

**MINISTRY: PUBLIC SERVICE AND ADMINISTRATION**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**DATE: 30 SEPTEMBER 2022**

**QUESTION NO.: 3486.**

**Dr M M Gondwe (DA) to ask the Minister Public Service and Administration:**

What total number of (a) public servants in each (i) national and (ii) provincial department have been found to be conducting business with the State as at the latest specified date for which information is available and (b) such public servants hold senior positions within the Public Service? **NW4296E**

**REPLY:**

1. Based on information obtained from the Central Supplier Database (as at the end of July 2022) and compared to information on the Personnel Salary System (PERSAL), **119** public service employees are registered on the Central Supplier Database with the purpose to tender for business with the State.

However, these 119 employees are not necessarily conducting business with the State. It is possible that some of the employees on the list may have resigned in the meantime, or that they belong to categories that are exempt from this prohibition (such as traditional leaders), or are serving as directors on boards of entities in an official capacity. In terms of Regulation 13(c) of the Public Service Regulations, 2016, employees may conduct business with the State, if they are doing so in an official capacity. Section 8 of the Public Administration Management Act extended the prohibition to special advisors.

To determine whether these employees are indeed conducting business with the State, the name list was shared with the respective departments, requesting them to verify if the employees are still in service, if they are conducting business with the State (be it in a private capacity or in an official capacity) and if any steps are taken against transgressors. In formal letters to the heads of these implicated departments, the DPSA requested the departments to provide monthly feedback on progress made regarding the identified cases, starting from 1 July 2022. The responses of departments received are indicated in the section under (i)). On 7 June 2022, the Public Administration Ethics, Integrity and Disciplinary Technical Assistance Unit (in the Department of Public Service and Administration (DPSA)), Police and National Prosecuting Authority convened a workshop for the implicated departments on how to proceed with investigating and prosecuting these cases.

1. National departments: There are **29** public servants who have been found to be possibly conducting business with the State:
* Agriculture, Land Reform and Rural Development - two public servants
* Correctional Services - six public servants
* Employment and Labour - one public servant
* Higher Education and Training - two public servants
* Home Affairs - two public servants
* International Relations and Cooperation - one public servant
* Justice and Constitutional Development - two public servants
* Mineral Resources and Energy - two public servants
* South African Police Service - four public servants
* Public Service and Administration - two public servants (One was found to be a Special Advisor)
* Public Works and Infrastructure - one public servant
* Science and Innovation - two public servants (both were found to be serving in various Boards as representative of the department)
* Trade, Industry and Competition - one public servant (the official is representing the DTIC at its entity, COEGA)
* Transport - one public servant

(ii) Provincial departments: There are **90** public servants who are possibly conducting business with the State:

Eastern Cape has **16** public servants

* Education - nine public servants
* Health - four public servants
* Office of the Premier - one public servant
* Sport, Recreation, Arts and Culture - one public servant
* Transport - one public servant

Free State has **6** public servants

* Education - four
* Health - one
* Provincial Treasury - one

Gauteng has **7** public servants

* Education - two
* Health - four
* Human Settlements - one

KwaZulu-Natal has **16** public servants

* Agriculture and Rural Development - one
* Education - four
* Health - six
* Transport - five

Limpopo has **12** public servants

* Co-operative Governance Human Settlements and Traditional Affairs - two
* Education - five
* Health - five

Mpumalanga has **19** public servants

* Community Safety, Security and Liaison - one
* Education - seven
* Health - eleven

North West has **1** public servant

* Health - one

Northern Cape has **11** public servants

* Agriculture Environmental Affairs, Rural Development and Land Reform - two
* Economic Development and Tourism - one
* Education - three
* Health - five

Western Cape has **2** public servants

* Education - one
* Health - one
1. In provincial departments, three (3) public servants on senior management level (positions ranging from Salary level 13 to 16) were found to be possibly conducting business with the State. In National departments, eight (8) public servants held senior positions. As indicated, the figure is still to be verified with the affected departments.

End