



the dpsa

Department:
Public Service and Administration
REPUBLIC OF SOUTH AFRICA

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CIRCULAR NO. TAU 01/2021

TO: ALL HEADS OF NATIONAL DEPARTMENTS AND PROVINCIAL DEPARTMENTS

Dear Colleagues,

RE: IMPLEMENTATION OF AND ADHERENCE TO THE GUIDES ON MANAGING GIFTS AND ON OTHER REMUNERATIVE WORK

1. The Department of Public Service and Administration (DPSA) is mandated in terms of the Public Administration Management Act, 2016 (PAMA) and the Public Service Act, 1994 (PSR) to set norms and standards on ethics, integrity, conduct and discipline management and to monitor the implementation of prescripts pertaining to ethics, integrity, conduct and discipline management.
 - a. In terms of Section 15(4) of the PAMA, the DPSA has the following functions:
 - “(a) to provide technical assistance and support to institutions in all spheres of government regarding the management of ethics, integrity and disciplinary matters relating to misconduct in the public administration;”
 - “(b) to develop the norms and standards on integrity, ethics, conduct and discipline in the public administration.”
 - “(d) to strengthen government oversight of ethics, integrity and discipline, and where necessary, in cases where systemic weaknesses are identified, to intervene;”
 - “(e) To promote and enhance good ethics and integrity within the public administration.”

2. In monitoring and assessing compliance of departments and employees with compliance in relation to employees:
 - a. receiving and accepting gifts, and
 - b. performing other remunerative work,

It is evident that not all departments and employees are fully implementing the required prescripts or complying to such.

3. This Circular serves to remind departments of two Guides and a Directive previously issued by the DPSA meant to assist departments in implementing regulations:

13 (a), "An employee shall not receive, solicit or accept any gratification, as defined in section 1 of the Prevention and Combating of Corrupt Activities Act, 2004 (Act 12 of 2004), from any employee or any person in return for performing or not performing his or her official duties;"

13 (h), "An employee shall — not receive or accept any gift from any person in the course and scope of his or her employment, (other than from a family member), to the cumulative value of R 350 per year, unless prior approval is obtained from the relevant executive authority;"

24, "An application by an employee to perform remunerative work outside his or her department shall be in accordance with the process determined by the Minister and in the form issued by the Minister." The process and form is directed in the *Directive on Other Remunerative Work Outside the Employee's Employment in the Relevant Department as Contemplated in Section 30 of the Public Service Act, 1994*.


These prescripts regulate the receiving and acceptance of gifts by employees and adopts a process for departments to manage the application of such requests from employees as well as requests to perform other remunerative work.

4. The Guides and Directive can be found on the DPSA website:
 - a. Guide on Managing Other Remunerative Work in the Public Service (June 2020), <http://www.dpsa.gov.za/dpsa2g/documents/iem/2020/Guide%20on%20Other%20Remunerative%20Work%20in%20the%20%20Public%20Service.pdf>
 - b. Guide on Managing Gifts in the Public Service (February 2019), <http://www.dpsa.gov.za/dpsa2g/documents/iem/2019/Guide%20on%20managing%20gifts%20in%20the%20public%20service%20-%20Feb%202019.pdf>
 - c. Directive on Other Remunerative Work Outside the Employee's Employment in the Relevant Department as Contemplated in Section 30 of the Public Service Act, 1994 (November 2016), http://www.dpsa.gov.za/dpsa2g/documents/iem/2016/directive_rwops_30_09_2016.pdf

5. Departments are reminded to take note of the approved Guides and Directive, and to bring the content thereof to the attention of employees, and to ensure the required processes for managing such are implemented.
6. Departments are requested to implement consequence / discipline management for non-compliance.
7. Departments are also reminded of the compulsory ethics course for Public servants at the National School of Government (NSG). The course is open and available at no cost to the department. For **self-registration** and enrolment:
 - Go to the NSG website (<https://www.thensg.gov.za/>).
 - Click on "Open eLearning courses" under the eLearning tab on the NSG website.
 - Follow the on-screen instructions to register an online profile (if it was not created before).
 - Enrol for the Ethics in the Public Service Course. If officials have forgotten their username and/or password, use the "Forgotten your username or password?"-link on the login page.

Officials can also contact the eLearning Helpdesk at eLearning@thensg.gov.za for assistance.

8. Your co-operation is appreciated.


MS YOLISWA MAKHASI
DIRECTOR-GENERAL
DATE: 4/3/2021