



TO: DEPUTY DIRECTORS-GENERAL
CHIEF DIRECTORS
DIRECTORS AT HEAD OFFICE
DISTRICT DIRECTORS
HEADS OF SECTION/COMPONENTS OF DISTRICT OFFICES
CES: CIRCUIT MANAGEMENT AND CIRCUIT MANAGERS
PRINCIPALS OF SCHOOLS

HRM CIRCULAR NO. 33 OF 2019

TRANSITIONAL ARRANGEMENTS IN THE PUBLIC SERVICE REGULATIONS, 2016: CONDUCTING BUSINESS WITH AN ORGAN OF STATE

1. The Minister for Public Service and Administration issued Public Service Regulations, 2016 with effect from 01 August 2016.
2. The transitional arrangements prescribed in Annexure 1(2) of the Regulations provides as follows:

“an employee, who at the time of coming into effect of these Regulations, conducts business with an organ of state or is a director of a company which conducts business with an organ of state, other than an employee who is in his or her official capacity a director of company listed in schedule 2 or 3 of the Public Finance Management Act, shall –

- a) *within one month, disclose that the employee is conducting business with an organ of state or is a director of a company that conducts business with an organ of state;*
 - b) *within six months-*
 - i) *cease conducting business with the organ of the state or resign as an employee;*
 - ii) *resign as a director of a company that conducts business with an organ of state or resign as an employee;*
 - c) *if the employee does not resign within the six month period, the employee must submit proof that the employee has ceased conducting business or has resigned as a director of a company that conducts business with an organ of the state within a month of doing so.”*
3. In keeping with the aforesaid measures, all employees (public service personnel and educators) who are conducting business with an organ of state are required to disclose such details to the Head of Department by **31 January 2020**. For this purpose, the attached disclosure form must be fully completed and forwarded to the Office of the District Director for employees attached to the District or the relevant Director for employees attached to Head Office for co-ordination and onward transmission to the Directorate: Internal Control and Risk Management at Head Office, for attention: Ms N Hlengwa by no later than **15 February 2020**.

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education

Department:
Education
PROVINCE OF KWAZULU-NATAL

4. Employees who are conducting business with an organ of state are also required to either resign as employees or submit proof that they have ceased conducting business; or proof that the employee has resigned as a Director of the company that conducts business with an organ of State by **28 February 2020**. The proof and affidavit in this regard must also be forwarded to the Office of the District Director for employees attached to the District or the relevant Director for employees attached to Head Office, for co-ordination and onward transmission to the Directorate: Internal Control and Risk Management at Head Office, for attention: Ms N Hlengwa by no later than **31 March 2020**.
5. Further directives relating to this matter will be issued in due course.
6. Kindly ensure that all employees under your supervision append their signature on the attached page as confirmation that the contents of this circular has been brought to their attention and that this is appropriately filed for further reference.

DR EV NZAMA
HEAD OF DEPARTMENT: KZN EDUCATION

DATE: 28/08/2019

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KWAZULU NATAL DEPARTMENT OF EDUCATION

DISCLOSURE BY AN EMPLOYEE CONDUCTING BUSINESS WITH AN ORGAN OF STATE

a. EMPLOYEE PERSONAL INFORMATION

Surname		First Name/s	
Identity Number		Persal Number	
District/Office		Name of Institution/Directorate	
Job Title		Salary level	

b. DETAILS OF THE ENTITY/ENTITIES DOING BUSINESS WITH ORGAN OF STATE¹

	Name of Company	Company Registration Number	Position in Company	Name of Organ of State where business is conducted
1				
2				
3				
4				

c. DETAILS OF EMPLOYEE DOING BUSINESS WITH ORGAN OF STATE

	Type of Business conducted e.g. Lecturing	Name of Organ of State where business is conducted e.g. UNISA
1		
2		
3		
4		

d. DECLARATION

I declare that I have personally completed the form and disclosed all relevant details pertaining to conducting business with an organ of State.

I hereby certify that the disclosure information is complete and correct to the best of my knowledge.

I also understand that it is binding on my conscience.

SIGNATURE OF EMPLOYEE

DATE

¹ Organ of state means any department of state or administration in the national, provincial or local sphere of government; or (b) any other functionary or institution –
(i) exercising a power or performing a function in terms of the Constitution; or (ii) exercising a public power or performing a public function in terms of any legislation, but does not include a court or a judicial officer, section 239 of the Constitution of the Republic of South Africa, 1996.

