

FINANCIAL DISCLOSURE FRAMEWORK

FREQUENTLY ASKED QUESTIONS

A. GENERAL

Question: Why disclosure for the previous 12 months?

Answer: Disclosure of financial interests is made in terms of Chapter 3 of the Public Service Regulations, 2001. Regulation C.1 specifies the period of the disclosure (01 April of the previous year to 31 March of the current year). This requirement is based on the fact that you can only know what happened in the past and not what will happen in the future.

Question: Should employees on personal notches and OSD disclose?

Answer: No. They are not designated employees. The fact that they are earning salary equivalent to that of senior managers does not make them designated employees. Senior management is a position with certain responsibilities. It is not defined by salary.

Question: Who should designate ethics officers?

Answer: Only the Executive Authority can designate ethics officers. See regulation F.1.

Question: To whom is the disclosure made?

Answer: Every designated employee is required to disclose her/his financial interests to the Executive Authority. The Executive Authority submits the copy of the financial disclosure form to the Public Service Commission. No manual form of financial disclosure should be submitted to the DPSA or directly to the PSC.

Question: If you transfer to another government department, must you resubmit your financial disclosure?

Answer: Any newly appointed employee (who falls into the category of a designated employee) should submit his / her financial disclosure for the past 12 months preceding his/her appointment to his / her EA. So, yes, you must submit such. Such submission should be assessed for conflict of interest against the new functions and responsibilities.

Question: How often does one have to disclose financial interests?

Answer: Disclosure of financial interests is done annually by the 30th of April, newly appointed designated employees should submit within 30 days of assumption of duty.

Question: If two individuals who are designated employees are married in community of property and the assets are registered in both their names, who should disclose them?

Answer: Both of them will be required to disclose in their individual capacities as they are employed individually in the Public Service.

B. eDISCLOSURE

Question: Why does the system reflect the previous financial year?

Answer: Disclosure of financial interest is made in terms of Chapter 3 of the Public Service Regulations, 2001. Regulation C.1 specifies the period of the disclosure (01 April of the

previous year to 31 March of the current year). The system will always allow SMS members to disclose for the previous year.

Question: Why is the EA on the data base of the departments?

Answer: Financial disclosure forms are submitted to the EA. The EA (and the Ethics Officer if this is not an SMS member) should register as a user on the system to be able to process the submitted disclosure forms. This does not mean that the EA should disclose her/his financial interest on the eDisclosure system.

Question: How long does an OTP last in case you did not use it?

Answer: As long as it has not been used it can work but as it only be used once.

Question: Who is the system's administrator?

Answer: The DPSA and the administrator could be contacted on the numbers provided below on this document.

PLEASE!!!!!!!!!! Do not lock your account because at this stage, only the administrator can unlock it for you. Use "forgotten password" tool to reset your password, once you realise that you have forgotten it.

C. SHARES AND OTHER FINANCIAL INTERESTS

Question: What are categories of shares?

Answer: Generally there are two categories of shares: Ordinary Shares and Preferential Shares.

Question: What is a nominal value?

Answer: Nominal value refers to the value of your total shares as originally issued to you i.e. the cost at which you bought the shares.

Question: Are shares bought and sold on the stock market considered in this category?

Answer: No. If one is personally engaged in the activity of buying and selling shares on the stock market, this activity will be categorised as remunerative work.

Question: What do you disclose if you are the beneficiary of a trust?

Answer: In terms of the current Regulations, there is no specific category for trusts, so this should be disclosed as other financial interests (first category: shares and other financial interests).

NB: Financial interests arising solely by means of investment in a mutual, pension, or other institutional investment fund where the covered person does not exercise control over the management and investment of such a fund are not included in this category. This includes investments, unit trusts, and insurance policies.

D. DIRECTORSHIP AND PARTNERSHIPS

Question: Should the designated employee disclose directorship in a Not for Profit Organization (NPO) or Community Based Organization (CBO) if you are not being paid for

it?

Answer: Yes, all directorships should be disclosed even if there is no remuneration.

Question: Should designated employees disclose directorships in dormant companies?

Answer: Yes. It remains the responsibility of the individual to contact CIPC to ensure their names are removed from dormant companies or the company is deregistered.

E. REMUNERATIVE WORK OUTSIDE ONE'S DEPARTMENT

Question: Is doing pastoral work considered remunerative work?

Answer: Yes, if you receive remuneration for doing it.

Question: Can participation in community projects and non-profit making organisation be regarded as remunerative work?

Answer: Yes, if you are receiving benefits in cash or in kind for doing it.

F. SPONSORSHIP

Question: What is the threshold for sponsorship?

Answer: There is no threshold for sponsorship. Disclose any sponsorship you have received.

G. IMMOVABLE PROPERTY

Question: What value is required for immovable property?

Answer: The purchase price because market value depends entirely on the person valuing the property, so it cannot be verified.

H. VEHICLES

Question: Should a designated employee disclose an inherited vehicle(s)?

Answer: Any financial interest registered in the designated employee's name should be disclosed.

IF YOU HAVE FURTHER QUESTIONS, CONTACT THE DPSA @

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