**MINISTRY FOR HUMAN SETTLEMENTS**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**QUESTION NO.: 3443**

**DATE OF PUBLICATION: 03 NOVEMBER 2017**

**Ms M O Mokause (EFF) to ask the Minister of Human Settlements:**

(1) How many officials and/or employees in her department were granted permission to have businesses and/or do business dealings in the past three financial years;

(2) are any of the officials and/or employees that have permission to have businesses and/or do business dealings doing business with the Government; if so, (a) what was the purpose of each business transaction, (b) when did each business transaction occur and (c) what was the value of each business transaction? **NW3869E**

 **REPLY:**

(1) Three officials were granted permission to have businesses in the past three financial years.

(2) All three requests for approval were not for business with the state or its organs.

I wish to point out to the Honourable Member that employees are prohibited from doing business with the state or its organs. Incidentally, it was during my tenure as Minister of Public Service and Administration that the Public Administration Management Act of 2013 which introduced the prohibition was drafted, processed through Cabinet and Parliament and was enacted by the President in 2013.

Honourable Member, the prohibition referred to above is currently enforceable through section 13 (c) of the Public Service Regulations. The said section stipulates that an employee shall 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 an employee is in an official capacity a director of a company listed in schedule 2 and 3 of the Public Finance Management Act”.

**BACKGROUND INFORMATION:**

In terms of the Public Service Regulations 13 (c), “An employee shall 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 an employee is in an official capacity a director of a company listed in schedule 2 and 3 of the Public Finance Management Act”;

Further, in terms of the Public Service Regulations 24, “An application by an employee to perform remunerative work outside his or her department shall be in accordance with the process determined by the Minister and in the form issued by the Minister.”

Accordingly, a Directive on Conducting Business with an Organ of State was issued in January 2017 by the Minister for Public Service and Administration.