



PROVINCE OF KWAZULU-NATAL
ISIFUNDAZWE SAKWAZULU-NATALI
PROVINSIE KWAZULU-NATAL.

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Reference: Financial Circular No. 10
Inkomba:
Verwysing:

Date: 28 August 2009
Usuku:
Datum

**TO: ALL SENIOR GENERAL MANAGERS
ALL GENERAL MANAGERS
ALL HEAD OFFICE MANAGERS AND STAFF
SERVICE CENTRE MANAGERS AND STAFF
DISTRICT MANAGERS AND STAFF
HEADS OF INSTITUTIONS
ALL EMPLOYEES**

FINANCIAL CIRCULAR NO. 10

DECLARATION OF INTERESTS AND MANAGEMENT OF APPLICATIONS IN RESPECT OF OUTSIDE REMUNERATIVE WORK

1. OBJECTIVE

The objective of this circular is to:

- a) Supplement the contents of HRM 7 of 2009 which alerts all employees to the provisions of the various acts regarding other remunerative work by employees.
- b) Introduce to and inform all employees of the Management of Conflicts Project which is aimed at bringing about a process within which the requests for engaging in private business is going to be managed.

2. FRAMEWORK FOR THE DECLARATION OF INTERESTS

- 2.1 In order to ensure good governance and a transparent and efficient administration, all employees of the Department are required to act in the best interests of the public service and the Department.
- 2.2 Every employee of the Department is expected to devote his/her full time and attention to the business of the Department demonstrating absolute integrity, honesty, high standards of service delivery and acceptance of responsibility and accountability.

- 2.3 Employees are to refrain from involvement in any work for remuneration either during or outside of working hours without the express and written approval of the Superintendent General.
- 2.4 With regard to 2.3 above, employees' attention is drawn to:
- 2.4.1 Section 30 of the Public Service Act of 1994, as amended, titled "Other Remunerative Work" stipulates that "*No employee shall perform or engage to perform remunerative work outside his or her employment in the relevant department except with the written permission of executive authority of the department. The executive authority shall decide within 30 days of receipt of such request whether to grant the permission or not.*"
- 2.4.2 Section 31 of the Public Service Act of 1994 titled "Unauthorised remuneration" states that "*If an officer receives any remuneration, allowance or reward other than in accordance with this act, an amount equal to such remuneration received should be paid into the revenue account and if the employee fails to pay it the Department can recover it by way of legal proceedings and pay it into revenue.*"
- 2.5 The Code of Conduct for Public Services which acts as a guideline as to what is expected of employees from an ethical point of view, includes a regulation stipulating that "*an employee does not, without approval, undertake remunerative work outside his/her official duties or use office equipment for such work.*"

3. PROCESS FOR THE MANAGEMENT OF CONFLICT OF INTERESTS AND GRANTING OF PERMISSION TO CONDUCT REMUNERATIVE WORK OUTSIDE OFFICIAL DUTIES

- 3.1 The Department, in its efforts to ensure adherence to legislation and bring about transparency, accountability and integrity in its awarding of quotations and bids, is embarking on a provincial project requiring all employees to declare their interests in writing and for employees to request permission to perform or engage in remunerative work outside the employment of the Department.
- 3.2 Given the size of the workforce of the department, the project will be implemented on a phased basis.
- 3.3 The project will involve:
- 3.3.1 All employees completing and signing declaration forms, which will be forwarded shortly, and returning it within the stipulated timeframe.
- 3.3.2 All employees declarations being independently confirmed with the Department of Trade and Industry's database of registration of companies.
- 3.3.3 All employees declarations being electronically processed and stored in a central database.

3.3.4 Any exceptions between the employees declarations and the independent confirmation being investigated and followed up accordingly.

4. ANNUAL APPLICATIONS

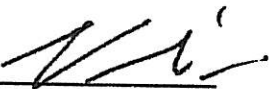
4.1 With immediate effect, all employees will be required to apply annually in writing, by not later than 31 March of each year for the forthcoming financial year, to conduct business outside of the official duties to the Head of Department.

4.2 The necessary application forms will be made available at various districts and offices.

4.3 The Department will consider each employee's application and respond accordingly.

4.4 All employees are required to comply with the deadlines for submission of the declaration forms.

5. The contents of this Circular are applicable to all employees within the Department.


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SUPERINTENDENT GENERAL
KZN DEPARTMENT OF EDUCATION
28 AUGUST 2009