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Department:
Public Works and Roads
North West Provincial Government
Republic of South Africa

FINANCIAL DISCLOSURE POLICY 2021/22

POLICY TITLE: FINANCIAL DISCLOSUREPOLICY
DEPARTMENT: PUBLIC WORKS AND ROADS

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1. POLICY STATEMENT

This is the policy of the Department of Public Works and Roads to exercise its function, therefore all employees have an obligation to avoid or mitigate situation in which their personal interest might conflict, or appear to conflict with the interests of organ of state.

Conflicts of interest may arise in many types of situations, such as when financial or other outside interests produce conflicting loyalties, affect the job performance, or are adverse to the interests of Department.

The Financial Disclosure is intended to identify such potential and actual conflicts of interest so that they may be assessed and mitigating actions taken to limit or eliminate associated risks.

In observing the highest standards of integrity, the Department has a duty to ensure that designated officials disclose in full, any potential financial conflicts of interest concerning activities conducted outside the Department's operations that exceed the designated thresholds as indicated in the PSR and are likely to affect decisions taken within the Department.

Financial interests to be disclosed may include the following:

- Shares and other financial interests in any private or public company;
- Directorships and partnerships;
- Interests in land and property, including intellectual property;
- Loans and sponsorships;
- Income from financial interests such as dividends, interest, royalties and rent and

2. PURPOSE AND OVERVIEW

The purpose of this Policy is to promote ethical behaviour among employees in the department, reduce possible, perceived and potential conflict of interest.

It is to assist Departmental employees designated to file a Financial Disclosure or Declaration of Interest statement in complying with their obligations to avoid personal interests that may or may appear to interfere with the performance of their duties and responsibilities, or appear to adversely influence the integrity, independence and impartiality required by their status.

When a potential or actual conflict of interest arises, it must be disclosed to the Risk Management Unit or the Ethics Officer

3. GENERAL PROVISION

3.1 Authority

This policy emanates from the requirement of the Public Service Regulations 2016, Chapter 2 Part 2 on financial disclosure, declaration of interest and the determination and Directives on declaration of interest issued by Department of Public Service Administration.

3.2 Scope

This policy applies to all employees at all levels.

1. The ethics officer will conduct the financial disclosure and declaration of interest statement must provide full and accurate information, which may require eliciting the cooperation of immediate family members when they are doing business with the organ of state.

4. Regulating Behaviour

The requirement to disclose financial interests extends beyond members of the SMS as indicated in the Public Service Regulation. Disclosure promotes the level of openness and transparency required in Batho Pele to build trust in public service and more directly, between the Department and the public it serves.

Section 41(1) (b) (vi) allows the Minister to make regulations relating to the disclosure of financial interest by all employees or particular categories of employees and the monitoring of such interests. Disclosure is viewed as the primary tool used in addressing conflicts of interest. In the event that an employee or related party thereto stands to gain an advantage or direct benefit from a transaction, contract or business in which the Department is involved, the following shall apply:

- Members of the SMS and special advisers shall disclose financial interests:
 - In respect of the period 1 April of the previous year to 31 March of the current year as required in a timely manner
- Employees earning the equivalent of salary level 13 and above through the Occupation Specific Dispensation (OSD):
 - In respect of the period 1 June of the previous year to 31 May of the current year as required in a timely manner
- Employees appointed at salary level 12 including employees earning the equivalent of salary level 12 through the OSD:
 - In respect of the period 1 June of the previous year to 31 May of the current year as required in a timely manner
- Employees appointed at salary level 11 including employees earning the equivalent of salary level 11 through the OSD:

- In respect of the period 1 July of the previous year to 30 June of the current year as required in a timely manner
- Employees employed in supply chain management units and finance units except messengers and secretaries;
 - In respect of the period 1 July of the previous year to 30 June of the current year as required in a timely manner
- New employees must complete within 30 days after assumption of duty
- Any employee who is authorised by Head of Department for the purposes of record keeping and the effective implementation of Part 2 of Chapter 2 of the Public Service Regulations 2016 (PSR) irrespective of salary level. This category includes ethics officers, officials with delegated authority on the e-Disclosure system and officials who perform verification functions. It is important that employees whose functions include the assessment of a conflict of interest, are themselves cleared of such conflict.

Employees shall disclose the full particulars of the benefit to the ethics officers, who in turn must submit these disclosures to the Accounting Officer as delegated by the Executive Authority each financial year.

Employees should regularly disclose financial interests as and when they are obtained through the electronic disclosure system. These electronic submissions should be detailed on disclosure forms which indicate all categories of financial interests for which registration is required and maintained in a registry by the ethics officers.

The disclosure forms should reach the PSC in the time lines stipulated by the Public Service Regulation, including submissions made by newly appointed designated officials. The information should be regarded confidentially by all parties with access to it. The Accounting Officer may waive a conflict of interest and such waiver must be attached to the disclosure form on submission to the PSC.

5. THE OBLIGATION TO FILE FINANCIAL DISCLOSURE

The following categories of employees have an obligation to disclose their financial interests:

No employees shall perform or engage him/her to perform remunerative work outside his or her employment (RWOPS) in the relevant department, except with the written permission of the Executive Authority/ delegated authority of the department.

6. OBLIGATION OF EMPLOYEES

- 6.1 Employees are obligated to comply with all requests for additional information, clarification or verification concerning their financial disclosure
- 6.2 Employees making disclosure pursuant to this policy and the programs thereunder shall certify the information disclosed is true, correct and complete to the best of their knowledge and beliefs.

7. CONFIDENTIALITY

The Financial Disclosure and Declaration of Interest statements and any relevant supporting documentation, information and/or communications either electronic or physical are confidential.

8. NON-COMPLIANCE WITH THE FINANCIAL DISCLOSURE

Failure to comply with the requirements of the Public Service Regulations 2016 and the policy, including the obligation to submit a financial disclosure or declaration of interest constitute misconduct and appropriate disciplinary action shall be taken against the employee.

Recommended by the Risk Management Committee:

Signature: _____

Date: _____



17/03/2021

Approved by the Accounting Officer / Authority:

Signature: _____

Date: _____



24/04/2021