MSUKALIGWA LOCAL MUNICIPALITY

ETHICS POLICY

2026 – 2027

DOCUMENT CONTROL SHEET	
Version	MLM/E /1.2025
Policy Name	**MSUKALIGWA LOCAL MUNICIPALITY: ETHICS POLICY 2026 – 2027**
Policy Status	Review
Date of last Approval	7 May 2026
Review / Development	The Ethics Policy shall be reviewed every 5 years (with alignment to the political term) or as and when required to incorporate changes in the prescribed norms and standard governing its existence to ensure that it remains current and relevant to all legislature and guidelines of Risk Management in the Public Sector.
Commencement	This Policy is effective from the date on which it is approved by Council.
Purpose	<u>The purpose of this Policy is to:</u> - Promote ethical behaviour of all employees in the Municipality. - Regulate remunerative work outside employment in such a way that the values and principles enshrined in the Constitution are not compromised. - Regulate Financial Disclosures of Executive Management (EXCO), Management and other categories of employees as prescribed by the Municipal Financial Management Act (MFMA). - Further regulate the acceptance of gifts by officials in line with existing Acts and relevant Regulations. - Provide for regular reporting on the compliance with and implementation of relevant legislative and policy provision. - Provide for consequences for non-implementation or non-compliance with the relevant legislative and policy provision.
Objectives	<u>The objective of this Policy is to:</u> - Set an ethical standard for conduct of employees in Msukaligwa Local Municipality and to assist all stakeholders of the Municipality with their ethical deliberations, choices, decisions, and conduct.
Policy Custodian	Msukaligwa Local Municipality: Office of the Municipal Manager

Statutory & Regulatory Framework	This Policy gives effect to the provision of the following legislations and frameworks: ▪ Constitution of the Republic of South Africa Act No. 108 of 1996. ▪ King IV Principles. ▪ Municipal Systems Act No. 32 of 2000. ▪ Municipal Financial Management Act No. 56 of 2003. ▪ Prevention and Combating of Corrupt Activities Act No. 12 of 2004. ▪ Public Service Act of 1994. ▪ The Batho Pele principles. ▪ The Local Government Anti-Corruption Strategy. ▪ The National Development Plan 2030.
Approving authority	Council
Applicability	This policy is applicable to all employees of Msukaligwa Local Municipality.
Amendments to the Policy Y/N	No – New Policy
Policy Benchmark and References	- Chief Albert Local Municipality. - Emalahleni Local Municipality. - Kgatelopele Municipality.
Stakeholders to be Consulted	Risk Management, Anti-Fraud and Corruption Committee, Audit Committee, EXCO and the Council.
Accountability	The Municipal Manager is accountable for the proper implementation of this Policy.

SIGNING OF ORIGINAL DOCUMENT

The purpose of this form is to ensure that documents are reviewed and approved prior to issue.

Policy Drafted/Reviewed by	**Recommended by**	**Approved by**	**Approved by**
Name: Miss N. Matshoba	**Name:** Ms. Nocawe Sikutshwa	**Name:** Mr. M. Kunene	**Name:** Cllr. N.S Xaba
Designation: Strategy & Policy Researcher	**Designation:** Chairperson of Risk Management, Anti-Fraud and Corruption Committee	**Designation:** Municipal Manager	**Designation:** Speaker of Council
Signature	**Signature**	**Signature**	**Signature**
Date:	**Date:**	**Date:**	**Date:**
Council Resolution Number:	LM1062/05/06		
Approved Date:	07 May 2026		

Table of Contents

1. DEFINITIONS 7
2. ABBREVIATIONS 10
3. POLICY PRINCIPLES AND VALUES 10
4. POLICY STATEMENT 10
   - 4.2 Prohibition on Trade by Employees with Organ of The State 10
   - 4.3 Performing Remunerative Work Outside Employment 11
   - 4.4 Application for Permission to Perform Remunerative Work Outside Employment 11
   - 4.5 Declaration by New Employees of Existing Trade with an Organ of State 13
   - 4.6 Family Member's Interest 13
   - 4.7 Gifts, entertainment, hospitality and other benefits 13
   - 4.8 Use of MLM Assets 15
   - 4.9 Financial Disclosure 15
     - 4.9.1 Executive Management and other Categories of employees of Council 15
     - 4.9.2 Verification of Financial Interest 15
     - 4.9.3 Disregard of Bids and Quotations 15
     - 4.9.4 Supply Chain Management Requirements 16
     - 4.9.5 Ethic Implementation Plan and Ethic Assessment 17
   - 4.10 Reporting 17
5. APPROVING AUTHORITY 17
6 ADMINISTRATION OF THE POLICY 17
7 ACCOUNTABILITY AND RESPONSIBILITIES 18
   - 7.1 Council 18
   - 7.2 Municipal Manager 18
   - 7.3 Ethics Champion 18
   - 7.4 Audit Committee 19
   - 7.5 Risk Management, Anti- Fraud and Corruption Committee 19
   - 7.6 Ethics Officer 19
   - 7.7 Internal Audit Services 20
   - 7.8 Municipal Employees 20
8 PROCEDURES FOR IMPLEMENTATION 20
9 MONITORING REPORTING MECHANISM 20

