

**NATIONAL ASSEMBLY
QUESTION FOR WRITTEN REPLY
QUESTION NUMBER: 1740 [NW2099E]
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1740. Mr M G P Lekota (Cope) to ask the Minister of Finance:

- (1) Whether he had unequivocally and consistently demanded that section 217(1) of the Constitution of the Republic of South Africa, 1996, be implemented by the national, provincial, and local sphere of government so that the procurement of goods or services takes place in accordance with a system which is fair, equitable, transparent, competitive and cost effective; if not, why not; if so,

REPLY

Yes the National Treasury and I unequivocally and consistently implement section 217(1) of the Constitution. National Treasury is consistently offering support to all spheres of government through advice, interactions on various platforms such as SCM and CFO Forums. Provincial Treasuries are also offering their outmost best support to all provincial departments and provincial public entities, whilst the Municipal Finance Management Unit within National Treasury also facilitates sessions with local spheres to ensure that the section 217 of the constitution is uniformly and consistently applied throughout the municipalities nationally.

- (2) (a) National Treasury continues to encourage and enforce compliance to the best of its ability in terms of section 217 of the Constitution. A governance, Monitoring and Compliance division within the OCPO has been established to ensure that the SCM monitoring framework is adhered to in ensuring compliance to SCM prescripts.
- (b) National Treasury administers a list of tender defaulters and a list of restricted suppliers. Where the transgressions result from employees of the state, the affected institution is advised to recover the losses incurred from any transaction from the said employee and/or institute disciplinary processes against the employee. These disciplinary cases or records thereof are reported to the Public Service Commission by instituting institutions. If appropriate, the prosecuting authorities are also informed.