



REPUBLIC OF SOUTH AFRICA

**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**

**ISSUED BY THE MINISTER FOR THE PUBLIC SERVICE AND ADMINISTRATION**

**DATE: 21 FEBRUARY 2024**

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## DEFINITIONS

In this Directive, unless the context indicates otherwise, any word shall have the meaning assigned to it in the Act and the Regulations.

**"applicant"** refers to an employee who requests permission from the relevant executive authority to perform other remunerative work;

**"business"** includes any business, trade, occupation, profession, calling, industry or undertaking of any kind, or any activity carried on for gain or profit by any person within the Republic or elsewhere, and includes all property derived from or used in or for the purpose of carrying on such other activity, and all the rights and liabilities arising from such other activity;

**"calendar month"** means a period extending from a day in one month to a day preceding the day corresponding numerically to that day in the following month, both days inclusive;

**"Code of Conduct"** means the Code of Conduct contained in Part 1 of Chapter 2 of the Public Service Regulations, 2016;

**"conflict of interest"** refers to a conflict between the public duties and private interests of an employee, in which the employee has private interests which could improperly influence him/her, and/or negatively impact on his/her disposable time to work, and/or negatively impact on his/her official obligations or official duties, and/or negatively impact on the public interest;

**"days"** means any days other than Saturdays, Sundays or public holidays as defined in the Public Holidays Act, 1994 (Act 36 of 1994);

**"deemed approval"** means approval contemplated in section 30(3)(b) of the Public Service Act, 1994;

**"delegated authority"** means the functionary to whom the power is duly delegated or authorised in terms of section 42A of the Public Service Act;

**"designated employee"** means an employee contemplated in regulation 16 of the Public Service Regulations;

**"executive authority"** means an executive authority as defined in Section 1 of the Public Service Act;

**“employee”** means an employee as defined in section 1 of the Public Service Act;

**"Ethics Officer"** refers to the ethics officer designated or appointed in terms of regulation 23(1) of the Public Service Regulations;

**“Minister”** means the Minister for the Public Service and Administration;

**"other remunerative work/ORW"** means any business carried out or services rendered for gain or personal benefit by an employee outside his or her employment in the relevant department, for which remuneration is received;

**"Regulations"** means the Public Service Regulations, 2016;

**"remuneration"** means any payment or benefit in cash or in kind, and **"remunerative"** has a corresponding meaning;

**“System”** means the eDisclosure system which contains the module – application for Other Remunerative Work;

**"the Act"** means the Public Service Act, 1994; and

**"this Directive"** means this Directive on Other Remunerative Work Outside an Employee's Employment in the Relevant Department as Contemplated in section 30 of the Act.

## 1. INTRODUCTION

- 1.1. Employees are required to put the public good above private interests and to dedicate their time and energy to produce quality service for the benefit of the people of the Republic of South Africa. When private interests and public interests clash, employees should prioritise public good over private interests. Section 195 of the Constitution of the Republic of South Africa, 1996 (Constitution), requires that employees should uphold the highest standards of ethics when performing their duties.
- 1.2. The Code of Conduct requires employees to adhere to the Constitution and other laws of the Republic in the execution of their duties. The Code of Conduct further outlines standards that should govern the conduct of employees when performing their duties, including avoiding conflict of interest, not conducting business with any organ of state, and not using or disclosing any official information for personal gain of others.
- 1.3. Section 30 of the Act requires that an employee should apply for permission to perform other remunerative work (ORW) outside their employment in the relevant department, before engaging themselves in such work. Such permission should be in writing. The employee who has written permission to perform ORW should not perform such work during working hours or use official equipment or state resources for such work.
- 1.4. Regulation 24 of the PSR empowers the Minister to determine the process and form for the application of ORW. In compliance with this Regulation, in November 2016, the Minister issued a *Directive on Other Remunerative Work Outside an Employee's Employment in the Relevant Department as Contemplated in Terms of Section 30 of the Act*. The Directive serves as an effective resource to employees applying for permission to undertake ORW and for the Ethics Officer and Executive authority when processing such applications.
- 1.5. This Directive is herewith reviewed to cater for changed circumstances and to clarify certain issues relating to the processing of ORW. Furthermore, the Directive provides for tools to assist the supervisor and Ethics Officer when processing the applications and making recommendations to the Executive authority.

## **2. PURPOSE**

2.1 The purpose of this Directive is to prescribe the:

- (i) application process to perform ORW;
- (ii) ORW application and re-application forms;
- (iii) ORW approval certificate;
- (iv) confirmation letter for deemed approval of the ORW application;
- (v) provide guidance to supervisors and Ethics Officers when assessing an employee's application to perform ORW and making recommendations to the executive authority; and
- (vi) place a reporting obligation on Heads of Department.

2.2 This Directive will repeal and replace the *Directive on Other Remunerative Work Outside an Employee's Employment in the Relevant Department as Contemplated in Section 30 of the Act*, issued by the Minister on 01 November 2016.

## **3. AUTHORISATION**

This Directive is issued by the Minister in terms of section 41(3) of the Act, read with Regulation 24 of the PSR.

## **4. SCOPE OF APPLICATION**

This Directive shall apply to or in respect of:

- 4.1 employees whether they are employed within or outside the Republic, and in respect of persons who are to be employed in the public service; and
- 4.2 members of the services, educators, and members of the Intelligence Services only in so far as the provisions of the Directive are not contrary to the laws governing their employment.