10 DISCIPLINARY ACTION 20
ANNEXURE A [REMUNERATIVE WORK OUTSIDE THE MUNICIPALITY] 22
APPLICATION FORM 22

1. DEFINITIONS

1.1 For the purpose of this Policy, the following words shall have the meanings as indicated:

No:	Term	Definition
1.1.1	**Accounting Officer**	
1.1.2	**Bribery**	Bribery involves the promise, offering or giving of a benefit that improperly affects the actions or decisions of an Msukaligwa Local Municipality (MLM) employee. This includes sexual bribery.
1.1.3	**Close Family Member**	Close family includes: the person him or herself and people related to the person by blood and marriage to the second degree (for example spouse, including life partner, child, parent, brother, sister, grandparents, grandchildren, family in law, etc.)
1.1.4	**Conflict of Interest**	A conflict between the public duties and private interests of an employee, in which the employee has private interests which could improperly influence the performance of his/her official duties and responsibilities.
1.1.5	**Constitution**	The Constitution of the Republic of South Africa.
1.1.6	**Council**	The Msukaligwa Local Municipality (MLM), a municipality established in terms of the provisions of Section 2 of the Local Government: Municipal Systems Act (2000).
1.1.7	**Corruption**	Any offence in terms of the Prevention and Combating of Corrupt Activities Act (2004).
1.1.8	**Disciplinary Board**	The disciplinary board appointed by Council in terms of the Municipal Regulations on Financial Misconduct and Criminal Proceedings (2014).
1.1.9	**Ethics**	a. Broadly defined as well based standards of right and wrong that prescribe our rights, obligations and benefits to society. b. Ethics is about how we ought to live, treat others, run or manage our lives and organisations.
1.1.10	**Employee**	Any person who works for the Council and who receives, or is entitled to receive, any remuneration; and any other person who in any manner assists in carrying on or conducting the business of the Council. For purposes of this Framework, employee includes independent contractors, labour broker employees, persons seconded from other local, provincial or national government, or

		seconded from any entity belonging to a local, provincial or national government.
1.1.11	**Employment**	Appointment in, or secondment to, the Municipality for which the appointee receives remuneration or is rewarded for performance of work.
1.1.12	**Ethics Management**	An important dimension of a broader organisational approach to governing ethics, with a view to establish, over time, a sustainable ethical organisational culture.
1.1.13	**Gift**	A token which is bestowed voluntarily without any expectation of tangible compensation, and for which no direct or indirect contractual obligation are imposed.
1.1.14	**Gratuity / Gratification**	Includes— a. money, whether in cash or otherwise; b. any donation, gift, loan, fee, reward, valuable security, property or interest in property of any description, whether movable or immovable, or any other similar advantage; c. the avoidance of a loss, liability, penalty, forfeiture, punishment or other disadvantage; d. any office, status, honour, employment, contract of employment or services, any agreement to give employment or render services in any capacity and residential or holiday accommodation; e. any payment, release, discharge or liquidation of any loan, obligation or other liability, whether in whole or in part; f. any forbearance to demand any money or money's worth or valuable thing; g. any other service or favour or advantage of any description, including protection from any penalty or disability incurred or apprehended or from any action or proceedings of a disciplinary, civil or criminal nature, whether or not already instituted, and includes the exercise or the forbearance from the exercise of any right or any official power or duty; h. any right or privilege; i. any real or pretended aid, vote, consent, influence or abstention from voting; or

