**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO: 1726**

**DATE OF QUESTION: 09 JUNE 2017**

**DATE OF SUBMISSION: 26 JUNE 2017**

**Ms C King (DA) to ask the Minister of Justice and Correctional Services:**

Whether any staff of (a) his department and (b) each entity reporting to him were awarded any contracts or agreements to conduct business with any state entity in the (i) 2014-15, (ii) 2015-16 and (iii) 2016-17 financial years; if so, what are the (aa)(aaa) names and (bbb) professional designations of the staff members and (bb)(aaa) details of the contract(s) and/or agreement(s) awarded and (bbb) amounts in each case?

**NW1932E**

**REPLY:**

1. The Department of Justice and Constitutional Development has responded as follows:
2. **Table A** below gives details of employees who were found to be doing business with organs of state by the Auditor-General in 2014/15.

| **Name of Official** | **Designation** | **Organ of State** | **Name of the Supplier**  | **Order No.** | **Amount** |
| --- | --- | --- | --- | --- | --- |
| Ramaoka M.N | Administration Clerk (Resigned on 2017/01/31) | National Department of Sport and Recreation | Makhurumola Itlhabanele Business | Not available | R0.00 |
| Mbowane A | Assistant Master (Resigned on 2014/12/31) | National Department Correctional Services | Nchiruleng trading enterprise | Not available | Not available |
| Afrika BH | Senior Court Interpreter  | South African Police Service | Biometric Enhancement Solutions (Pty) Ltd | Not available | R859 357.83 |
| Mashego. BK | Director/senior manager  | Small Enterprise Development Agency | Kholo Monyane Trading Enterprise  | Not available | R0.00 |
| Maja MP | Director/senior manager  | Food and Beverages Manufacturing Industry | Bakhethwa Solutions And Investments | Not available | R0.00 |
| Mmbadi LS | Director/senior manager  | Eskom Holdings Ltd | Booi Holdings | Not available | Not available |
| Jacobs J | No record is found on DoJ&CD’s Persal as the official is currently stationed at the Office of the Chief Justice. | City of Johannesburg Metro | Constitution Hill Development | Not available | R6 840.00 |
| Gwadiso SS | Director (Resigned on 2017/05/31) | Amatole District Municipality | Beam Marketing & Promotions CC | Not available | R0.00 |
| Kgomo. TFJ | Director (Retirement on 2017/04/30) | South African Police Service | Kgophamorama Management Services & Projects CO | Not available | R215.00 |
| Bhikha SV | Principal Legal Admin Officer (Retirement on 2015/07/31) | Financial and Accounting Services SETA | Public Finance IQ | Not available | R0.00 |
| Samaai S | Principal Legal Admin Officer (Contract expiry on 2015/10/15) | Destination Marketing Organisation | X Con Films | Not available | R0.00 |
| Bodigelo JT | E-scheduler Clerk  | Ngwathe Local Municipality | Batho Pele Funeral Parlour | Not available | R6 900.00 |
| Choshane. ML | Chief Registry Clerk  | Fetakgomo Local Municipality | Mogodumane Funeral Parlour and Undertakers | Not available | -R3 918.00 |
| Lebelo J.M | Administration Clerk  | Limpopo Department of Health | Dimpho Mahlatse Service Provider | Not available | R2 250.00 |
| Khoza N | Chief Accounting Clerk  | Ehlanzeni District Municipality | Sebenzani Trading 59 | Not available | R6 346.00 |
| Hlongwane. SP | Administration Clerk  | Ezemvelo Local Municipality | Ukumhlophe Investment trading  | Not available | R0.00 |
| Mohalanyane. MJ | Digital criminal recording systems(DCRS) Administration Clerk  | Office of the Premier of Limpopo Province | Mohalanyane General Trading  | Not available | R9 800.00 |
| Bonokwane NM | Senior Administration Clerk (Resigned on 2017/04/30) | Ratlou Local Municipality | The Mary's Bed and Breakfast | Not available | R2 855.00 |
| Chita DB | Administration Clerk  | Legal Aid South Africa | Future Selling Photocopies papers | Not available | -R1 000.00 |
| Mokoena GM | Administration Clerk  | Maluti A Phofung Local Municipality | Thabadimahlwa trading and projects | Not available | R1 980.00 |
| Mashinini JH | Administrative Officer  | Phumelela Local Municipality | Happyguza Construction and Projects | Not available | -R1 700.00 |
| Baca S | Administration Clerk  | South African Police Service | Back to Back Trading Enterprise cc | Not available | R9 240.00 |
| Kgomo MA | Administration Clerk  | South African Social Security Agency | Motlhala Nala General Trading  | Not available | R231.25 |
| Gonyela S | Maintenance Investigator  | OR Tambo District Municipality | Sirgo Trading Enterprise | Not available | R379 553.00 |
| Maphanga LP | Accounting Clerk  | Department of Defence | Lefa Phangos Trading Enterprise | Not available | R17 229.00 |
| Masilela PN | Administration Clerk  | MP: Public Works Roads & Trans | TVLN | Not available | R25 100.00 |
| Masilela BV | Administration Clerk  | South African Police Service | Botshelo & Naledi Enterprise (Pty) Ltd | Not available | R55 798.50 |
| Sepheu MR | Audit Manager  | Agricultural Research Council | Robsmethi Trading Enterprise | Not available | R112 300.00 |

