

**MINISTRY OF DEFENCE & MILITARY VETERANS**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**3084. Mr S J F Marais (DA) to ask the Minister of Defence and Military Veterans:**

(1) Whether she has been informed of any allegations of irregular and/or unlawful appointments made in the hiring of persons for the Senior Staff Officer National Codification Bureau in 2015; if so, what are the relevant details;

(2) whether any investigations have been launched into the alleged irregular and/or unlawful hiring of persons for the National Codification Bureau; if not, why not; if so, what (a) were the outcomes and (b) action was taken to (i) prevent irregular and/or unlawful appointments in the future and (ii) implement disciplinary action against any individuals found to have been involved in irregular and/or unlawful appointments;

(3) whether certain persons (names and details furnished) were appointed to the National Codification Bureau; if so, what are the details of the processes that were followed to appoint each specified person;

(4) whether her department has put a policy in place regarding the appointment of family members of current and former staff members to positions in her department, especially to senior leadership positions; if not, what is the position in this regard; if so, what are the relevant details;

(5) what checks and balances action plans are in place to ensure that no irregularities occur with regard to (a) appointments and (b) instituting disciplinary steps against staff members related to current or former employees when they transgress rules and orders? NW3448E

**REPLY:**

1. The Minister was not informed neither was she aware of any allegation of irregular and or unlawful appointments that occurred during the hiring of persons for the Senior Staff Officer National Codification Bureau in 2015 since there has never been hiring of Senior Staff Officer at National Codification Bureau over the period mentioned. During the said period only contractors were hired and trained to be codifiers. Allegations pertaining to alleged irregularities during the acquisition of contractors were never reported through appropriate channels set up by the Department of Defence, and only came to the fore by a media enquiry from Rapport subsequently followed by an article published by Rapport and City Press on 21 October 2018.
2. The SANDF prides itself as a well-structured and disciplined force with adequate structures in place to resolve any inconsistency, malicious deeds, ill-discipline, or any other activity that might put the organisational name into disrepute warrants disciplinary processes as regulated in our policy. It should be noted that proper channels were never used to report any irregularity regarding hiring of any member by National Codification Bureau. The Department of Defence only became aware of these allegations regarding alleged irregularities when it received a media enquiry subsequently followed by the publication of an article pertaining the same matter by Rapport and City Press newspapers on 21 October 2018. This practice is contrary to the Department of Defence’s code of ethics. Following the publication of an article pertaining alleged irregularities an investigation was launched and is still ongoing.
3. National Codification Bureau (NCB) went on a project to acquire contract workers in support of the National Youth Development Policy Framework. All requirements were approved by the Chief of the Division and appointments of contract workers took place from 2015, 2016 and 2017. This was done in line within the prescripts of the National Youth Development Framework which encourages development of youth from the root level where opportunities for furthering education were not afforded due to different reasons stemming from non-affordability because of poor background. During the said period only contractors were hired and trained to be codifiers. The total amount of contractors employed is 71.

The Bill of Rights is a cornerstone of democracy, enshrining the rights of all people in the country and affirming the democratic values of human dignity, equality and freedom. This is inclusive of the appointment of youth from any cultural background and association without discrimination. No member can be disqualified when he/she meets the necessary requirement to be offered equal opportunities like any other youth in the country. By placing young people and their development in the broader context of reconstruction and development, common developmental goals and a spirit of cooperation and co-ordination is encouraged.

1. This should be done in line with Government’s broad approach to fundamentally address poverty and underdevelopment through comprehensive, integrated, cross-sectoral and sustainable policies and programmes. Young people ought to enjoy all the rights, responsibilities and obligations that all normal citizens of South Africa enjoy as contained in the Bill of Rights and the Constitution, so are contractors who are related to members of the Department of Defence, unless it can be said they are not supposed to have rights that are accorded every citizen of this country which were attained through blood and sweat of their fathers, mothers brothers and sisters who had to face oppression by a brutal regime. The Department of Defence policy clearly states that a member of a selection board may recuse himself/herself if his/her familiarity with the candidate might affect his/her objective judgement. In the aforementioned case, no family member was directly involved with the acquisition of contract workers. DODI C PERS NO 8/99 stipulates that applicants should not be discriminated due to their status. The policy further states that all candidates should be measured against the same objective criteria.
2. The South African National Defence Force has systems in place to deal with issues regarding all ill-discipline aspects at all levels. Necessary internal processes are always followed regarding any irregularity or ill-discipline related behaviour. In order to ensure that checks and balances within the department are in place, staffing is handled as follows:
   1. Vacant funded posts are advertisement and this is done according to C Pers [DCM (PSAP)] by Human Resource Division.
   2. Shortlisting of applicants is done by Human Resource of the requesting authority.
   3. The Staffing Board identifies the suitable candidates according to the criteria.
   4. The decision of the Staffing Board is sent back to C Pers [DCM (PSAP)] for final endorsement.

Regarding the aforementioned criteria, posts were not advertised due to the fact that, contract appointments do not meet the advertisement requirement, as per DODI C PERS NO 8/99. However in an event where shortcomings or irregularities occur, the SANDF as the organisation will not hesitate to implement corrective measures as directed by the Defence Act.