**36/1/4/1/2016**

**NATIONAL ASSEMBLY**

**FOR oral REPLY**

**QUESTION 2264**

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**(INTERNAL QUESTION PAPER NO 31-2016)**

**46(2264). Mr Z N Mbhele (DA) to ask the Minister of Police:**

(1) Whether he obtained the concurrence of the Minister of Finance, Mr P J Gordhan, on the remuneration of Lt. Gen. B M Ntlemeza before he was appointed as the National Head of the Directorate for Priority Crime Investigation in accordance with section 17CA(8)(a) of the South African Police Services Act, Act 68 of 1995, as amended; if not, why not; if so, on what date did he obtain the concurrence of the Minister of Finance in writing;

(2) whether he placed a notice of the remuneration scale payable to the specified person in the *Government Gazette* before the person was appointed to the specified position, in accordance with section 17CA(8)(a) of the specified Act; if not, why not; if so, (a) on what date was this gazetted and (b) what is the *Government Gazette* number;

(3) whether he submitted the remuneration scale payable to the person to Parliament for approval, in accordance with section 17CA(9) of the Act; if not, why not; if so, (a) on what date and (b) in what form was the specified submission made to Parliament?

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**REPLY:**

1. At the time of the appointment of Gen B M Ntlemeza the current Minister of Finance, Mr P J Gordhan was not the Minister of Finance. The Then Minister of Finance, Mr N Nene was a member of the Cabinet and the appointment of Gen Ntlemeza was presented before Cabinet for concurrence. Cabinet Memorandum, which included the proposed remuneration scale of Gen Ntlemeza was distributed to all Cabinet Ministers including the Minister of Finance and no objection was received from the Ministers. Cabinet (with the Minister of Finance included) concurred with the appointment of Gen Ntlemeza on 09 September 2015 and that was before he was appointed on 10 September 2015.

It must be noted that the South African Police Services Act 68 of 1995 (SAPS Act), as amended, does not prescribe how concurrence should be obtained and there is no provision in the Act that requires concurrence by the Minister of Finance to be writing.

1. The Minister submitted the remuneration scale which has already been approved by the Department of Public Service to Parliament for approval. This is part of the process of publishing the said remuneration scale in the Government Gazette. Whilst it is acknowledged that the SAPS Act requires the Minister to place a notice of the remuneration scale payable to the Head of DPCI in the *Government Gazette,* it must be pointed out that the Act does not prescribe the time frames at which such notice must be placed in the *Gazette*.
2. (a) The Minister submitted the remuneration scale payable to Gen Ntlemeza

to Parliament on 31 October 2016.

1. The remuneration scale was submitted through the Speaker of the National Assemble in writing.