## **5. STATUTORY FRAMEWORK**

The following legislation mandates this Directive:

- 5.1. Section 30 of the Act provides as follows:

- (1) *no employee shall perform or engage himself or herself to perform remunerative work outside his or her employment in the relevant department, except with the written permission of the executive authority of the department.*
- (2) *for the purposes of subsection (1) the executive authority shall at least take into account whether or not the outside work could reasonably be expected to interfere with or impede the effective or efficient performance of the employee's functions in the department or constitute a contravention of the Code of Conduct, contemplated in section 41 (1) (b) (v) of the Act.*
- (3)(a) *the executive authority shall decide whether or not to grant permission, contemplated in subsection (1), within 30 days after the receipt, of the request from the employee in question.*
- (b) *if the executive authority fails to make a decision within the 30-day period, it would be deemed that such permission was given.*

52. Section 31 of the Act provides as follows:

- (1) (a)(i) if any remuneration, allowance or other reward (other than remuneration contemplated in section 38 (1) or (3)), is received by an employee in connection with the performance of his or her work in the public service otherwise than in accordance with this Act or a determination by or directive of the Minister, or is received contrary to section 30, that employee shall, subject to subparagraph (iii), pay into revenue-
- (aa) an amount equal to the amount of any such remuneration, allowance or reward; or
- (bb) if it does not consist of money, the value thereof as determined by the head of the department in which he or she was employed, at the time of the receipt thereof.
- (1) (a)(ii) if the employee fails to so pay into revenue the amount or value, the said head of department shall recover it from him or her by way of legal proceedings and pay it into revenue.

(iii) the employee concerned may appeal against the determination of the head of department to the relevant executive authority.

(iv) the accounting officer of the relevant department may approve that the employee concerned retains the whole or a portion of the said remuneration, allowance or reward.

5.3. The PSR, provides as follows:

An employee shall:

5.3.1 put the public interest first in the execution of his or her official duties (regulation 11(b));

5.3.2 not engage in any transaction or action that is in conflict with or infringes on the execution of his or her official duties (Regulation 13 (b));

5.3.3 not conduct business with any organ of state or be a director of a public or private company conducting business with an organ of state, unless such employee is in an official capacity a director of a company listed in schedule 2 and 3 of the Public Finance Management Act (regulation 13 (c));

5.3.4 if he or she has permission in terms of section 30 of the Act to perform outside remunerative work, not (regulation 13 (i))—

(i) perform such work during official work hours; and

(ii) use official equipment or state resources for such work;

5.3.5 disclose remunerative work outside the employee's employment in his or her department (Regulation 19 (e)).

5.3.6 Regulation 24 empowers the Minister to determine the form and application process for permission to perform other remunerative work outside the employee's department.

5.3.7 The Financial Disclosure Framework requires designated employees to declare their interests in respect of ORW.



## **6. APPLICATION FOR PERMISSION TO PERFORM OTHER REMUNERATIVE WORK OUTSIDE THE RELEVANT DEPARTMENT**

### **6.1 PRINCIPLES REGARDING THE APPLICATION FOR OTHER REMUNERATIVE WORK**

- 6.1.1 Before undertaking ORW, an employee must first obtain written permission from the executive authority or delegated authority in terms of applicable prescripts and this Directive.
- 6.1.2 The System is the exclusive method for requesting permission to perform ORW.
- 6.1.3 The employee should consult his or her immediate supervisor before initiating the application process.
- 6.1.4 The 30-day period as required in terms of Section 30 (3)(a) of the Act commences on the date the application form is received by the executive authority.
- 6.1.5 The permission to perform ORW shall not exceed a period of 12 months and shall be aligned with the financial year (between 01 April of the year in question – 31 March of the following year).
- 6.1.6 If the employee wishes to continue performing ORW after the approved period, a new application (herein after referred to as a re-application) should be submitted at least 60 days before expiry of the approved period.
- 6.1.7 The application must be made using the application form determined by the Minister at **Annexure A** and a re-application for ORW shall be made using the re-application form at **Annexure B**.
- 6.1.8 The confidentiality of applications should be maintained at all stages of the application process.
- 6.1.9 In recommending or not recommending the employee's application for ORW, the supervisor should take into consideration the employee's current performance agreement and performance assessment for the previous financial year to ensure fair assessment.
- 6.1.10 Permission to perform ORW is given only for the work specified in the form.
- 6.1.11 Employees should submit leave forms for ORW that is performed during the week.

## 6.2 APPLICATION

The following process must be adhered to:

6.2.1 The employee completes section A to D of the application form available on the System and submits such to his or her supervisor for assessment and recommendation. The approval process is depicted in figure 1, below.

6.2.2 If the employee applies for more than one ORW, he or she must complete a separate application form for each ORW approval request.

