

**DEPARTMENT: PUBLIC ENTERPRISES**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**QUESTION NO.: PQ 842**

**QUESTION:**



**842. Ms B M van Minnen (DA) to ask the Minister of Public Enterprises:**

What steps is he taking to ensure that officials who resign from state-owned enterprises to avoid disciplinary action are not reemployed in other government department?

**REPLY:**

The SOE’s are separate legal entities and employees in the SOE’s are not employed in terms of the Public Service Act. This makes the flagging of the employees who leaves the SOE’s pending disciplinary action or investigation difficult to track and trace in as far as other government departments. Heavy reliance will be on the strengths of our government departments recruitment processes to ensure that the vetting is done diligently to be able to detect such red flags. The prescripts developed under the auspices of Department of Public Service and Administration place a responsibility on the accounting officer of each government department to ensure that rigorous integrity assessments and background checks are conducted against candidates applying for employment.

The SOE’s have measures in place as part of their recruitment processes to prohibit the reappointment of employees who left through dismissal. The SOE’s are reviewing their measures to ensure that through the HR processes employees who leave the institution whilst under investigation or pending a disciplinary procedure are flagged. These should be done in line to what is permissible in terms of our Labour Relations Act.”

The department has also developed the SOC Risk and Integrity Management Framework that will be implemented with effect from 01 April 2021. Among others, the framework introduces reforms designed to regulate the affairs of the SOCs under the Ministry of Public Enterprises as follows:

* Ensure that SOCs conduct rigorous background checks to prevent employment of candidates whose integrity indicates that they cannot be entrusted with the management of public resources;
* Prohibit employees and board members of SOCs from doing business with their respective SOC.
* Prohibit employees and board members of SOCs from soliciting or accepting gifts and/or donations from companies doing business with the SOC.