



the **dpsa**

Department:
Public Service and Administration
REPUBLIC OF SOUTH AFRICA

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

**ISSUED BY THE MINISTER FOR THE PUBLIC SERVICE AND
ADMINISTRATION**

TABLE OF CONTENTS

DEFINITIONS	1
1. INTRODUCTION	2
2. PURPOSE	2
3. AUTHORISATION	2
4. SCOPE OF APPLICATION	3
5. STATUTORY FRAMEWORK	3
6. THE FINANCIAL DISCLOSURE FORM	3
7. NON-COMPLIANCE	4

ANNEXURE A: THE FINANCIAL DISCLOSURE FORM

DEFINITIONS

In this Directive, unless the context indicates otherwise, any word shall have the meaning assigned to it in the Act and the PSR, 2016.

"EA" means an Executive Authority as defined in section 1 of the Public Service Act, 1994;

"Form" means a printed or electronic form contemplated in regulation 18;

"HOD" means the incumbent of a post mentioned in Column 2 of Schedule 1, 2 or 3 and it includes any employee acting in such post;

"Minister" means Minister for the Public Service and Administration;

"MPSA" means Minister for the Public Service and Administration;

"SMS" means the Senior Management Service consisting of employees who are incumbents of posts graded on level 13 or above, unless specifically excluded in terms of a determination or deemed determination by the Minister;

"the PSR, 2016" means the Public Service Regulations, 2016; and

"this Directive" means the Directive on the form to be used by members of the Senior Management Service and Heads of Department to disclose their financial interests.

1. INTRODUCTION

1.1 There is growing public expectation for government to implement measures to strengthen the integrity of public service employees and prevent corruption in government institutions. Steps to achieve this objective include implementing measures to limit the scope for conflict of interest among public service employees. The financial disclosure framework was introduced in the public service, as a tool to identify and manage conflict of interest situations among designated employees.

1.2 Disclosure of financial interests is regulated through Part 2 of Chapter 2 of the Public Service Regulations, 2016 (PSR, 2016). Regulations 18(1) and 18(2) of the PSR, 2016, require members of the Senior Management Service (SMS members) and Heads of Department (HODs) to disclose particulars of all their financial interests in respect of the period 1 April of the previous year to 31 March of the year in question. Regulation 18(5) requires the HOD or Executive Authority (EA), as the case may be, to ensure that the disclosure form by designated employees is submitted electronically to the Public Service Commission or the relevant authority unless the Minister determines otherwise. Regulations 18(1) and 18(2) of the PSR, 2016, further empower the Minister to prescribe a form to be used for this purpose.

2. PURPOSE

The purpose of this Directive is to give effect to regulation 18(1), 18(2) and 18(5) of the PSR, 2016, by prescribing a form to be used by SMS members and Heads of Department when they disclose their financial interests.

3. AUTHORISATION

This Directive is issued by the Minister for the Public Service and Administration (MPSA) in terms of section 41(3) of the Public Service Act, 1994, read with the PSR, 2016.

4. SCOPE OF APPLICATION

This Directive applies to all departments and its employees employed in terms of the Act and to members of the services, educators, and members of the Intelligence Services only in so far as the provisions of the Directive are not contrary to the laws governing their employment.

5. STATUTORY FRAMEWORK

5.1 This Directive is issued in terms of section 41(3) of the Public Service Act, 1994, read with Regulation 18(1), 18(2) and 18(5) of the PSR, 2016.

5.2 Regulation 18(1): SMS members, except for a head of department shall, not later than 30 April of each year, disclose to the relevant head of department, **in a form prescribed for this purpose by the Minister**, particulars of all his or her interests in respect of the period 1 April of the previous year to 31 March of the year in question.

5.3 Regulation 18(2): A head of department shall, not later than 30 April of each year, disclose to the relevant executive authority, **in a form prescribed for this purpose by the Minister**, particulars of all his or her interests in respect of the period 1 April of the previous year to 31 March of the year in question.

5.4 Regulation 18(5): The head of department or executive authority, as the case may be, shall ensure that the disclosure of interests by designated employees is **submitted electronically to the Commission or the relevant authority** as may be directed by the Minister in terms of sub-regulation (3) unless otherwise determined by the Minister.