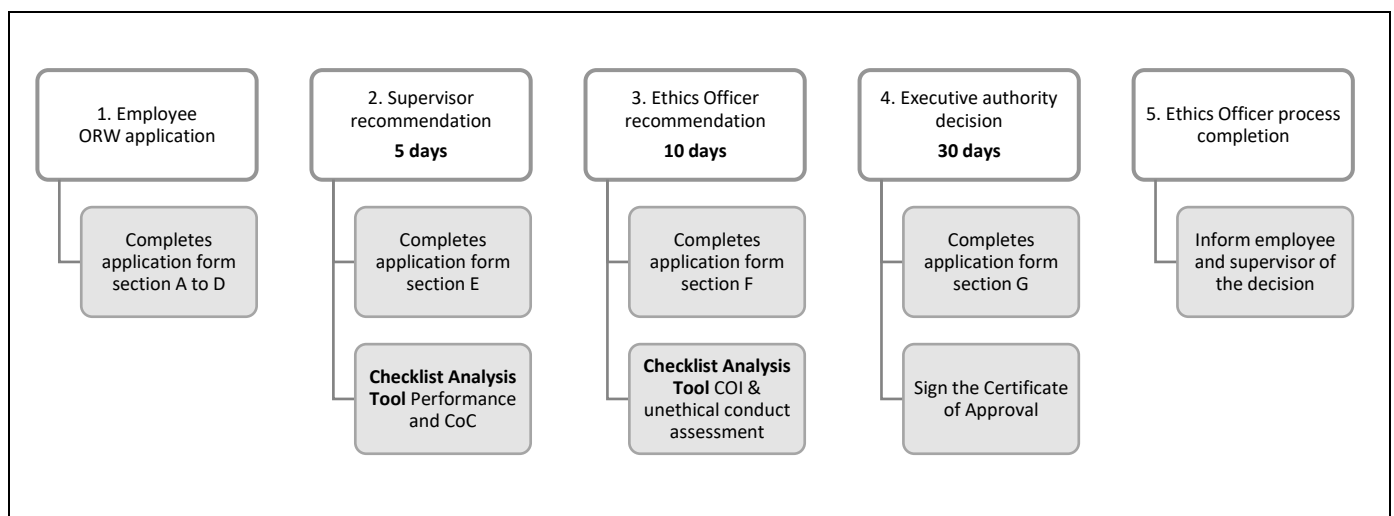


Figure 1: Schematic presentation of the approval process

## 6.3 PROCESSING OF APPLICATION

6.3.1 The applicant's immediate supervisor completes section E of the application form within **5 days** of receipt. Using the supervisor analysis tool in the application form (**Annexure A of the application form**). The supervisor assesses if the ORW could reasonably be expected to interfere with or impede the effective or efficient performance of the employee's functions or constitute a contravention of the Code of Conduct. The supervisor may also make inputs into whether the ORW poses a conflict of interest. The completion of the form will result in either a supervisor recommending or not recommending the approval of the ORW application. The form must be processed further to the executive authority as a decision-maker.

6.3.2. The Ethics Officer completes section F of the application form within **10 days** of receipt. Using the ethics officer analysis tool in the application form (**Annexure B of the application form**). The Ethics Officer assesses the application to identify any conflict of interest or unethical conduct that may arise as a result of the employee undertaking ORW. The Ethics Officer may request all relevant information from the human resources component of the department relating to the performance of the applicant. The completion of the application form will result in either an Ethics Officer recommending or not recommending performance of the ORW. The form must be processed further to the executive authority as a decision-maker.

## **6.4 DECISION-MAKING**

6.4.1 The executive authority completes section G of the application form **within 30 days of receipt**. Considering the supervisor and Ethics Officer recommendations, the executive authority makes a final decision — either to grant permission or to decline the request. Upon granting permission for ORW, the executive authority is required to complete the certificate of approval (**Annexure C**). If the application is not approved the executive authority should indicate reasons for not granting permission in the appropriate space on the application form.

6.4.2 The executive authority, when making a decision, must at least take into account whether or not the other remunerative work:

- (i) could reasonably be expected to interfere with or impede the effective or efficient performance of the employee's functions; or

- (ii) constitutes a contravention of the Code of Conduct.

6.4.3 If deemed permission is granted based on section 30 (3)(b) of the Act, the deemed permission remains valid for the remaining months of the financial year and all provisions within this directive apply. The applicant should approach the Ethics Officer to sign the deemed approval confirmation letter (**Annexure D**).

When the electronic system is used, the System will issue a “*deemed approval letter*”. Without this letter, the deemed approval is not valid.

## **6.5 FEEDBACK**

Upon completion and submission of the preceding step contemplated in paragraph 6.1 to 6.4, the decision accompanied by the relevant documentation will be sent to the Ethics Officer for communication to the applicant and the supervisor. The Ethics Officer and supervisor will then proceed with their respective tasks of monitoring the employee.

## **6.6 RECORD KEEPING**

The System will retain records of the applicant's completed form and if applicable, the certificate of approval.

## **7. TERMINATION OF THE APPROVAL FOR OTHER REMUNERATIVE WORK**

- 7.1 If the employee transfers to another department, approval for ORW in the former department is terminated. The employee should make a new application in the new department.
- 7.2 If the employee contravenes the conditions of permission to perform ORW, the necessary misconduct proceedings should take place against the employee, in terms of the relevant prescripts.

## **8. IMPLEMENTATION OF THE DIRECTIVE**

- 8.1 The head of department may consider adopting a policy on ORW to institutionalise this Directive. The policy may cover the following issues:
  - 8.1.1 The kind of ORW that employees are prohibited from doing (because such presents clear conflict of interest or contravention of the Code of Conduct, conducting business with an organ of the state, or the risks facing the department);
  - 8.1.2 Prohibition of performing ORW during working hours or using state resources to perform ORW;

- 8.1.3 Conditions under which the ORW will be reviewed even if the validity period has not yet expired. Disciplinary process should be followed in case of misconduct;
- 8.1.4 Any restrictions for new employees or employees on probation;
- 8.1.5 Limitation in terms of the number of approvals per employee/number of hours to perform ORW; and
- 8.2 The Public Administration Ethics, Integrity and Disciplinary Technical Assistance Unit (PAEIDTAU) will provide technical assistance on the implementation of this Directive.

