## DPE Stationery:DPE logo.jpg INFORMATION MEMORANDUM

**TO : Mogokare Richard Seleke**

**DIRECTOR-GENERAL**

 **FROM : Justin De Allende**

**RE :** **PARLIAMENTARY QUESTION NO 550**

# DATE : 10 March 2017

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To provide the Minister with a response to Parliamentary Question Number 550

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| **COVER MEMO AND THE PACKAGING OF PQ BY:****Department of Public Enterprises**  |
| **……………………………….****Acting Deputy Director-General** **Date:** | **COMMENTS:****………………………………………..** |
| **…………………………………****Mogokare Richard Seleke****Director-General****Date:** | **APPROVED/DECLINED/COMMENTS****…………………………………………..****…………………………………………..****………………………………………….** |



**DEPARTMENT: PUBLIC ENTERPRISES**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**QUESTION NO.: PQ 550**

**DATE OF PUBLICATION: 10 March 2017**

Ms N W A Mazzone (DA) to ask the Minister of Public Enterprises:

1. Whether the (a) employees, (b) directors and (c) management of Eskom filed declarations of interests; if not, in each case, why not; if so, (i) who checks the specified declarations and (ii) what are the further relevant details in this regard;
2. has any action ever been taken for a conflict of interest arising from the declarations; if so, what are the relevant details;
3. how many of the specified persons have business dealings with Eskom;
4. what are the names and designations of each Eskom employee who

decides on sponsorship allocations?

**REPLY:**

**(1)(a)** Yes. For the 2015/16 financial year, 99.2% of the employees required to declare completed declarations of interest. The 0.75% did not declare, because they were on suspension or extended sick leave. Employees from TASK grade 09 and above are required to complete annual declaration forms either electronically or manually (depending on the circumstances). Employees from TASK grade 08-04 must declare interest if there is a conflict.

**1(a)(i)** Line managers check the declarations.

**1(a)(ii)** Employees are required to declare interests every financial year, whether an

interest exist or not. Employees are also required to immediately declare whenever a conflict arises, the annual declaration for that employee will then be amended.

**1(b)** Yes

**1 (b)(i)** The Chairman, assisted by the Group Company Secretary, administers the filing

of declarations of interest for Board members. The annual declarations are presented to the shareholder at the AGM.

**1(b)(ii)** Directors are required to declare interests every financial year, whether an

interest exist or not. Directors are also required to immediately declare whenever a conflict arises, the annual declaration for that directors will then be amended.

**1(c)** Yes

**1(c)(i)** Declarations of interest submitted by the Executive Management Committee

Members (EXCO) is approved by the Group Chief Executive and administered by the Group Company Secretary.

**1(c)(ii)** All Eskom Executive Committee (EXCO) members are Eskom Employees.

Employees are required to declare interests every financial year, whether an interest exist or not. Employees are also required to immediately declare whenever a conflict arises, the annual declaration for that employee will then be amended.

**(2)** Yes, for Board and EXCO

The management of conflict of interest is governed by the Eskom Conflict of Interest (COI) Policy and Procedure, which is applicable to the Board and employees. The Policy and Procedure address noncompliance and the consequences of noncompliance.

Further to this for Board and EXCO meetings probity checks in respect of commercial transactions are conducted prior to circulation of meeting agendas. In the event that there is a potential, perceived or actual conflict of interest, the chairman of the meeting and the Group Company Secretary are advised. Should a conflict be identified the member will not be provided with the information pertaining to that matter and will be required to recuse him/herself from the proceedings when the matter is discussed.

The attending members are required to declare that they do not have any conflict in relation to matters being discussed in the meeting.

Declaration of interest is a standing agenda item of all Board and EXCO meetings. Any conflicts are recorded as part of the proceedings. The relevant member is then required to recuse him or herself at the time when the particular agenda item is discussed.

Yes, for employees.

Where there is a conflict of interest, the employee must refrain from being part of any deliberations, document preparation, execution or meetings and must not have access that deals with that particular matter.

In addition, cases reported through the Forensic Investigation department, the Eskom disciplinary process was followed. For the 2015/16 financial year, there were 10 cases of actual conflict emanating from the outcome of forensic investigations.

**(3)** Emanating from the results the forensic investigations for the 2015/16 financial for employees (including Exco), there were 10 cases where actual conflict was identified.

**(4)** The Eskom Sponsorship Committee is delegated to approve all sponsorship up to

R3 million with sponsorships above R3 million being approved by the Executive Committee (EXCO). During the previous and current financial year all approved sponsorships were less than R3 million and was therefore approved by the Eskom Sponsorship Committee in the Corporate Affairs Division.

Sponsorships are proactively planned and targeted on an annual basis, with input from all Divisions, as it enables the organisation to meet its strategic objectives.

Table 1 and Table 2 below presents the name and designation of the Eskom employees who decide on sponsorship allocations.

Table 1Name and designation of Executive Management Committee Members (EXCO) who decide on sponsorship allocations

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| **Group Executives​ ​ ​** |
| **Name** | **Designation** |
| ​Mr Matshela Koko | Interim Group ​Chief Executive |
| ​Mr Anoj Singh | ​Chief Finance Officer |
| Mr Willy Majola | ​Group Executive Generation (Acting) |
| Mr Thava​ Govender | ​Group Executive Transmission  |
| ​Mr Mongezi Ntsokolo | ​Group Executive Distribution |
| Ms ​Ayanda​ Noah | ​Group Executive Customer Services |
| ​Mr Abram Masango | Group Executive Group Capital |
| Ms ​Elsie Pule | ​Group Executive Human Resources  |
| ​Mr Sean Maritz | ​Group Executive Information Technology |
| ​Mr Freddy Ndou | Divisional Executive Strategy Support |
| ​Brigadier General (Ret.) Tebogo | ​Divisional Executive Security  |
| Mr ​Chose Choeu | ​Divisional Executive Corporate Affairs |
| ​Ms Suzanne Daniels | Group Company Secretary |

Table 2 Name and designations of the Sponsorship Committee

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| **Sponsorship Committee** |
| **Name** | **Designation** |
|  Chose Choeu | ​ Divisional Executive Corporate Affairs |
| Ruwaida (Ra’eesah) Waja  | General Manager: Internal and External Communication |
| Marion Hughes | General Manager: Stakeholder Relations |
| Pieter Pretorius | General Manager Strategic Marketing and Branding (Acting) |
| Cecil Ramonotsi | CEO Eskom Development Foundation (Acting) |
| Natasha Sithole | Senior Manager: Business Enablement |
| Nto Rikhotso | Eskom Media Desk Manager |

**Remarks: Reply: Approved / Not Approved**

**Mr. Mogokare Richard Seleke Ms. Lynne Brown, MP**

**Director-General Minister of Public Enterprises**

**Date: Date:**