



LIMPOPO

PROVINCIAL GOVERNMENT

REPUBLIC OF SOUTH AFRICA

**DEPARTMENT OF
SPORT, ARTS AND CULTURE**

**REMUNERATIVE WORK / BUSSINESS OWNERSHIP OUTSIDE EMPLOYMENT
IN THE PUBLIC SERVICE AND DECLARATION OF BUSSINNESS AND
FINANCIAL INTERESTS**

Policy Name	RWOPS and Declaration of Business and Financial Interest
Domain	Human Resource Management
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1. ACRONYMS AND ABBREVIATION

MEC	Member of Executive Council
HOD	Head of Department
HRM	Human Resource Management
SMS	Senior Management Services

2. INTRODUCTION

The success of government programmes depends largely on the human resources responsible for implementing such programmes. Section 30(a) of the Public Service Act, 1994 stipulates that every officer and employee shall place the whole of his or her time at the disposal of the State.

The conduct of the Public Service employees should conform to the prescribed basic values, principles, norms and standards. Employees should be committed and responsive for effective and efficient service delivery.

3. PURPOSE OF THE POLICY

The purpose of this policy guideline is to provide a framework which will guide involvement in remuneration of work outside the Public Service and declaration of business and financial interests.

4. AUTHORITY OF THE POLICY

This policy is authorized and issued by the MEC for Limpopo Provincial Department of Sport, Arts and Culture. The policy resides with the HRM sub-branch, which is responsible for its implementation and monitoring

5. LEGAL FRAMEWORK

Public Service Act, 1994, and Public Service Regulations, 2001.

b) Senior Management Service handbook, January 2003.

c) Employment Equity Act, No. 55 of 1998

d) White Paper on Affirmative Action in the Public Service-1998.

e) Basic Conditions of Employment Act, No.75 of 1997

6. SCOPE OF APPLICATION

This policy shall be applicable to all employees of the Department of Sport, Arts and Culture appointed or recruited in terms of the Public Service Act, 1994.

7. DEFINITION OF TERMS

None

8. POLICY PRONOUNCEMENTS

- a) Section 30 (b) of the Public Service Act, 1994 stipulates that no officer or employee shall perform or engage himself or herself to perform remunerative work outside his or her employment in the Public Service, without permission granted by the relevant Executing Authority or an officer authorised by the said authority.

- b) Chapter 2 (C5.5) of the Public Service Regulations 2001 stipulates that an employee should not without approval, undertake remunerative work outside her or his official duties or use office equipment for such work.

8.1 PRINCIPLES

8.1 Application for permission to engage in remunerative work outside employment in the Public Service.

8.1.1 The employee should lodge a written application in his or her department for remunerative work outside employment in the Public Service for consideration by the Executing Authority or delegated officer, and applications for businesses should be lodged prior to the registration of such businesses.

The application should reflect the following details as requirements:

- a) Full particulars of employee including rank and station
- b) Nature of business or remunerative work
- c) Physical address of the business
- d) VAT registration number of the business
- e) Business registration number
- f) Type of clients or customers (government departments, municipalities, and general public or private sector institutions).
- g) Number of hours per day to be devoted to the remunerative work outside employment in the public service by the employee (applicant).
- h) Nature of involvement.
- i) Declaration that official working hour, office equipment, machines and official information shall not be used to pursue remuneration work outside employment in the Public Service.

8.1.2. No expo facto approval will be granted with effect from the approval of this policy guideline.

8.1.3. Conditions to be attached to permission to perform remunerative work outside employment in the Public Service.

8.1.3.1 In cases where approval is granted, the following conditions should always be included in the letter of approval as basic conditions of the approval, namely,

- a) 20.4.3.1. That the employee shall not use or disclose any official information to pursue remunerative work outside employment in the Public Service.
- b) 20.4.3.2.that the employee shall not use official working hours, the office equipment, official transport, telephones and buildings to pursue remunerative work outside employment in the Public Service.
- c) 20.4.3.3. That the department (employer) reserves the right to rescind the approval or permission granted.