## **9. COMPLIANCE MONITORING AND REPORTING**

- 9.1 The supervisor must monitor employees who have permission to perform ORW to guard against ORW interfering or impeding the effective or efficient performance of the employee's functions in the department.
- 9.2 The Ethics Officer will monitor the employee for possible contravention of the Code of Conduct (which includes amongst others a prohibition on employees conducting business with any organ of state). Furthermore, the Ethics Officer will ensure that designated employees upload the relevant documents to the system while disclosing their financial interests.
- 9.3 The Ethics Officer should report to the HOD all matters relating to the ORW in the department at least quarterly. The report should include the following:
  - (a) Number of applications, including details of employees;
  - (b) Number of permissions granted;
  - (c) Number of deemed permissions granted; and
  - (d) Any findings regarding adherence or non-adherence to the Directive.
- 9.4 All cases of non-compliance must be dealt with in terms of section 16 A and 16 B of the Act, as well as section 31 of the Act. The outcome must be captured on PERSAL and, where applicable, the amount to be repaid/deducted indicated.
- 9.5 In line with section 5(7) of the Act, any decision made by the executive authority or his/her delegated authority shall be corrected if that decision was based on an error of fact, law or fraud. This includes, amongst others: where applicants omitted facts that may have influenced the decision to grant permission and/or where the applicant misrepresented the facts pertaining to his/her involvement in ORW.

- 9.6 Heads of Department are required to report to the PAEIDTAU all cases of non-compliance, including corrective actions taken and deemed approvals pertaining to the financial year not later by 30 April of each year.

## 10. TRANSITIONAL MEASURES

While the System is enhanced to accommodate the application of ORW, the following System of application and record-keeping will continue:

- 10.1 Employees will continue to use the paper-based form (**Annexure A or B as relevant**) to apply for permission to perform ORW;
- 10.2 The Ethics Officer must capture all steps of the application process contemplated in paragraph 6 on the PERSAL system under the fields created specifically for the recording of applications, including if the approval was obtained in terms of section 30(3)(b) of the Act;
- 10.3 The Ethics Officer will sign the deemed approval letter for the employee;
- 10.4 All designated employees who have been granted approval to perform ORW or obtained deemed approval, should upload the certificate or letter of deemed approval when disclosing their financial interests; and
- 10.5 A copy of the application form and the approval certificate must be filed in the Applicant's personnel file for record keeping.
- 10.6 The transitional measures will cease with the development of an electronic system, as directed by the Minister.

## 11. DATE OF IMPLEMENTATION

This Directive will take effect on **01 April 2024**.



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**MS. N KIVIET, MP**  
**MINISTER FOR THE PUBLIC SERVICE AND ADMINISTRATION**  
**DATE:** 21/02/24



**REPUBLIC OF SOUTH AFRICA**

**APPLICATION FOR PERMISSION TO PERFORM OTHER REMUNERATIVE WORK IN TERMS  
OF SECTION 30 OF THE PUBLIC SERVICE ACT, 1994**

This form must be completed by any permanent or temporary employee of any National Department, Government Component, or Provincial Department, as contemplated in section 8 of the Public Service Act, who wishes to perform other remunerative work outside their employment in the department.

This application form consists of the following sections:

**TO BE COMPLETED BY THE APPLICANT**

SECTION A: PERSONAL DETAILS OF APPLICANT

SECTION B: WORKING HOURS

SECTION C: APPLICATION FOR OTHER REMUNERATIVE WORK

SECTION D: DECLARATION

**TO BE COMPLETED BY THE IMMEDIATE SUPERVISOR**

SECTION E: RECOMMENDATIONS

**TO BE COMPLETED BY THE ETHICS OFFICER**

SECTION F: RECOMMENDATIONS

**TO BE COMPLETED BY THE EXECUTIVE AUTHORITY OR DELEGATED AUTHORITY**

SECTION G: APPROVAL

CERTIFICATE: APPROVAL OF OTHER REMUNERATIVE WORK

LETTER TO CONFIRM DEEMED APPROVAL – TO BE SIGNED BY THE ETHICS OFFICER

1. Surname

## 2. First names

3. Personnel / Persal number

4. Identity number

## 5. Contact details

### 5.1. Office phone number

## 5.2. Cell-phone number

### 5.3. E-mail address

#### 5.4. Name of the Department

## 5.5. Branch/Cluster

### 5.6. Directorate/Unit

### 5.7. Job title and salary level

2



5.8. Professional body(ies) registered with (if applicable)

5.8.1. Name of professional body 1 (relevant to your employment in the department)

[illegible]

### 5.8.2. Registration number at professional body 1

[illegible]

### 5.8.3. Name of professional body 2

[illegible]

#### 5.8.4. Registration number at professional body 2

[illegible]

5.8.5. Name of professional body 3

[illegible]

#### 5.8.6. Registration number at professional body 3

[illegible]

5.9. Job functions (Key performance areas, as contained in the job description of the applicant)

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5.11 Are you a designated employee?<sup>1</sup>

YES		NO	
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<sup>1</sup> Employees required to submit their financial disclosure in terms of the PSR, 2016 or Directive of 18 June 2021 (Assistant Directors, level 9 to SMS members, Ethics Officers, employees in SCM and Finance)

## SECTION B: WORKING HOURS

	Hours
1. Current working hours of the applicant (per week)	
2. Call/standby duties hours (per week)	
3. Current overtime hours worked (per month)	

