



NATIONAL ASSEMBLY

QUESTION FOR WRITTEN REPLY

QUESTION NUMBER: 1720 [NW1926E]

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1720. Mrs K Jooste (DA) to ask the Minister of Finance:

Whether any staff of (a) the National Treasury were awarded any contracts or agreements to conduct business with any state entity in the (i) 2014-15, (ii) 2015-16 and (iii) 2016-17 financial years; if so, what are the (aa)(aaa) names and (bbb) professional designations of the staff members and (bb)(aaa) details of the contract(s) and/or agreement(s) awarded and (bbb) amounts in each case?

NW1926E

REPLY:

NATIONAL TREASURY

- (a) No National Treasury officials were awarded a contract or agreement to conduct business with any state entity in the (i) 2014-15; (ii) 2015-16 or (iii) 2016-17 financial years.

ASB

None of the Accounting Standards Board's staff members have declared any contract or agreement to conduct business with any state entity.

CBDA

No staff of the CBDA was awarded any contracts or agreements to conduct business with any state entity in the 2011-14 to 2016-17 financial years.

DBSA

DBSA is not covered by the Public Service ACT therefore matters of conflict of interest are managed in line with the DBSA Act and Board approved policies. The DBSA would also not have access to the government systems that can conduct searches on individuals that conduct business with the state.

The DBSA Board has an approved Conflict of Interest Policy which does not allow bank employees or their related parties to do business with the bank. The policy further requires employees to disclose any outside interests an employee may have. Any involvement in outside interests requires the approval of the employee's manager after satisfying themselves that the interests do not conflict with the business of the Bank, does not affect the employee's contractual obligations with the Bank, and that the employee will not use their position in the bank to solicit business from the Banks' clients.

Employees are expected to disclose their interests on an annual basis or as and when there is a change in status. Non-compliance to the policy is monitored by the Ethics Officer and Internal Audit conducts an annual audit on the interests declared.

FSB

(b) Financial Services Board (FSB)

Based on the records maintained no staff member of the FSB were awarded any contracts or agreements with any state entity in (i) 2014-15, (ii) 2015-16 and (iii) 2016-17.

FIC

The FIC has found no information that any of its staff were awarded contracts or agreements in their personal capacity to conduct business with any state entity in the financial years as above.

However the FIC has established that two members of staff held interests as co-directors in companies which conducted business with the government departments.

a) (i) Ms P Magakwe (Application Support Analyst): Co-director in Yaquba Construction Projects which was contracted with Department of Public Works, Mpumalanga for construction work in 2014-15 to the value of R217,615.27.

b) (ii) Ms U. Ketsekile (Assistant Administrator): Co-director in Sizo Catering and Cleaning Services, which provided catering for two (2) FET Colleges and a hospital in Eastern Cape Province in 2016 to the value of R78,344.00

GEPF

The GEPF did not award any staff member any contracts or agreements to conduct business with any state entity and the financial years listed above.

GPAA

In terms of our Supply Chain Management and the Human Resources Management information, there are no contracts awarded to any staff member in (i) 2014-15, (ii) 2015-16 and (iii) 2016-17 financial years.

The (aa) (aaa) names and (bbb) professional designations of the staff members are not applicable as there is no contract that was awarded to staff, as referred to above.

The details of the contract(s) and/or agreement(s) awarded and (bbb) amounts in each of the above case are not applicable as there is no contract that was awarded to staff, as referred to above.

IRBA

- (i) Not applicable
 - (ii) Not applicable
 - (iii) Not applicable
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PFA

No staff member of the OPFA was awarded any contracts or agreements to conduct business with any state entity in the (i) 2014-15, (ii) 2015-16 and (iii) 2016-17 financial years.

LAND BANK

Below are the Land Bank employees who have been awarded contracts by the State:

Last name	First name	Position	Companies	Awards	Details (Nature of contract)	Date Awarded
Chaane	Kabelo	Senior Specialist: Workout & Restructure	Baapo Consulting (50% shareholder)	R 245 000.00	Ditobetla Local Municipality - Fencing of cemetery (MIG/NW2274/CF/16/17)	2016
Mokoena	Herbert	Sales Consultant	Bright Idea Projects 2496 (Pty) LTD	None	Department of Agriculture and Local Municipalities: Vending and Agri-products supplier	2011- 2014
Rakgalakane	Adam	Managing Director: Land Bank Insurance Company	Rakgalakane Investments Kefelesi Trading	Not applicable – Not in the employ of the State	Various State Department	2014-2015 Joined Bank Insurance (10/08/2016)

