

Press Statement

FOR IMMEDIATE RELEASE

29 November 2023

Government Takes Strong Measures to Prevent Public Servants Conducting Business with the State

The government is steadfast in its commitment to preventing public servants from conducting business with the state. In line with this dedication, the Directive on Conducting Business with an Organ of State has been implemented, outlining a series of measures to strengthen prevention efforts. The Minister of Public Service and Administration, Noxolo Kiviet, has provided insight into the actions being taken to address this issue.

The Department of Public Service and Administration has established a Task Team in collaboration with the South African Police Service (SAPS) and the National Prosecuting Authority. This collaborative effort aims to support departments in taking decisive action against employees found to be conducting business with the state.

The government is resolute in ensuring that legal consequences are imposed on those individuals who contravene the law. Notably, seven public service employees employed by SAPS were charged and convicted under Section 8 of the Public Administration Management Act, 2014, for conducting business with the state. As a result, these employees have been dismissed from their positions, serving as a clear demonstration of the government's commitment to upholding the law.

To monitor compliance, the Department of Public Service and Administration has implemented a robust system. The Central Supplier Database plays a vital role in this process, enabling the identification and reporting of public servants involved in business transactions with the state. These individuals are subsequently reported to their respective departments for appropriate action.

Departments are obligated to provide progress reports on the implementation of the prohibition, including the measures taken against public servants found guilty of engaging in business with the state. These measures may include dismissals, termination of contracts, and the issuance of final warnings.

Recognizing the need for continuous improvement, the government is actively updating the Directive on Conducting Business with an Organ of State to further strengthen prevention measures. Areas identified for updates include:

1. **Enhanced Prohibition Clauses:** Strengthening the language and clarity of the prohibition clauses to leave no room for misinterpretation and ensure strict adherence to the regulations.
2. **Training and Awareness Programs:** Develop comprehensive training and awareness programs to educate public servants about the legal implications and consequences of conducting business with the state.

- 3. Streamlined Reporting Mechanisms:** Implementing streamlined and efficient reporting mechanisms to facilitate the identification and reporting of public servants engaged in prohibited business activities.

The government's comprehensive efforts, as prescribed in the Directive, underscore its unwavering commitment to preventing public servants from engaging in business with an organ of state. Collaborative endeavours with law enforcement agencies, rigorous monitoring mechanisms, and decisive departmental actions are being employed to effectively address this issue and ensure strict compliance with the law.

For media inquiries, please contact:

Mr Moses Mushi, Communication Director, Department of Public Service and Administration, 012 336 1358, mosesm@dpsa.gov.za.

For Media Interview Requests: Mr Dudley Moloi, +27 72 420 9946, dudley@dpsa.gov.za

Note to Editors:

This press statement is based on the information provided in the Directive on Conducting Business with an Organ of State, issued by the Minister for the Public Service and Administration. The directive is currently being updated to further strengthen prevention measures in identified areas.