



**MINISTRY: PUBLIC SERVICE AND ADMINISTRATION  
REPUBLIC OF SOUTH AFRICA**

**NATIONAL COUNCIL OF PROVINCES**

**QUESTION FOR ORAL REPLY**

**QUESTION NO.: 131.**

**Ms T Wana (Eastern Cape: ANC) to ask the Minister of Public Service and Administration:**

Whether there is a regulatory framework within his department which determines the period within which disciplinary processes should be finalised (details furnished); if not, why not; if so, what are the relevant details? CO345E

**REPLY**

The period within which the disciplinary processes should be finalised is contained in PSCBC Collective Agreement (Resolution 1 of 2003) which is the Disciplinary Code and Procedure for the public service, and the Ministerial Directive in Chapter 7 of the SMS Handbook. The period within which disciplinary cases should be dealt with is contained in Clause 7.3 (a) of the Code which states that a disciplinary hearing should be held within 10 days of notifying the employee that such a hearing will take place. The outcome of the hearing should be communicated within 5 working days in terms of Clause 7.3 (o) of the Code after the conclusion of the disciplinary hearing. Clause 7.2 (c) of the Code states that if the employee is suspended or transferred as a precautionary measure, the employer must hold a disciplinary hearing within a month or 60 days, depending on the complexity of the matter and the length of the investigation. The chair of the hearing must then decide any further postponement. In instances where employees lodge appeals, Clause 8.8 of the