**NB:** During the 2014/15 financial year, public servants were not prohibited from conducting business with the organs of the State, provided that they obtained permission from the executive authority to perform other remunerative work outside employment in the public service. The Department could therefore not take corrective action against any of the officials listed above for conducting business with organs of state. Furthermore, it should benoted that the Department relies on the Office of the Auditor-General in respect to the amounts of the transactions/contracts.

1. **Table B** below gives details of employees who were found to be doing business with organs of state by the Auditor general in 2015/16.

| **Name of Official** | **Designation** | **Organ of State** | **Name of the Supplier**  | **Order No.** | **Amount** |
| --- | --- | --- | --- | --- | --- |
| OT Muthen-Kanyinda | Administrative Officer (Resigned on 2016/03/31) | Transnet TFR | Chee Trading | Not available | R341 489.00 |
| SP Hlongwane | Administration Clerk  | Ezemvelo Wild Life | Luyandas Trading | Not available | R352 000.00 |
| SR Khambule | Deputy Director: Financial Management  | LP: Pub Works Roads & Infrastructure | Blue Stone Design (Pty) Ltd  | Not available | R125 957.00 |
| SP Hlongwane | Administration Clerk  | South African Social Security Agency | Ukumhlophe Investment Trading  | Not available | R73 166.00 |
| DT Myeni | Registry Clerk  | Safety and Security SETA | Shemula Trading Enterprise  | Not available | R187 500.00 |
| MZ Tibane | Messenger  | NAT: SASSA – Mpumalanga | IT Minds | Not available | R470 750.00 |
| MS Seema | Audit Manager | Tshwane Metropolitan Municipality | Tshwane Micro Enterpreneurs League Projects Co-Operative Lim | Not available | R18 720.00 |
| MR Sepheu | Audit Manager  | Agricultural Research Council | Robsmethi Trading Enterprise (Pty) Ltd | Not available | R9 851.00 |
| N Yulu  | Deputy Director (Resigned on 2016/04/30) | SA Maritime Safety Authority | Yulu Media Sound and Entertainment (PTY) LTD | Not available | R60 100.00 |
| M Ngcobo | Assistant Director | GP: Human Settlement | Mthomakhathini (Pty) Ltd | Not available | R120 000.00 |
| NP Ndlovu | Administration Clerk (Contract expiry on 2016/02/29) | Tshwane Metropolitan Municipality | Zele Solution (Pty) Ltd | Not available | R114 408.00 |
| NP Ndlovu | Administration Clerk (Contract expiry on 2016/02/29) | Tshwane Metropolitan Municipality | Patrosa Holdings (Pty) Ltd | Not available | R150 527.00 |
| OT Muthen-Kanyinda | Administrative officer (Resigned on 2016/03/31) | Transnet TFR | Chee Trading | Not available | R341 489.00 |
| SP Hlongwane | Administration Clerk   | Ezemvelo Wild Life | Luyandas Trading | Not available | R352 000.00 |
| SR Khambule | Deputy Director: Financial Management  | LP: Pub Works Roads & Infrastructure | Blue Stone Design (Pty) Ltd  | Not available | R125 957.00 |
| SP Hlongwane | Administration Clerk  | South African Social Security Agency | Ukumhlophe Investment Trading  | Not available | R73 166.00 |
| DT Myeni | Registry Clerk  | Security Seta | Shemula Trading Enterprise  | Not available | R187 500.00 |