6. THE FINANCIAL DISCLOSURE FORM

6.1 Subject to 6.2 below, all SMS members and HODs shall disclose their financial interests electronically in keeping with the financial disclosure form attached as **Annexure A** of this Directive.

6.2 The financial disclosure form shall be submitted 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, and which approval shall be made not later than the last working day before 30 April of the year in question.

7. NON-COMPLIANCE

7.1 In line with section 16A(1) and 16(B) of the Public Service Act, 1994, the EA shall:

- (a) ensure compliance with this Directive; and
- (b) immediately take appropriate disciplinary steps against an HOD who does not comply with this Directive.

7.2 In line with section 16A(2) and 16B of the Public Service Act, 1994, the HOD shall:

- (a) ensure compliance with this Directive; and
- (b) immediately take appropriate disciplinary steps against an SMS member who does not comply with this Directive.

DIRECTIVE ISSUED BY THE MINISTER FOR THE PUBLIC SERVICE AND ADMINISTRATION



MS AF MUTHAMBI, MP

MINISTER FOR PUBLIC SERVICE AND ADMINISTRATION

DATE: 22/04/2018

ANNEXURE A: FINANCIAL DISCLOSURE FORM

Financial Year:

Personal details

Surname	
First Names	
ID Number	
Persal Number	
Job Title	
Salary Level	
Postal Address	
Residential Address	
Name of Department (National / Provincial)	
Cell Number	
E-mail address	

Details of financial interests

1. Shares or any other form of equity in a registered private or public company or any other corporate entity recognised by law:

Number of shares/extent of equity	Nature	Nominal value	Name of company/entity

2. Loan accounts (excluding bond, vehicle finance, and retail accounts)

Name of the financial services provider and account number	Original amount of the loan	Outstanding balance	Term of the loan

3. Any other financial interests

Description of the financial interest	Nature of the financial interest	Name of the company or corporate entity	Annual value of the financial interest

4. Income generating assets

Description of the asset	Nature of activity	Nature of income	Annual amount or value of income

5. Trusts

Name of trust and your role	Reference/registration number and the region where the trust is registered	Purpose of the trust	Annual benefits or remuneration

NB: Documentary proof of approval to perform other remunerative work must be uploaded to the eDisclosure system or attached to this form if you receive remuneration for your participation as Trustee.

6. Directorships and Partnerships

Name of corporate entity	Registration Number	Type of Business	Annual amount of Remuneration

NB: Documentary proof of approval to perform other remunerative work must be uploaded to the eDisclosure system or attached to this form if you receive remuneration for your participation as director/partner in the company.

7. Other remunerative work outside the employee's department

Name of Employer	Type/nature of business activity	Annual remuneration

NB: Documentary proof of approval to perform other remunerative work must be uploaded to the eDisclosure system or attached to this form.

8. Consultancy and retainerships

Nature of consultancy / retainership	Name of the company / your client in case of retainership	Type/nature of business activity of the company/client	Annual value of remuneration/benefits received

NB: Documentary proof of approval to perform other remunerative work must be uploaded to the eDisclosure system or attached to this form.

9. Sponsorships

Source of assistance/ sponsorship	Description of assistance/ sponsorship	Value of assistance/ sponsorship	Relationship between the sponsor and the department

10. Gifts and hospitality from a source other than a family member

Description of a gift and/or hospitality	Value	Source	Relationship between the giver and the department

NB: If the cumulative value of the gift(s) is R350.00 proof of prior approval from the relevant authority must be uploaded to the eDisclosure system or attached to this form.

11. Ownership and other interests in immovable property

Description of immovable property	Extent / size in m ² or ha	Area in which it is situated	Purchase price	Outstanding bond on the property	Estimated market value

12. Vehicles

Description (make and model of the vehicle)	Registration number	Purchase price	Outstanding amount owing on the vehicle

Declaration

I declare that I have personally completed this form and disclosed all relevant details required for the listed financial disclosure categories.

I hereby certify that the disclosure information is true, complete and correct to the best of my knowledge.

I also understand that it is binding on my conscience.

SIGNATURE OF DESIGNATED EMPLOYEE

DATE: _____

PLACE: _____

DATE SUBMITTED TO RELEVANT AUTHORITY: _____

SIGNATURE OF HEAD OF DEPARTMENT / EXECUTIVE AUTHORITY