## SECTION C: APPLICATION FOR OTHER REMUNERATIVE WORK

1. Please select the category of other remunerative work applying for.

**Tick only one option**

Category of work	Tick
Architecture Planning and Surveying	<input type="checkbox"/>
Building Construction	<input type="checkbox"/>
Consultancy Work	<input type="checkbox"/>
Design (Textiles; Graphics)	<input type="checkbox"/>
Engineering and Mechanical Repairs	<input type="checkbox"/>
Farming and Breeding	<input type="checkbox"/>
Fashion Design/Sewing	<input type="checkbox"/>
Financial Markets	<input type="checkbox"/>
Fitness Industry (including Gym, Yoga, Pilates, and Karate instructor)	<input type="checkbox"/>
Health Professionals	
Subcategories of Health Professionals:	
Medical Doctors	<input type="checkbox"/>
Nursing and Midwifery Professionals	<input type="checkbox"/>
Traditional and Complementary Professionals	<input type="checkbox"/>
Paramedical Practitioners	<input type="checkbox"/>
Sport Scientists (Physiotherapist, etc.)	<input type="checkbox"/>
Veterinarians	<input type="checkbox"/>
Other Health Professionals (Psychologists, etc.)	<input type="checkbox"/>
Hospitality Industry (Including Catering, Baking)	<input type="checkbox"/>
Import and Export Business	<input type="checkbox"/>
Information and Communication (including Call Centre/Contact Centers)	<input type="checkbox"/>
Logistics and Transport (including Shuttle Services, Travel Agency)	<input type="checkbox"/>
Manufacturing Mining Construction	<input type="checkbox"/>
Retail and Wholesale Trade	<input type="checkbox"/>

☐

Sales and Marketing (including Advertising, Public Relations and Promotion, as well as direct marketing of Cosmetics, Jewellery, Health Products))	
Security Industry	
Sports Recreation and Cultural (including Dancer, Musician, Singer)	
Training Research and Development (including Lecturing and Tutor)	
Tavern Owner and Restaurants	
Pastoral Services (Religious Leader, Reverend, Priest, etc.)	
Funeral Parlor	
Other (Please specify)	

2. Describe in detail the nature of the other remunerative work that will be performed, i.e. company activities and your role.

3. Dates for performing the other remunerative work

- 3.1 Planned start date of other remunerative work

(Note that permission is only granted for a maximum period of 12 months, aligned with the financial year)

- 3.2 Planned end date of the other remunerative work

3.3. Specify the days of the week and specific hours that work will be performed

Day of the week	Hours involved
Monday	
Tuesday	
Wednesday	
Thursday	
Friday	
Saturday	
Sunday	

3.4 Total number of hours planned for performing the other remunerative work (per month)

--

3.5 Specify where the other remunerative work will be performed (e.g. Home, company offices, door-to-door, etc.)

--

3.6 If the other remunerative work will be undertaken with/in an established business or organisation, please provide details:

3.6.1. Name of business/organisation

--

3.6.2 Details of person you will be reporting to

--

## SECTION D: DECLARATION BY THE APPLICANT

I (full name(s) and surname),

--

**hereby confirm that:**

1. the information supplied in this application form is correct;	
2. my performance of other remunerative work will in no way interfere with my commitments to the department, my duties and responsibilities as an employee;	
3. my performance of other remunerative work will not take place during the hours I am required for duty as agreed in my employment contract;	
4. I will not use any state resources for the purpose of performing other remunerative work;	
5. I shall not conduct business with any organ of the state, either in person or as part of an entity (including non-profit organisations);	
6. I will only be involved in the other remunerative work I have applied for; and	
7. this application has been discussed with my supervisor.	

**I understand and acknowledge that:**

8. my first commitment is to meet the operational objectives of my department and undertake to assist, to the best of my ability, the department in meeting its service delivery demands, including overtime commitments (if applicable) and being on call/standby (when applicable) as scheduled.	
9. permission to perform other remunerative work is only granted for the work applied for and time agreed upon (and reflected on the certificate of approval);	
10. should I wish to continue with such other remunerative work, I must submit a new application at least 60 days before expiry of the approved one;	
11. non-compliance with any of the conditions, monitoring or control measures pertaining to other remunerative work may lead to disciplinary action and that the sanction imposed may include forfeiture of other remunerative work approval, remuneration	

and/or benefits gained;	
12. the normal policies and measures governing discipline also apply in terms of non-compliance with the other remunerative work policy and measures; and	
13. the Executive Authority or delegated authority can, at any time, terminate my authorisation to perform other remunerative work, based on a change in operational requirements and/or poor performance on my part.	

**I agree to:**

14. abide by any control measures applicable to the other remunerative work system, including that it may be required of me to sign in and out each time I enter or exit the institution where I perform my basic or overtime duties; and	
15. attach the certificate of approval when disclosing my financial interests, if applicable.	

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**Signature of Applicant**

**Designation**

**Date**

After completing the form and signing the above (sections A-D), please present it to the supervisor for further administrative processing and submission to the Executive Authority/Delegated Official.

## SECTION E: RECOMMENDATION BY IMMEDIATE SUPERVISOR

I ..... (name and surname of the supervisor),

Persal number:..... **confirms that:**

1. I am the immediate supervisor of ..... (name and surname of the applicant); and
2. the applicant discussed his/her application for other remunerative work with me.
3. Based on the analysis conducted using the Supervisor Analysis Tool for Other Remunerative Work Application, I recommend the following:

### ☐ **Recommendation**

The proposed other remunerative work is not expected to interfere with the primary job responsibilities of the applicant or organizational goals. The time commitment falls within acceptable limits, and any potential performance challenges have been addressed satisfactorily.

### ☐ **Recommendation with Conditions:**

The proposed other remunerative work is recommended with the following conditions:

The employee must demonstrate that they have made the necessary adjustments. Additionally, ongoing discussions with the supervisor regarding these adjustments should be maintained to ensure successful implementation.

