



the dpsa

Department
Public Service and Administration
REPUBLIC OF SOUTH AFRICA

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The Honourable NT Godi MP
Chairperson: Standing Committee on Public Accounts
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Cape Town
8000

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Dear Mr Godi

**RE: SCOPA REVIEW OF THE JOINT INVESTIGATION TASK TEAM
RESOLUTIONS ON THE STRATEGIC DEFENCE PROCUREMENT
PACKAGES**

Thank you for your letter dated 1 December 2008. I regret that my Office only received the letter on 15 January 2009 when it was resent by the Committee Secretary. I would like nonetheless to apologise for the delay in replying and express the hope that no serious inconvenience was caused.

Thank you for the opportunity to provide a response to the Committee's recommendations at paragraphs C.4 (b) and (c) of the Committee's 15th report of 2001:

On 1 April 2000 a financial disclosure framework for all heads and deputy directors-general in national and provincial departments was introduced through regulations made under the Public Service Act, 1994. This framework was extended to all members of the Senior Management Service in departments (director upwards) on 1 May 2001.

In addition the dpsa has developed a draft Conflict of Interest Framework for the Public Service. The drafting of the draft Framework was informed in part by the Public Service Anti-corruption Strategy of 2002 and reports of the Public Service Commission and the Auditor-General that deal with aspects of conflict of interest. The draft Framework contains proposals for managing conflicts of interest that can arise as a result of –

1. Financial interests;
2. Offering and acceptance of gifts;
3. Hospitality and other benefits;
4. Post-public employment; and

Staatsdiens en Administrasie • Ditirelo tsa Puzo le Tsamaiso • Ditshebeliso tsa Mmuso le Tsamaiso • uMnyango wemisebenzi kaHulumeni nokuPhata

Muhasho wa Tshumelo ya Muvhuso na Vhulunguli • Kgoro ya Ditirelo tsa Mmuso le Tsalo • Ndzawulo ya Vulirhela-Mfumo na Valawuri

LITko le Tobasebenli baHulumende nekuPhata • ISebe leNkonzo kaRhulumente noLawulo • UmNyango wemisebenzi kaRhulumente nokuPhata

5. Performing remunerative work outside the public service.

Further proposals are made in respect of employment of ethics officers in the public service. The draft Framework also outlines some minimum conduct requirements to guide employees to manage conflict of interest situations.

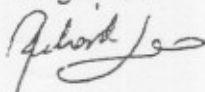
Departments were requested to provide written inputs and 10 departments submitted comments. A national consultative workshop was held with departments and the draft Framework was also discussed in the Anti-corruption Coordinating Committee, a committee of departments involved in government anti-corruption work coordinated by the dpsa.

The draft Framework has been submitted to the State Law Adviser for an opinion on the constitutionality of its provisions. It is intended thereafter to submit the draft Framework to Cabinet for approval, whereafter the necessary regulatory provisions will be drafted and promulgated. I would welcome the opportunity to brief the Committee on these matters in more detail once these steps have been undertaken.

Procurement by government departments and state-funded institutions is regulated in legislation administered by the National Treasury, mainly the Public Finance Management Act, 1999, and the Treasury Regulations and Instructions made thereunder.

I trust that the information I have provided is responsive to your request. Please do not hesitate to contact me if I may be of further assistance.

Kind Regards



PROF RICHARD M LEVIN
DIRECTOR-GENERAL
DATE: 20/1/09