

**NATIONAL ASSEMBLY**  
**QUESTION FOR WRITTEN REPLY**  
**QUESTION NUMBER 1099**  
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**Mr M H Hoosen (ID) to ask the Minister of Finance:**

Whether the register of tender defaulters has been established in accordance with section 29 of the Prevention and Combating of Corrupt Activities Act, Act 12 of 2004; if not, (a) why not, (b) when will it be established and (c) what has been the cause of the delay; if so, what are the relevant details?

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**REPLY:**

Yes

- (a) Falls away
- (b) Falls away
- (c) Falls away

Section 28 of the Prevention and Combating of Corrupt Activities Act, Act No 12 of 2004 prescribes that when a court convicts a person for offences relating to tenders or contracts, in addition to imposing any sentence, the court may also issue an order that the name of the convicted person, the conviction and sentence and any other order of the court consequent thereupon be endorsed on the Register for Tender Defaulters.

The Register for Tender Defaulters has been established within the Specialist Functions branch of the National Treasury and can be perused on the National Treasury's website under [www.treasury.gov.za](http://www.treasury.gov.za).

Currently there are no names on the Register as to date no such order was issued by any court of law.

It should be pertinently pointed out that a working group on government's supply chain management (SCM) system was established to improve the management of the SCM system as a whole. This working group is composed of representatives of the National Treasury, the South African Revenue Services, the Financial Intelligence Centre, the Auditor-General and the Special Investigating Unit. The work group will, among others, identify high-risk clusters of tenders with a view to conduct integrated investigations which should result in enforcement actions which could be either referral for criminal investigations, civil recovery, internal disciplinary proceedings and / or full tax enforcement. The National Treasury will consider measures to enhance public awareness of the names of persons who were found guilty of tender or contract transgressions.