

**MINISTRY: PUBLIC SERVICE AND ADMINISTRATION**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**QUESTION NO.: 1652**

**Mr A P van der Westhuizen (DA) to ask the Minister of Public Service and Administration:**

(1) What are the (a) names, (b) descriptions of the positions and (c) circumstances of the Directors-General in the Public Service that did not submit their financial disclosure forms for the 2014-15 financial year as at (i) 31 March 2015 and (ii) 31 March 2016;

(2) whether all senior management staff members of his department and the National School of Government submitted their financial disclosure forms by the due date for the 2014-15 financial year; if not, (a) why not and (b) when will the specified financial disclosure forms be submitted; if so, what are the relevant details;

(3) what steps have been taken to avoid a repetition of the failure to submit disclosure forms by (a) Directors-General in the Public Service and (b) senior management staff members in his department and the National School of Government on time in the 2015-16 financial year deadline? NW1864E

**REPLY**

(1) Chapter 3 C.1 of the Public Service Regulations, 2001 (which was applicable during the period in question) provides that every designated employee (SMS member) shall, not later than 30 April each year, disclose to the relevant Executive Authority 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. Copies of the forms on which the designated employees disclosed their financial interests are to be submitted to the Public Service Commission (PSC) by not later than 31 May each year. In view thereof, the financial disclosure forms for the period 1 April 2014 to 31 March 2015 were supposed to reach the PSC by 31 May 2015. There were, however, financial disclosure forms, including those of some of the Directors-General, that were not submitted to the relevant Executive Authorities and the PSC by the respective stipulated due dates. The Directors-General (including those who were acting) and Executive Authorities who did not comply with the requirements to submit the financial as provided for in the Public Service Regulations are reflected in the Table below.

The level of compliance with the requirement to submit the financial disclosure forms by the due dates of 30 April 2015 (Director-General) and 31 May 2015 (Executive Authorities)

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| --- | --- | --- | --- |
| **NAME OF DEPARTMENT** | **NAME OF DG** | **DATE CREATED! COMPLETED BY DG** | **DATE**  **SUBMITTED BY   EA TO PSC** |
| Arts and Culture | Mr V. Jack (Acting) | The official never  submitted | - |
| Correctional Services | Mr Z.I Modise | 22 April 2015 | **28 April 2016** |
| Defence | Dr S.M. Gulube | The official never  submitted | - |
| Economic Development | Mr K. Naidoo  f(Acting) | 21 April 2015 | - |
| Environmental Affairs | Ms N.N. Ngcaba | 16 April 2015 | 23 June 2015 |
| Higher Education and Training | Mr G.F. Qonde | 28 April 2015 | 17 December 2015 |
| Human Settlements | Mr M. Tshangana | The official never  submitted | - |
| IPID | Mr R.J. McBride | The official was on  suspension during the submission period and never submitted. | - |
| Military Veterans | Mr T. Motumi | 1 June 2015 | - |
| National School of Government | Mr B.I. Maja  (Acting) | 29 April 2015 | - |
| National Treasury | Mr L. Fuzile | 29 April 2015 | - |
| Public Service & Administration | Mr M. Diphofa | 30 April 2015 | 12 August 2015 |
| Small Business Development | Ms P. Ncapayi | 21 April 2015 | 16 February 2016 |
| Sport & Recreation | Mr M.E. Moemi | 16 October2015  (Submitted internally) | - |
| State Security Agency | Amb S. Kudjoe | The official never  submitted | - |
| Trade & Industry | Mr L.V. October | 20 April 2015 | 16 February 2016 |
| Women | Ms J. Schreiner | The official captured  the required  information on the e-Disclosure system but was not submitted. | - |

For the 2015/2016 financial year the financial disclosure forms of only two Directors-General were outstanding as at the due date of 31 May 2016. These are the Director-General of State Security Agency (Ambassador S Kudjoe) and the Secretary General of the Office of the Chief Justice (Mr M Sejosengwe). The form of Mr Sejosengwe was, however, submitted on time internally (i.e. 15 April 2016) through the eDisclosure system. This form was only released by the Executive Authority to the PSC on 29 June 2016. Ambassador Kudjoe's form is still outstanding.

(2) For 2014/2015 financial year Public Service and Administration and National School of Government did not submit their financial disclosure forms to the PSC by the due date of 31 May 2015. As at the end of the 2014/2015 financial year (31 March 2016), the DPSA had submitted 97% of the forms and the National School of Government had not submitted a single form by then.

(3) The PSC is continuously making efforts to try and get Departments to improve the submission rate to 100% by the due date of 31 May each year. The following steps are taken on an annual basis in the quest to improve the submission rate by the due date:

* The PSC sends out letters to the EAs reminding them to facilitate the submission of financial disclosure forms of SMS members within their respective departments. The DPSA issues notices on the salary advices of senior managers, reminding them of their duty to declare financial interests.
* The Executive Authorities are advised on a continuous basis to take disciplinary steps against officials who, without valid reasons, fail to comply with the Financial Disclosure Framework, as stipulated in Regulation H of Chapter 3 of the Public Service Regulations.