### ☐ **Not recommended:**

The proposed other remunerative work is likely to interfere with the primary job responsibilities of the employee or organizational goals.

[Ensure all incompatibilities are raised with the “Flag tool” in the supervisor tool sheet].

[Provide detailed reasons for the decision below]

\_\_\_\_\_  
Name and surname

\_\_\_\_\_  
Signature of Supervisor

\_\_\_\_\_  
Designation

\_\_\_\_\_  
Date

## SECTION F: RECOMMENDATION BY THE ETHICS OFFICER

Based on the analysis conducted using the Ethics Officer Analysis Tool for Other Remunerative Work Application, I recommend the following:

**[ ] ORW recommended:**

The proposed ORW application meets all the ethics and integrity requirements, and there are no identified conflicts of interest or unethical conduct that may compromise the employee's official duties or the public interest.

**[ ] ORW not recommended:**

The proposed ORW application is **not recommended** due to identified conflicts of interest, unethical conduct, or failure to meet code of conduct requirements.

[Ensure all incompatibilities are raised with the "Flag tool" in the ethics officer tool sheet].

[Provide detailed reasons for the decision below]

Reason(s)	Tick
Conflict of interest	<input type="checkbox"/>
Conducting Business with the State	<input type="checkbox"/>
Unethical conduct	<input type="checkbox"/>
Contravening provisions in the Code of Conduct	<input type="checkbox"/>

**(Check the EO tool)**

\_\_\_\_\_  
Name and surname

\_\_\_\_\_  
Signature of Ethics Officer

\_\_\_\_\_  
Designation

\_\_\_\_\_  
Date



## SECTION G: APPROVAL BY EXECUTIVE AUTHORITY OR DELEGATED AUTHORITY

1. The application is:

Approved ☐ Not approved ☐

2. **Comments/reasons for not granting permission:**

\_\_\_\_\_  
Name and surname

\_\_\_\_\_  
Signature of EA/ Delegated Official

\_\_\_\_\_  
Designation

\_\_\_\_\_  
Date



REPUBLIC OF SOUTH AFRICA

## **REAPPLICATION FORM FOR PERMISSION TO PERFORM OTHER REMUNERATIVE WORK IN TERMS OF SECTION 30 OF THE PUBLIC SERVICE ACT, 1994**

*This reapplication form is designed for the reapplication of ORW where there have been no changes in Other Remunerative Work that was previously approved<sup>1</sup>*

### **SECTION A: DETAILS OF APPLICANT**

- 1. Surname:**
- 2. First names:**
- 3. Persal number:**
- 4. ID Number:**
- 5. Designation:**
- 6. Salary level:**

*Please answer the following validation questions.*

### **SECTION B: VALIDATION QUESTIONS**

- 1. Has there been any change in your job functions since your last ORW approval?**
  - No [ ] (proceed to the next question)
  - Yes [ ] (this form is not for you). Please complete the standard ORW application form.
- 2. Have there been any changes in your arrangements for other remunerative work (e.g work, days committed, hours, etc. – check boxes)?**
  - No [ ] (proceed to complete the rest of the form).
  - Yes [ ] (this form is not for you). Please complete a standard ORW application form.
- 3. Attach the previous application form and certificate of approval.**

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<sup>1</sup> *situation and the employee's work duties, role, and responsibilities.*

## SECTION C: DECLARATION BY THE APPLICANT

I,

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(full name(s) and surname)

**hereby confirm that:**

1.	the information supplied in this application form is correct;	
2.	my performance of other remunerative work will in no way interfere with my commitments to the department, my duties and responsibilities as an employee;	
3.	my performance of other remunerative work will not take place during the hours I am required for duty as agreed in my employment contract;	
4.	I will not use any state resources for the purpose of performing other remunerative work;	
5.	I shall not conduct business with any organ of the state, either in person or as part of an entity (including non-profit organisations);	
6.	I will only be involved in the other remunerative work I have applied for; and	
7.	this application has been discussed with my supervisor.	

**I understand and acknowledge that:**

8.	my first commitment is to meet the operational objectives of my department and undertake to assist, to the best of my ability, the department in meeting its service delivery demands, including overtime commitments (if applicable) and being on call/standby (when applicable) as scheduled.	
9.	permission to perform other remunerative work is only granted for the work applied for and time agreed upon (and reflected on the certificate of approval);	
10.	should I wish to continue with such other remunerative work, I must submit a new application at least 60 days before expiry of the approved one;	
11.	non-compliance with any of the conditions, monitoring or control measures pertaining to other remunerative work may lead to disciplinary action and that the sanction imposed may include forfeiture of other remunerative work approval, remuneration and/or benefits gained;	
12.	the normal policies and measures governing discipline also apply in terms of non-compliance with the other remunerative work policy and measures; and	
13.	the Executive Authority or delegated authority can, at any time, terminate my authorisation to perform other remunerative work, based on a change in operational requirements and/or poor performance on my part.	

**I agree to:**

14. abide by any control measures applicable to the other remunerative work system, including that it may be required of me to sign in and out each time I enter or exit the institution where I perform my basic or overtime duties; and	
15. attach the certificate of approval when disclosing my financial interests, if applicable.	

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Name and surname

Signature of Applicant

Designation

Date

After completing the form and signing the above (sections A-C), please present it to the supervisor for further administrative processing and submission to the Executive Authority/Delegated Official.