8.1.4 DECLARATION OF BUSINESS AND FINANCIAL INTERESTS

- a) During official duties an employee is expected to behave in a manner that enhances the reputation of the Public Service. An employee is also expected not to use her or his official position to obtain private gifts or benefits for herself or himself during the performance of her or his official duties, nor does she or he accept any gifts or benefits when offered as these may be construed as bribes.
- b) A declaration of a business and /or financial interests should not only be limited to an application for remunerative work outside employment in the Public Service.
- c) Employees should declare their business interests or financial interests. This need arises from the fact that employees may have business or financial interests in businesses or remunerative work ventures not necessarily registered in their names. Such applications and declarations should be done annually, preferably at the beginning of the financial year

8.1.5 The written declaration should reflect the following details:

- a) Full particulars of employee including rank and station.
- b) Identification / Persal numbers and
- c) Physical address of business or remunerative work
- d) Nature of businesses
- e) VAT Registration number
- f) Business Registration number
- g) Type of clients or customers (government departments, municipalities,
- h) General Public or Private sectors institution.
- i) Nature of involvement /business
- j) Nature of remuneration, value or and amount. to be paid per year
- k) Anticipated Profit per year.
- l) In whose name is the business registered and the relationship thereof

8.1.6. KINDS OF INTEREST TO BE DISCLOSED

- a) Shares and other financial interest in private or public companies and other corporate entities recognized by law.
- b) Directorships /Partnerships and percentage of shareholding
- c) Remunerative work outside the Public Service
- d) Consultancies
- e) Sponsorships
- f) Gifts and hospitality from a source other than a family member.
- g) Ownership and other interests in land and property whether inside or
- h) Outside the Republic.

8.1.7. DETAILS OF REGISTER-ABLE INTERESTS TO BE DISCLOSED

- a) The following details of registrable interests shall be disclosed:
- b) Shares and other financial interests in Private or Public companies and

- c) Other corporate entities recognised by law.
- d) The number, nature and nominal value of shares of any type in any Public or
- e) Private company and its name; and
- f) The nature and value of any other financial interests held in a Private or Public company or any other corporate entity and its name.
- g) Directorships/partnerships and shareholding:
- h) The name, and type of business activity, of the corporate entity or partnership; and
- i) If applicable, the amount of any remuneration received for such Directorship or partnership.
- j) Percentage of shares
- k) Remunerated work outside the public service:
- l) The type of work;
- m) The name, and type of business activity, of the employer; and
- n) The amount of the remuneration received for such work.
- o) Consultancies:
- p) The nature of the consultancy or retainership of any kind;
- q) The name, and type of business activity, of the client concerned; and
- r) The value of any benefits received for such consultancy or retainership.
- s) Sponsorships:
- t) The source and description of direct financial sponsorship or assistance; and the value of the sponsorship or assistance.
- u) Gifts and hospitality from a source other than a family member:
- v) A description and the value and source of a gift with a value in excess of R350;
- w) A description and the value of gifts from a single source which cumulatively exceed the value of R350 in the 12-month period; and hospitality intended as a gift in kind.

- x) Ownership and other interests in land and property, whether inside or outside the Republic:
- y) A description and extent of the land or property;
- z) The area in which it is situated; and the value of the interest.

9. DEFAULT

Failure to comply with the provisions of this policy shall be dealt with in terms of the Public Service Disciplinary Code and Procedures, as amended.

10. INCEPTION DATE

The policy shall come into effect on the first date of the month following the month which the Executing Authority approved it.

11. TERMINATION AND REVIEW CONDITIONS

This policy shall be amended, after three years (3) or when there are major policy changes in government and will follow the initial policy development processes

12. ENQUIRIES

Enquiries with regard to any issues regarding this policy should be directed to Senior Manager HRM.

Recommended / ~~Not Recommended~~



HEAD OF DEPARTMENT

2015/09/15

DATE

Approved / Not Approved:



MEMBER OF EXECUTIVE COUNCIL

27/01/2016

DATE