



**the dpsa**

Department:  
Public Service and Administration  
REPUBLIC OF SOUTH AFRICA

Private Bag X916, PRETORIA, 0001. Tel: (012) 336 1000, Fax: (012) 326 7802  
Private Bag X9148, CAPE TOWN, 8000. Tel: (021) 467 5120, Fax: (021) 467 5484

Eng: T Maile/E Nkosi

Tel: (012) 336 1130/1504

File: 18/3/1

**TO ALL HEADS OF NATIONAL/PROVINCIAL DEPARTMENTS AND PROVINCIAL ADMINISTRATIONS**

**CIRCULAR NR.03 OF 2017**

**COMMUNICATION TO DEPARTMENTS ON THE PAYMENT OF THE ACTING ALLOWANCE IN TERMS OF REGULATION 63 OF THE PUBLIC SERVICE REGULATIONS, 2016 AND MINISTERIAL DETERMINATION IN TERMS OF GENERAL PUBLIC SERVICE SECTOR BARGAINING COUNCIL (GBSSBC) RESOLUTION 1 OF 2002**

1. The DPSA hereby provides clarity regarding the provisions of the Public Service Regulations, 2016 pertaining to the payment of the acting of allowance in the event where two or more people are appointed to act as a result of a single post that is vacant and funded.
2. In terms of Chapter I, Part VII, B.5.2 of the repealed Public Service Regulations, 2001 *“(a) head of department may also compensate an employee for acting in a post due to the actual incumbent of the post acting in a higher vacant post, provided that no more than two employees may simultaneously be compensated as a result of a single vacancy.”*
3. With effect from 1 August 2016, the Public Service Regulations, 2016 repealed and replaced the Public Service Regulations, 2001.
4. Section 32 of the Public Service Act, read with regulation 63 of the Public Service Regulations, 2016 and the relevant determinations by the Minister, permit departments to appoint more than one employee to act as a result of a single vacant and funded post. However, the Ministerial determinations do not permit the payment of an acting allowance to an employee who acts in a post that is not vacant.
5. Therefore, with effect from 1 August 2016, an employee appointed to act in a post, where the incumbent of that post is acting in another post, will not be eligible for the payment of an acting allowance as the post in which he or she is so acting is not vacant.
6. Departments are informed that any non-compliance of the provisions of the Public Service Regulations, 2016 must be dealt with in terms of section 16A of the Public Service Act.

Kind regards

  
DIRECTOR-GENERAL

DATE: 19/06/2017