## SECTION D: RECOMMENDATION BY IMMEDIATE SUPERVISOR

I ..... (name and surname of the supervisor),

### confirm that:

1. ☐ I am the immediate supervisor of ..... (name and surname of the applicant); and
2. ☐ The applicant discussed his/her reapplication for other remunerative work with me;
3. ☐ There is no change in the employee's work duties, role, and responsibilities in the Department.

### RECOMMENDATION

#### ☐ **Recommendation**

The reapplication is supported. The ORW did not interfere with the employee's performance of duties and I do not have any reason to believe that it will do so in the future. In case that happens, I will immediately inform the Ethics Officer and institute a disciplinary process.

#### ☐ **Recommendation with Conditions:**

The proposed reapplication is recommended with the following conditions:

The employee must demonstrate that they have made the necessary adjustments. Additionally, ongoing discussions with the supervisor regarding these adjustments should be maintained to ensure successful implementation.

#### ☐ **Not recommended:**

The proposed reapplication is not recommended. The previous performance of the ORW interfered with the employee's primary job responsibilities and/or organizational goals.

[Provide details of how the employee's functions have been affected].

\_\_\_\_\_  
Name and surname

Designation

\_\_\_\_\_  
Signature of Supervisor

Date

## SECTION E: RECOMMENDATION BY THE ETHICS OFFICER

### ☐ **ORW recommended:**

The proposed ORW reapplication meets all ethics and integrity requirements, and there are no identified conflicts of interest or unethical conduct that may compromise the employee's official duties or the public interest.

### ☐ **Recommendation with Conditions:**

The proposed reapplication is recommended with the following conditions:

The employee must demonstrate that they have made the necessary adjustments. Additionally, ongoing discussions with the supervisor regarding these adjustments should be maintained to ensure successful implementation.

### ☐ **ORW not recommended:**

The proposed ORW reapplication is **not recommended**. [Provide reasons for the recommendation below]

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Name and surname

Signature of Ethics Officer

Designation

Date

## SECTION F: APPROVAL BY THE EXECUTIVE AUTHORITY OR DELEGATED AUTHORITY

1. The application is:

Approved ☐ Not approved ☐

2. Reasons for not granting permission:

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Signature of Executive Authority / Delegated Official

Designation

Date





Please note:

Permission is only granted for the work indicated above, including the hours. This permission is not transferable to any other work or department.

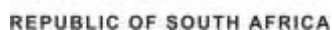
If it is to be discovered that you are not adhering to the public service prescripts regulating other remunerative work, including not conducting business with an organ of state, your permission may be suspended and disciplinary steps will be instituted. **Please familiarize yourself with the Directive on Other Remunerative Work outside the employee's employment in the relevant department...**

If you wish to continue with other remunerative work after the expiry of the approved date, a reapplication must be submitted 60 days before the start of the ORW.

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Executive Authority/Delegated Authority

Designation		Date



**Name of the department.**

\_\_\_\_\_

\_\_\_\_\_

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Salary level of the employee

[illegible]

ID number

obtained a license approval to perform the following from outside Mexico, as a foreigner:

Period:  to   
Date of commencement End date  
(maximum 12 months within the financial year)

Please note:

Permission is only granted for the work indicated above, including the hours. This permission is not transferable to any other work or department.

If it is to be discovered that you are not adhering to the public service prescripts regulating other remunerative work, including not conducting business with an organ of state, your permission may be suspended and disciplinary steps will be instituted. **Please familiarize yourself with the Directive on Other Remunerative Work outside the employee's employment in the relevant department...**

If you wish to continue with other remunerative work after the expiry of the approved date, a reapplication must be submitted 60 days before the start of the ORW.

#### DECLARATION BY THE ETHICS OFFICER:

The employee's application for other remunerative work was submitted to the executive authority or delegated authority as follows:

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Date of submission

Date on which the confirmation letter is signed<sup>1</sup>

\_\_\_\_\_  
Name(s) of the Ethics officer

\_\_\_\_\_  
Signature

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Designation Date

\_\_\_\_\_  
<sup>1</sup> The confirmation letter can only be signed after the 30 days of not receiving feedback from the executive authority or delegated authority.



REPUBLIC OF SOUTH AFRICA

## OTHER REMUNERATIVE WORK ANALYSIS TOOL FOR SUPERVISORS

This tool is designed to assist supervisors in conducting a comprehensive assessment of Other Remunerative Work (ORW) applications to offer well-informed and well-documented recommendations. This assessment covers various aspects, including time commitment, competing priorities, leave and absences, performance, and transparency. Additionally, supervisors should ensure a thorough examination of potential gender and diversity biases or discriminatory attitudes and assumptions when analyzing applications and providing recommendations. This can be achieved by applying the standardized evaluation criteria listed and critically evaluating personal assumptions.