		j. any valuable consideration or benefit of any kind, including any discount, commission, rebate, bonus, deduction or percentage.
1.1.15	**Integrity**	Includes - a. The faithful and consistent application of generally accepted public service values and norms in the daily practice of public sector institutions; b. The proper use of powers, authorities, assets, resources and funds according to the official purpose for which they are intended, with the end view of promoting public welfare.
1.1.16	**Integrity Management**	The continuous process of building, enforcing and fostering a culture of integrity within the Municipality.
1.1.17	**Integrity and Ethics Management Framework**	The policies, procedures, principles and guideline implemented by the MLM from time to time to prescribe ethical behaviour and integrity in the MLM.
1.1.18	**Msukaligwa Local Municipality**	The building, as headquarters, housing Council and the Core Administration, being Cnr. Taute & Kerk Street, Ermelo.
1.1.19	**Municipality**	Msukaligwa Local Municipality.
1.1.20	**Municipal Manager**	The Accounting Officer and head of the administration of the Municipality.
1.1.21	**Municipal Area**	The area placed under the control or jurisdiction of Council.
1.1.22	**Municipal Official**	a. An employee of the Municipality; b. A person seconded to the Municipality to work as a member of the staff of the Municipality; c. A person contracted by the Municipality to work as a member of the staff of the Municipality otherwise than as an employee.
1.1.23	**Policy**	The Msukaligwa Local Municipality: Ethics Policy 2025 – 2026.
1.1.24	**Tender**	A written offer or bid in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of services, works, or goods.
1.1.25	**Values**	Beliefs of a person or social group in which they have an emotional investment either for or against something.

2. ABBREVIATIONS

No:	Term	Description
2.1	**COGHSTA**	**Cooperative Governance, Human Settlements and Traditional Affairs**
2.2	**MFMA**	**Municipal Finance Management Act**
2.3	**MLM**	**Msukaligwa Local Municipality**
2.4	**SCM**	**Supply Chain Management**

3. POLICY PRINCIPLES AND VALUES

3.1 The principles that underpin the Ethics Policy are enshrined in:

3.1.1 Section 195 (a) of the Constitution of the Republic of South Africa which requires that the administration of Msukaligwa Local Municipality must be governed by the democratic values and principles enshrined in the Constitution (1996), including the following principle:

3.1.1.1 A high standard of professional ethics must be promoted and maintained.

3.1.1.2 Economic, efficient, and effective use of resources must be promoted.

3.1.1.3 Public administration must be developmental- orientated.

3.1.1.4 Service must be provided impartially, fairly, equitable and without bias.

3.1.1.5 People's needs must be responded to, and the public must be encouraged to participate in policymaking.

4. POLICY STATEMENT

4.1 Msukaligwa Local Municipality (MLM) enforces highly ethical standards to all employees in the Municipality.

4.1.1 These ethical behaviour standards stipulated in this Policy must be adhered by all employees in MLM.

4.2 **Prohibition on Trade by Employees with Organ of The State**

4.2.1 No Municipal Official as a person, a director, a shareholder, or a partner of business may:

4.2.1.1 Trade, do business with, or enter into a contract with any organ of state whilst in the employ of the Municipality.

4.2.1.2 Tender or quote to provide any goods or services to any organ of state whilst in the employ of the State.

4.2.2 No company, with a Director that is employed by the State may be registered in the supplier database of any organ of state.

4.3 Performing Remunerative Work Outside Employment

4.3.1 No employee may perform remunerative work outside his/her employment in any relevant Municipality, unless written permission to perform such work has been obtained from the Council.

4.3.1.1 In terms of the Code of Conduct, an employee who does remunerative work outside the employ of the Municipality without approval –

4.3.1.1.1 Does not put the public interest first in execution of his or her duties.

4.3.1.1.2 Does not serve the public in an unbiased and impartial manner.

4.3.1.1.3 Might engage in transaction or action that conflicts with or infringes on execution of his or her official duties.

4.3.2 All employees, unless otherwise specified in their employment contract, **MUST** place their official contracted working hours at the disposal of MLM.

4.3.3 Consequently, no employees are permitted to perform any work outside their MLM duties during such official working hours, without prior authorisation as per *clause 4.3.1* above.

4.4 Application for Permission to Perform Remunerative Work Outside Employment

4.4.1 An employee intending to perform remunerative work outside his or her employment must, prior to performing such work, submit a written request for permission to the Council.

