.3 take disciplinary action against the SMS member; and
   3.4 submit a report to the Director-General (DG): DPSA on action taken by 30 August of the year in question, using the attached template (Tag C).

\(^2\) Opening of the eDisclosure system for specific employees to disclose their financial interests.
Your office may contact Ms. Pleasure Matshego at 0123361541 or 0784606188 or Mr. Thabang Molobela at 0123361426 / 0823082743, for implementation support.

Kind regards.

[Signature]

MR WILLIE VUKELA
ACTING DIRECTOR-GENERAL
DATE: 2018/02/20
FAILURE TO COMPLY WITH REGULATION 18(1) AND THE DIRECTIVE ON THE FORM TO BE USED BY MEMBERS OF THE SENIOR MANAGEMENT SERVICE AND HEADS OF DEPARTMENT TO DISCLOSE THEIR FINANCIAL INTERESTS

REQUEST FOR DISCLOSURE PERIOD CONCESSION

To: Director-General: Department of Public Service and Administration
Attention: Director - Interest Disclosure Management
From: ........................................... (Name of the Head of Department / Institution) or delegated authority

Name of Department/ Institution:..................................................................................

It has come to my attention that the employee(s) listed below has/ have failed to disclose his/her/their financial interests by 30 April ………… (year in question). I undertake to investigate all cases and take the necessary disciplinary action for non-compliance. The report on action taken against the affected employee(s) shall be submitted to your office by 30 August ………….. (year in question). I therefore, request for the eDisclosure period concession up to…………….. (due date for eDisclosure period concession) for employees.

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<th>Identity number</th>
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Signature: Head of Department / institution or delegated authority
Date:

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1 Request for the eDisclosure system to be opened outside the regulated disclosure period. The soft copy of the form is accessible on the DPSA Website (eDisclosure resource)
2 Written delegation should accompany this request
3 Indicate the name of the Province in case of a provincial department
ANNEXURE A

Particulars of disciplinary steps taken (as required by subsections 1c and 2c of section 16A PSA, 1994)

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Signature of HOD/EA _______________________

Name of Head of Department/Executive Authority:

Date:

NB:

The completed form should be sent to the Director-General, Department of Public Service and Administration, Private Bag X961, Pretoria, 0001
FAILURE TO COMPLY WITH REGULATION 18(1) AND THE DIRECTIVE ON THE FORM TO BE USED BY MEMBERS OF THE SENIOR MANAGEMENT SERVICE AND HEADS OF DEPARTMENT TO DISCLOSE THEIR FINANCIAL INTERESTS

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