✓	ANALYSIS	WHAT TO DO	EXPLANATORY NOTES
	TIME COMMITMENT	List the employee's regular working hours per week or month based on their established schedule or contract.	E.g. 7.5 hours per day, Monday to Friday
	TIME COMMITMENT	Consult the schedule or estimated time commitment for the proposed other remunerative work provided by the employee.	E.g. 3 hours a month, every Tuesday of the 1st week
	TIME COMMITMENT	Assess the compatibility of the ORW schedule with the employee's regular working hours to ensure there are no conflicts.	E.g. The employee will take leave for the specific period each month
	TIME COMMITMENT	Calculate the total hours the employee will be dedicating to both their regular duties and the ORW to ensure it falls within acceptable limits set by the organization.	E.g. Total of 153 hours a month, it falls under the 180 hours guideline.
	COMPETING PRIORITIES	Identify and list the main responsibilities and deliverables of the employee's regular position.	E.g. Talent scout : receive and analyze candidacies
	COMPETING PRIORITIES	Consult and list the responsibilities attributed to the employee in its other remunerative work role	E.g. Act as a member of a board : provide advice, take decisions
	COMPETING PRIORITIES	Assess if the ORW may interfere with or compete against any of the employee's primary job responsibilities or organisational goals.	E.g. The board being in a school, it does not interfere in any way with his work responsibilities.
	LEAVE AND ABSENCES	Review the employee's previous leave history and upcoming planned leave	E.g. Flag raised because the employee had several unjustified leave in the past.
	LEAVE AND ABSENCES	Consider the impact of the ORW on team workload during the employee's absence	E.g. The ORW takes place during a month where the team has to submit a lot of reports.
	PERFORMANCE	Consider the potential impact of the ORW on the employee's ability to meet objectives and deadlines.	Ask the ORW applicant about his/her short and mid term objectives/deadlines.
	PERFORMANCE	Verify if the employee has a plan to address any potential performance challenges resulting from the additional workload.	E.g. How will you adjust if you realize that the ORW is starting to impact your performance? Synthesize his/her answer in those explanatory notes.
	DISCLOSURE & TRANSPARENCY	Suggest that the employee informs the outside body for which he will perform ORW of any dispositions or changes needed to the ORW arrangement.	Enter notes related to that discussion
	DISCLOSURE & TRANSPARENCY	Verify if the employee has other undisclosed other remunerative work. Examples of the types of work that are often unnoticed as ORW include ownership of several rental properties, part-time online business, etc.	List the other undisclosed remunerative works performed.

This tool is designed to assist supervisors in conducting a comprehensive assessment of Other Remunerative Work (ORW) applications to offer well-informed and well-documented recommendations. This assessment covers various aspects, including time commitment, competing priorities, leave and absences, performance, and transparency. Additionally, supervisors should ensure a thorough examination of potential gender and diversity biases or discriminatory attitudes and assumptions when analyzing applications and providing recommendations. This can be achieved by applying the standardized evaluation criteria listed and critically evaluating personal assumptions.



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## OTHER REMUNERATIVE WORK ANALYSIS TOOL FOR ETHIC OFFICERS

This tool is designed to assist ethic officers in conducting a comprehensive assessment of Other Remunerative Work (ORW) applications to offer well-informed and well-documented recommendations. This assessment covers various aspects, including conflicts of interest, unethical conduct or failure to meet code of conduct requirements. Additionally, ethic officers should ensure a thorough examination of potential gender and diversity biases or discriminatory attitudes and assumptions when analyzing applications and providing recommendations. This can be achieved by applying the standardized evaluation criteria listed and critically evaluating personal assumptions.

✓	ANALYSIS	WHAT TO DO	EXPLANATORY NOTES
	CONFLICT OF INTEREST	Identify all other main functions, important responsibilities, as well as additional activities and tasks the individual is involved in.	E.g. Approving project budgets and resource allocations, Representing the organization in external events or meetings, Collaborating with other departments on cross-functional projects, etc.
	CONFLICT OF INTEREST	Identify relevant personal, financial, political, or professional interests linked to the ORW or the general situation of the employee worth analyzing.	E.g. close relative involved, holds company shares, serve as a political campaign advisor, member of an important association, etc.
	CONFLICT OF INTEREST	Assess whether any of the identified involvements or interests, including the proposed ORW, compromises or has the potential to compromise the professional judgment of the employee in the course of their duties.	Note: Identifying a conflict of interest does not necessarily result in the disapproval of the application. The important aspect is to identify the COI, ensure its disclosure, and assess its risk to address and manage it appropriately. Is there a possibility of overlap between the employees functions and ORW? Provide details
	CONFLICT OF INTEREST	Assess if the ORW could involve an apparent conflict of interest situation. (An apparent COI is one that another agent perceives in you)	Would a reasonable and well-informed person conclude that the public interest is compromised by looking at this ORW situation?
	CONFLICT OF INTEREST	Examine whether the ORW responsibilities and context could place the employee in a conflict of interest in the future.	Are there any at-risk situations in the future, related to the ORW, that could lead to conflicts of interest?
	CONDUCTING BUSINESS WITH THE STATE	Verify if the company/organisation linked to the ORW application is an organ of the state.	Provide details on the outside body/company
	CONDUCTING BUSINESS WITH THE STATE	Verify if the company/organisation is conducting or planning to conduct business with the department or other organ of state (registered with CSD)	Provide details if it applicable
	CONDUCTING BUSINESS WITH THE STATE	Confirm that the employee is not conducting business with any organ of state or being a director of a public or private company conducting business with an organ of state, except where explicitly permitted.	Provide details if it applicable. Verify if the employee is a beneficial owner of the company.
	UNETHICAL CONDUCT	Verify if the employee has been involved in any fraud, corruption, nepotism or any other act constituting a contravention of the law or prejudicial to the public interest.	Provide details of the information collected
	UNETHICAL CONDUCT	Consider the potential for receiving gratification, gifts or hospitalities in the context of the proposed Other Remunerative Work.	Note: Consult the details of the ORW responsibilities, the organization mission, etc.
	UNETHICAL CONDUCT	Assess the risk that the employee discloses information without approval for personal gain or the gain of others.	Review access to sensitive data and information, potential confidential information leaks, etc.
	UNETHICAL CONDUCT	Evaluate if the ORW context is likely to involve the use of State resources to perform other remunerative work	Frequent use of phone at work, email account usage for ORW, etc.
		Is the work applied for regulated by law?	