

FINANCIAL DISCLOSURE FRAMEWORK

GENERAL INFORMATION

Why the framework

Designated employees are entrusted with public funds. As such, they need to maintain the highest standards of professional ethics. Their integrity and that of their departments must be beyond question.

This framework is aimed at preventing conflict of interests by requiring of designated employees to disclose their financial interests.

Who must file

The disclosure framework is applicable to any member of the SMS. For the purpose of this framework, they are referred to as designated employees.

Where must I file the form

The original completed form must be submitted to your Executing Authority (EA). Your EA must submit a copy thereof to the Public Service Commission (PSC), at the undermentioned address, not later than 31 May of the year in question. In the case of designated employees appointed after 1 April, the form should be submitted to the PSC not later than 30 days after it has been submitted by the designated employee to the EA.

Director-General: Office of the Public Service Commission
Directorate: Professional Ethics Promotion
Private Bag X 121
PRETORIA
0001

Who will have access to the information

Under normal circumstances only your EA, the Commission and those acting on their behalf, will have access to the information. They are required to liaise with you if they are concerned about a possible conflict of interest. Only your EA may grant a waiver if a conflict of interest is evident. Such a waiver needs to be attached to the original form.

No person who has access to the information may, except when a court so orders, disclose the information. Any person, other than a person referred to above, may only be given access to the information in terms of section 11 of the *Promotion of Access to Information Act, 2000*.

When must I file

A designated employee must not later than 30 April of each year, disclose to the relevant EA on the attached form particulars of all her/his registrable interests in respect of the period 1 April of the previous year to 31 March of the year in question.

Designated employees who are appointed after 1 April must make such disclosure within 30 days after assumption of duty in respect of the period of 12 months preceding her/his assumption of duty.

What happens if I do not disclose my interests

Any designated employee who fails to disclose her/his interests or wilfully provides incorrect or misleading details can be charged with misconduct.

Where/how can I obtain a copy of the form

A hard copy of the form is obtainable from the Directorate: Senior Management Services (see particulars below) while an electronic copy thereof is available on-line at: <http://www.gov.za/forms/index.html>

INSTRUCTIONS FOR COMPLETING THE FORM

The form needs to be completed in the person's own handwriting and certified by a Commissioner of Oaths/Justice of the Peace.

By completing the form, the person is not exempted from the statutory requirements of obtaining approval for performing remunerative work outside the public service.

Where insufficient space is provided or if the form does not provide for a certain type of financial interest, the required information should be provided on a separate sheet.

QUERIES AND DIFFICULTIES

Queries in regard to this form and Chapter 3 of the Public Service Regulations may be directed to:

Directorate: Senior Management Service
Department of Public Service and Administration
Private Bag X 916

PRETORIA

0001

Tel: (012) 314 7395

INFORMATION SHEET

The following notes will guide you in completing the relevant parts of the attached form (Annexure A):

NOTE ☐*Shares and other financial interests*

Designated employees are required to disclose the following details with regard to shares and other financial interests held in any private or public company or any other corporate entity recognised by law:

- (i) The number, nature and nominal value of shares of any type;
- (ii) the nature and value of any other financial interests held in any private or public company or any other corporate entity; and
- (iii) the name of that entity.

NOTE ◊*Directorships and partnerships*

Designated employees are required to disclose the following details with regard to directorships and partnerships:

- ⊖ The name, and type of business activity, of the corporate entity or partnership; and
- ⊖ the amount of any remuneration received for such directorship or partnership.

Directorship includes any occupied position of director or alternate director, or by whatever name the position is designated.

Partnership is a legal relationship arising out of a contract between two or more persons with the object of making and sharing profits.

NOTE ◡

Remunerated work outside the public service (All remunerated employment must be sanctioned by the official's EA as required by section 30 of the Public Service Act, 1994.)

Designated employees are required to disclose the following details with regard to remunerated work outside the public service:

- ⊖ The type of work;
- ⊖ the name, and type of business activity, of the employer; and
- ⊖ the amount of the remuneration received for such work.

Remuneration means the receipt of benefits in cash or kind.

Work means rendering a service for which the person receives remuneration.

NOTE ⊆*Consultancies and retainerships*

Designated employees are required to disclose the following details with regard to consultancies and retainerships:

- ⊖ The nature of the consultancy or retainership of any kind;
- ⊖ the name, and type of business activity, of the client concerned; and
- ⊖ the value of any benefits received for such consultancy or retainership.

NOTE ∈*Sponsorships*

Designated employees are required to disclose the following details with regard to sponsorships:

- ⊖ The source and description of direct financial sponsorship or assistance; and
- ⊖ the value of the sponsorship or assistance.

NOTE ∉*Gifts and hospitality from a source other than a family member*

Designated employees are required to disclose the following details with regard to gifts and hospitality:

- ⊖ A description and the value and source of a gift with a value in excess of R350;
- ⊖ a description and the value of gifts from a single source which cumulatively exceed the value of R350 in the relevant 12 month period; and
- ⊖ hospitality intended as a gift in kind.

Designated employees must disclose any material advantage that they received from any source e.g. any discount prices or rates that are not available to the general public.

All personal gifts within the family and hospitality of a traditional or cultural nature need not be disclosed.

NOTE ∠*Land and property*

Designated employees are required to disclose the following details with regard to their ownership and other interests in land and property (residential or otherwise both inside and outside the Republic):

- ⊖ A description and extent of the land or property;
- ⊖ the area in which it is situated; and
- ⊖ the value of the interest.