			Kefelesi Trading	Not applicable - Not in the employ of the State	Department of Agriculture & Rural Development	2015-2016 Joined Bank Insurance (10/08/2016)
			Woodcreation Rakgalakane Investment JV	Not applicable - Not in the employ of the State	City of Tshwane: Award 22/02/2016 Tshwane House – Manufacture and Fitting of Furniture – Tsela Tshweu Construction JV	22/02/2016 Joined Bank Insurance (10/08/2016)
			Rakgalakane Investments Financial Interest – 45% but 100% family Owned Management involvement – 0% Board Involvement - Quarterly	R36 million – 200 million (3 year contract estimated demand)	National Treasury Transversal Contract (17/11/2016) RT11-2016: Supply & Delivery of Animal Feed to the state – period 01 October 2016 to 30 September 2019	2016/2017 Joined Bank Insurance (10/08/2016)
Ramonedl	Mulalo	Business Analyst: I.T	Rexizone (member of closed corporation – company since in process of deregistration)	R85 000.00	National / Provincial Department of Safety 5 Day Event Catering: Once off	2015
Phoku	Mumsey	Team Administrator – Internal Audit	Mamphiwa Projects	R4125.00	Department of Water Affairs - Catering	2014
			Mamphiwa Projects	R27 000.00	Department of Water Affairs – Trolley Bags	2014
			Mamphiwa Projects	R24 000.00	Air Force - Printers	2016

			Mamphiwa Projects	R92 428.98	Air Force – Partitioning	2016
			Mamphiwa Projects	R25 048.00	Air Force – Venetian Blinds	2016

FAIS OMBUD

- (i) No contracts or agreements awarded
- (ii) No contracts or agreements awarded
- (iii) No contracts or agreements awarded

PIC

The Public Investment Corporation (PIC) circulates a *Declaration of Interest* form annually, requesting staff members to declare their business interests. Nothing from the completed forms in our possession suggests that any of our staff members have been awarded any contracts or agreements to conduct business with any state entity.

SAA

SAA Employees are required to sign the annual declaration interest in terms of the Conflict of Interest Policy. Furthermore every bidder/prospective supplier completes and sign an SBD 4 (Declaration of Interest Form) with every submission of a tender.

Based on the policies and the controls in place, SAA has not awarded contracts nor have agreements to conduct business to any of its staff in the 2014-15, 2015-16 and 2016-17 financial years. The annual statutory by the external auditors (Auditor-General South Africa) has also not identified any such instances.

SARS

The Department of Public Service and Administration (DPSA), in 2014, enacted the Public Administration Management Act, No: 11 of 2014 (PAMA, 2014). The Act prohibits public service employees from doing business with an organ of the State or being a director of a company which conducts business with an organ of the State. In order to give effect to PAMA, 2014, the Minister for the Public Service and Administration issued the Public Service Regulation, 2016 (PSR, 2016) with effect from the 01 August 2016.

In terms of Regulation 13 (c) of the Public Service Regulations, 2016 public service employees are prohibited from conducting business with an organ of state. Prior to the Regulations coming into effect, public servants were not prohibited from doing business with the State and thus not required to disclose if they are doing business with the State.

	Year	Number of employees	Contract details		Values (sum)
			No. employees	Expiration	
(I)	2014/15	13	2	2014/15 (Resigned from SARS)	R 15 989 238.82
			1	2018 (permission granted)	
			7	2014/15 (resigned from company/ contract expired)	
			1	2016 (No proof)	
			2*	Spouse's contracts	
(II)	2015/16	5	3	2015/16 (resigned from company/ contract expired)	R 2 592 373.25
			2*	Spouse's contracts	
(III)	2016/17	20	15	2016/17 (resigned from company/ contract expired)	R 5 298 910.00
			3	2020 (Permission granted)	

			2	2016/17 (No proof)	

(aa) (aaa) Due to the confidential nature of some of the information requested and our legislative obligation to the protection of personal information governed by the Protection of Personal Information Act, SARS is prohibited from disclosing any employee specific information that may include names of individuals, job specific information, etc.

(bb) (aaa) Please see the response above at (aa) (aaa).

SASRIA

No, not to our knowledge, as per the declaration of interests submitted each year by all staff members.

TAX OMBUD

None of the staff in the Office of the Tax Ombud was awarded contracts or agreements to conduct business with any state entity in the 2014-15, 2015-16 and 2016/17 financial years.