**NB:** During the 2015/16 financial year, public servants were not prohibited from conducting business with the organs of the State, provided that they obtained permission from the executive authority to perform other remunerative work outside employment in the public service.

1. **Table C** below gives details of employees who were found to be doing business with organs of state by the National Treasury in 2016/17.

| **Name of Official** | **Designation** | **Organ of the State** | **Name of the Supplier**  | **Order No.** | **Amount** |
| --- | --- | --- | --- | --- | --- |
| Ndivhuwo Enerst Nemusimbori | Legal Researcher | Government Communication and Information Systems - National | Enerst Trading and Projects | OR-078106 | R7 368.00 |
| Ndivhuwo Enerst Nemusimbori | Higher Education and Training - National | Enerst Trading and Projects | OR-013115 | R44 100.00 |
| Ndivhuwo Enerst Nemusimbori | Higher Education and Training - National | Enerst Trading and Projects | OR-013272 | R885.80 |
| Ndivhuwo Enerst Nemusimbori | Human Settlements - National | Enerst Trading and Projects | DH-024551 | R3 542.50 |
| Dumisani Bathwell Tuis | Court Manager | Correctional Services - National | Linche Cleaning And Catering Services | CL-004662 | R16 892.60 |
| Dumisani Bathwell Tuis | Correctional Services - National | Linche Cleaning And Catering Services | CL-004691 | R15 798.00 |
| Motlatsi Abel Tsubane | Senior Court Interpreter | Home Affairs - National | Khazimla Services | WC-003162 | R2 425.00 |
| Petronella Andricka Freeman | Court Intermediary | Correctional Services - National | Gaz Dealer And Services | UP-005543 | R14 750.00 |
| Petronella Andricka Freeman | Roads and Public Works - Northern Cape | Gaz Dealer And Services | SY-001296 | R489 000.00 |

**NB:** The prohibition of employees from conducting business with organs of the State came into effect in August 2016 (subject to a six months transition period, starting from the date of implementation of the Public Service Regulations on 01 August 2016 to allow affected public servant to round up their activities or resign their Directorships from supplier companies with existing contracts with an organ of the state). In the circumstances, even an official who has obtained permission from the Executive Authority to perform other remunerative work outside employment in the Public Service cannot rely on such permission to conduct business with an organ of the state.

1. The entities of the Department of Justice and Constitutional Development reported as follows:
2. **Special Investigating Unit (SIU):**

The SIU has informed that according to the SIU integrity Unit, it is confirmed that no-one within the SIU who is doing business with the State 2014/15, 2015/16 and 2016/17 financial years..

1. **National Prosecuting Authority (NPA)**

The NPA has confirmed that no member in its employ was awarded any contracts or agreements to conduct business with any state entity during the periods concerned, nor is any member of the NPA conducting any business with an organ of state2014/15, 2015/16 and 2016/17 financial years.

1. **Legal Aid South Africa**

None of Legal Aid South Africa’s staff was awarded any contracts or agreements to conduct business with any state entity in the 2014/15, 2015/16 and 2016/17 financial years.

1. The Department of Correctional Services has confirmed that no member in its employ was awarded any contracts or agreements to conduct business with any state entity during the periods concerned.