4.4.1.1 The Msukaligwa Local Municipality's developed form (attached as *Annexure A*) **MUST** be utilised for application for permission to perform remunerative work outside employment.

4.4.1.2 The form (attached as *Annexure A*) entails the following information:

4.4.1.2.1 Name and Employee number.

4.4.1.2.2 Employee's official job title.

4.4.1.2.3 Employee's key performance areas.

4.4.1.2.4 A clear description of outside work or business interest including areas of business.

4.4.1.2.5 The nature and extent of any adverse financial, operational, and other circumstances for the State, the employee concerned or members of the public if permission is not granted.

4.4.1.2.6 If work performed will amount to conflict of interest in relation to the constitutional mandate or programme of the Municipality.

4.4.1.2.7 Any current or potential performance of remunerative work outside his or her employment.

4.4.1.3 The Council of Msukaligwa Local Municipality may not grant written permission if:

4.4.1.3.1 Remunerative work outside employment could reasonably be expected to interfere with or impede the effective or efficient performance of the employee's functions in the Municipality.

4.4.1.3.2 The remunerative work outside employment would constitute a contravention of the code of conduct.

4.4.1.3.3 The employee has access to confidential information which may be abused in the process of outside work.

4.4.1.3.4 Activities will be conducted within work hours; or

4.4.1.3.5 Municipal resources other than personal tools of trade will be used for such outside interest.

4.4.1.4 When considering an employee's request of intending to perform remunerative work outside his or her employment in the Municipality, the Council must have due regard to section 30 of the Public Service Act (1994) which provides that every employee within the public service shall commit all of his or her time to the Public Service.

4.4.1.5 The Council must record its decision to grant or refuse permission in writing and *may,* if granted:

4.4.1.5.1 Add conditions to the permission.

4.4.1.5.2 Advise the employee accordingly.

4.4.1.5.2.1 The Council **must**, in writing, advise the employee **within 30 days** on whether or not the request is approved.

4.4.1.5.2.2 If no response from Council is received after the 30-day window period, the application shall be deemed approved.

4.4.1.5.2.3 The decision of the Council shall be final.

4.5 **Declaration by New Employees of Existing Trade with an Organ of State**

4.5.1 An employee who joins the Municipality and trades with an organ of state or has an interest in a business, company or entity that trades with an organ of state **MUST**, **within 30 days** of accepting appointment, declare in writing to the Municipal Manager that:

4.5.1.1 He/she, or a business, company, or entity in which he/she has an interest, trades with an organ of state.

4.5.1.2 Particulars of such trade; and

4.5.1.3 The value of such trade.

4.5.2 After disclosure, **within 60 days**, the newly appointed employee **MUST**:

4.5.2.1 Cease conducting business with an organ of state, resign as a director of a company that is conducting business with an organ of state or resign as an employee.

4.5.2.2 Submit proof to the Municipality's Ethics Officer that, the employee has ceased conducting business or has resigned as a director of a company that conducts business with an organ of the state or resigned as an employee of the state.

4.5.3 An employee who trades with the organ of state, acts in contravention of the provision of the regulations and Code of Conduct and is guilty of misconduct.

4.6 **Family Member's Interest**

4.6.1 An employee whose family member, or a business, company or entity in which a family member has an interest or trades with an organ of state or has an interest in a business, company or entity that trades with an organ of state must, shall declare in writing to the Ethics Officer the following:

4.6.1.1 That his/her family member, or a business, company, or entity in which a family member has an interest, trades with an organ of states; and

4.6.1.2 Particulars of such trade by a family member **MUST** be declared on the Declaration of Family Members form (Attached as *Annexure B*).

4.7 **Gifts, entertainment, hospitality and other benefits**

4.7.1 MLM employees have a responsibility to ensure that their dealings with MLM's stakeholders are based on objective decisions and are not influenced by gifts or favours.

4.7.1.1 *Clause 4.7.1* above is also applicable to MLM's stakeholders.

4.7.2 Employees are prohibited from soliciting or receiving gifts and entertainment including favours, goods, gratuities, money and services which:

4.7.2.1 May create a sense of obligation;

4.7.2.2 May influence or be perceived to influence their business judgement;

4.7.2.3 May create, or appear to create, a conflict between an employee's personal interests and those of their employer, MLM; or

4.7.2.4 If it became public, adversely affect our reputation.

4.7.3 The soliciting or receiving of inappropriate gifts or entertainment *can* cause reputational damage to MLM.

4.7.4 Particular concerns arise when the offering of gifts and entertainment may be connected in some way with an actual or potential business transaction.

