

NATIONAL ASSEMBLY
QUESTION FOR ORAL REPLY
QUESTION NUMBER: 58 [NO626E]
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★58. Ms N V Mente (EFF) to ask the Minister of Finance:

(a) On what basis were the seven members of the panel selected to interview and recommend candidates for the position of the SA Revenue Service Commissioner and (b) were potential conflicts of interest taken into account before selecting members of the panel?

NO626E

REPLY:

(a) In terms of section 6 of the South African Revenue Services (SARS) Act, 1997 (as amended), the President appoints the Commissioner of SARS. Though not obligated to do so by the law, the President followed the recommendations of the Commission of Inquiry into Tax Administration and Governance by the SARS (“Nugent Commission”), in order to appoint the new Commissioner of SARS in an open, fair and transparent manner. As requested by the President, the Minister of Finance is overseeing the initial steps of the appointment process and will submit the Panel’s recommendations to the President for his consideration.

The advertisement calling for applications for the positions of Commissioner of SARS was published on 16 December 2018, immediately after the President released the final report of the Nugent Commission on 14 December 2018. Applications closed on 19 January 2019 and the independent selection Panel was appointed by the Minister of Finance in early February 2019, and announced to the public on 7 February 2019.

The Panel is advisory in nature. They are required to evaluate applicants’ eligibility for the position, given the criteria set out in the advertisement; to shortlist and interview candidates; and to make non-prescriptive recommendations to the President. They are not making the decision on who to appoint as the Commissioner of SARS.

When appointing the Panel, the Minister took into account the need for the Panel which is balanced in experience, and representativity in terms of the demographics of South Africa,

The Panel is chaired by former Minister of Finance Mr Trevor Manuel. Other members are Ms Angela Bester; Justice Dennis Davis; Ms Sindi Mabaso-Koyana; Mr Ismail Momoniat; Adv Thandi Orleyn; and Mr Fezekile Tshiqi.

(b) Yes, all members of the panel were requested to disclose any possible conflicts of interest when appointing them to the Panel. Such disclosures were also requested when interviewing candidates.