4.7.5 Even if the intent is not corrupt, there is still a risk that an objective third party *may* perceive the gift or entertainment to be an attempt to gain an undue advantage.

4.7.6 In the same way, MLM's stakeholders are prohibited from offering gifts and entertainment including favours, goods, gratuities, money and services that:

4.7.6.1 May create a sense of obligation;

4.7.6.2 May influence or be perceived to influence MLM employees' business judgement;

4.7.6.3 May create, or appear to create, a conflict between an employee's personal interests and those of their employer, MLM.

4.7.7 A Municipal employee **MUST NOT** use his/her official position to obtain private gifts or benefits for himself/herself in relation to performance of his/her official duties and/or whilst perfuming his/her official duties.

4.7.8 A Municipal employee **MUST NOT** accept *any* gifts or benefits from potential service providers, relevant stakeholders, clients or potential clients in relation to performance of his/her official duties, as the acceptance *may* be construed as a bribe as defined by Prevention and Combating of Criminal Activities Act (2004).

4.7.9 A Municipal employee **MUST NOT** receive or accept *any* gift from any person in the course of his/her employment to the accumulative value of **R350.00** (Three Hundred and Fifty Rand) per year *unless* approval is obtained from the Council.

4.7.9.1 The Municipal Official **MUST** declare such gift in writing within **7 (seven) days** of receipt to the relevant Supervisor; and

4.7.9.2 **ALL** gifts **MUST** be reported to Ethics Officer.

4.7.10 The gift register (*Annexure C*) **MUST** be utilised by *all* departments.

4.8 **Use of MLM Assets**

4.8.1 The use of MLM's assets, such as premises, equipment or vehicles shall be used in the course of Council business in the capacity as an MLM employee or a government official, client or partner.

4.8.2 MLM's assets should not be provided for the personal or discretionary use of its stakeholders or any other third parties where there is no underlying proper business purpose or clear benefit to MLM.

4.8.3 Abuse of assets shall not be tolerated.

4.9 **Financial Disclosure**

4.9.1 **Executive Management and other Categories of employees of Council**

4.9.1.1 The Municipal Manager, as the Accounting Officer, **MUST** ensure that all the categories stipulated below must submit their financial disclosures as stipulated below:

4.9.1.1.1 Senior Management by **1st of July of each financial year**.

4.9.1.1.2 Line Management by **1st of July of each financial year**.

4.9.1.1.3 All other Municipal employees by **1st of July of each financial year**.

4.9.1.1.4 New employees in all categories **30 days after assumption of duty**.

4.9.2 **Verification of Financial Interest**

4.9.2.1 Verifications of financial interests submitted by Municipal Officials shall be verified by the Ethics Officer at the end of the month following the disclosure of financial interests per category listed in *clause 4.7.1.1.1 – 4.7.1.1.4* and submitted to the Municipal Manager.

4.9.2.2 The Municipal Manager shall then submit the report to Cooperative Governance, Human Settlements and Traditional Affairs (COGHSTA).

4.9.3 **Disregard of Bids and Quotations**

4.9.3.1 Msukaligwa Local Municipality *may*, in the interest of the public and compliance to this Policy, the Public Service Regulations and Code of Conduct, refuse to trade with an entity in which an employee, or a family member of an employee, has financial or operational interest.

4.9.3.2 The Municipal Manager *may* disregard a bid or quotation if that bidder, or business submitting a quotation, or any of its directors is an employee, or a family member of an employee of Msukaligwa Local Municipality and the Municipal employee fails to declare that:

4.9.3.2.1 A family member of him or her, or a business, company, or entity in which a family member has an interest, trade with an organ of state, or tender or quotes for the provision of goods and services to an organ of state.

4.9.4 **Supply Chain Management Requirements**

4.9.4.1 The Municipal Manager of MLM **MUST** ensure that:

4.9.4.1.1 The Municipality complies fully with the instruction Note of National Treasury, entitled *National Treasury Instruction Note on Enhancing Compliance Monitoring and Improving Transparency and Accountability in Supply Chain Management (SCM), dated 31 May 2011* (as amended from time to time).

4.9.4.1.2 All necessary action is taken in the event of non-compliance.

4.9.4.1.3 No bid or quotation is awarded or accepted, unless a completed "Declaration of interest" form is submitted with a bid or quote; and

4.9.4.1.4 Msukaligwa Local Municipality fully complies with Provincial Treasury Circular, Circular 11 of 2009/10: Declaration of Interest – Amendment and Augmentation Standard Bidding Document relating to the signing of Code of Conduct by SCM Practitioners, Completing of Confidentiality and Declarations of Interest Forms by SCM Practitioners and Bid Committee Members and the vetting of SCM practitioners and Bid Committee Members, including any further amendments of augmentation thereof.

4.9.4.1.5 An employee must recuse himself/herself from any official action or decision-making process which may result in improper procurement processes.

4.9.4.1.6 On a regular basis, verify that employees who resigned from MLM are not partners, directors, or employees of business whom tenders are awarded and where such an Official was involved in the tender process.

4.9.4.1.7 This is for a period of 12 (twelve months) after the employee has resigned from MLM (cooling period).

4.9.4.2 To this end the Municipal Manager **MUST** ensure that:

4.9.4.2.1 The Companies and Intellectual Property Commission (CIPC) database is scrutinized on a regular basis.

4.9.4.2.2 All contracts flowing from tenders include a stating that that the contract shall be cancelled immediately should it be discovered that a Municipal Official has any direct or indirect interest in the successful tender.

4.9.5 **Ethic Implementation Plan and Ethic Assessment**

4.9.5.1 The Ethics Officer shall develop an Ethics Implementation Plan that is aligned with the ethics risk assessment register of the Municipality.

4.9.5.2 This Plan **MUST** be submitted to the Risk Management, Anti-Fraud and Corruption Committee for recommendation and approval by the Municipal Manager.

4.9.5.3 The Plan **MUST** be reviewed annually.

4.10 **Reporting**

4.10.1 The Ethics Officer shall report on a quarterly basis to the established Risk Management, Anti-Fraud And Corruption Committee on ethics related matters according to this Policy.

5. APPROVING AUTHORITY

5.1 The Chairperson of the Risk Management, Anti-Fraud and Corruption Committee shall recommend this Policy to Municipal Manager for approval.

5.2 The Policy shall be referred to the Council for approval.

6 ADMINISTRATION OF THE POLICY

6.1 The Municipal Manager together with the Risk Management unit shall be responsible for the administration of this Policy.

7 ACCOUNTABILITY AND RESPONSIBILITIES

7.1 Council

7.1.1 The Council has a major role in defining what it expects in integrity and ethical values and can confirm its expectations through oversight activities.

7.2 Municipal Manager

7.2.1 The Municipal Manager has a duty in terms of Section 173(1)(iv) of the MFMA, to take measures that will prevent corruption and limit the Municipalities exposure to fraud and ethics risks.

7.2.2 The Municipal Manager shall take ownership and accountability to ensure that MLM complies with the MLM Ethics Policy.

7.2.3 The Municipal Manager shall be accountable to the Council and the Executive in terms of the achievement of the goals and objectives of the Municipality.

7.2.4 The Municipal Manager shall provide strategic political leadership as to governance and ethics management as ethics management is an important management tool designed to support the Municipal objectives and goals.

7.2.5 More than any other individual, the Municipal Manager shall set the tone at the high strategic level that affects integrity and ethics and other factors of the control environment.

7.2.6 Municipal Manager shall be legally accountable for the Municipality's ethics management obligations, responsible for and must assume "ownership" of the Municipality's ethics management.

7.2.7 The Municipal Manager must ensure that the responsibility for ethics management vests at all levels of management and that it is not only limited to the Municipal Manager.

7.3 Ethics Champion

7.3.1 The Municipal Manager shall be assigned the responsibility to champion the integrity management initiatives of the Municipality.

7.3.2 The Ethics Champion shall, amongst others, have the following responsibilities:

7.3.2.1 Driving the Municipality's ethics management programme and ensuring that it retains momentum;

7.3.2.2 Advocating the interests of the ethics office;

7.3.2.3 Ensuring the co-ordination and integration of the Municipality's ethics initiative with other related initiatives (such as anti-corruption, policy development, compliance, risk management, and service delivery plans);

7.3.2.4 Ensuring procedures are in place to investigate misconduct;

7.3.2.5 Elevating significant ethics issues to the MM; and

7.3.2.6 Promoting discussion of ethics issues at executive level.

7.4 **Audit Committee**

7.4.1 The Audit Committee shall be responsible for providing the Municipal Manager with independent counsel, advice, and direction in respect of ethics management.

7.5 **Risk Management, Anti- Fraud and Corruption Committee**

7.5.1 The Risk Management, Anti- Fraud and Corruption Committee shall be formally appointed in writing by the Municipal Manager.

7.5.2 Members of the Committee must possess skills, expertise, and knowledge of the Municipality, including familiarity with the concepts, principles, and practice of ethics management.

7.5.3 The Committee shall be responsible for assisting the Municipal Manager in addressing his/her oversight requirements of ethics management and evaluating and monitoring the Municipality's performance with regards to ethics management.

7.5.4 The role of the Committee is to formulate, promote and review the Municipality's ethics management objectives, strategy and Policy and monitor the process at all applicable levels.

7.6 **Ethics Officer**

7.6.1 The Ethics Officer shall:

7.6.1.1 Co-ordinate the implementation of the Ethics Policy which is designed to prevent and deter unethical conduct and acts of corruption.

7.6.1.2 Manage and monitor ethics and fraud risks within the Municipality and to report accordingly to the Risk Management, Anti- Fraud and Corruption Committee.

7.6.1.3 Analyse ethics risks in MLM and maintain ethic risk register thereof.

7.6.1.4 Develop and implement awareness programmes to educate Municipal Officials on ethics, good governance and anti-corruption measures; and

7.6.1.5 Keeping a register of all employees under investigation and those disciplined for unethical conduct.

7.6.1.6 Establish a system that encourages and allows employees and citizens to report allegations of unethical conduct.

7.6.1.7 Ensure timeous disclosure of financial interest of Executive Management officials and other categories of employees as determined by COGHSTA.

7.6.1.8 Monitor implementation of Ethic Management Plan on a quarterly basis.

7.7 Internal Audit Services

7.7.1 The responsibility of Internal Audit on ethics management is to "Evaluate the Ethical Culture of Msukaligwa Local Municipality against the set standards or policies and report accordingly".

7.8 Municipal Employees

7.8.1 Integrity and Ethics is the responsibility of every MLM employee.

7.8.2 Each MLM employee is personally responsible for ensuring awareness and understanding the Ethics Policy, relevant laws and provisions applicable to them.

7.8.3 Each employee is equally responsible for behaving in accordance with this Policy.

7.8.4 Employees shall be responsible for communicating ethics such as non-compliance with acceptable behaviour outlined in applicable laws, regulations, policies etc.

8 PROCEDURES FOR IMPLEMENTATION

8.1 Conduct ethics risk assessment as *per clause 4.8*.

8.2 Develop ethics implementation plan as *per clause 4.8*.

8.3 Maintain the gift register as *per clause 4.6.4*.

9 MONITORING REPORTING MECHANISM

9.1 Reporting on the ethics risk register and implementation plan.

10 DISCIPLINARY ACTION

10.1 All employees of MLM and its entities are required to comply fully with this Policy.

10.2 MLM shall endeavour to take prompt disciplinary action against employees found violating this Policy.

10.3 The disciplinary procedure shall ensure that the due process of law is applied.

10.4 An employee found guilty of breaching the Policy *may* be subject to dismissal.

10.5 Non-compliance of any of the stipulations contained in this Policy shall be regarded as misconduct and will be dealt with in terms of the Municipality's Disciplinary Code of Conduct.

ANNEXURE A [REMUNERATIVE WORK OUTSIDE THE MUNICIPALITY]

APPLICATION FORM

APPLICATION TO PERFORM OTHER REMUNERATIVE WORK IN TERMS OF SECTION 30 OF THE PUBLIC SERVICE ACT (1994)

In accordance with the provisions of section 30 of the Public Service Act, 1994 (Proclamation No. 103 of 1994) ["the Act"] as amended, this form must be completed by any permanent or temporary employee of any Municipality or any Government Component as contemplated in section 8 of the Act, who wishes to perform other remunerative work.

SECTION A: PERSONAL DETAILS OF APPLICANT (TO BE COMPLETED BY THE APPLICANT)	
SURNAME	
FIRST NAMES	
EMPLOYEE NUMBER	
EMPLOYEE IDENTITY NUMBER	
EMAIL	
OFFICE PHONE NUMBER	
MOBILE	
POSTAL ADDRESS	
POSTAL CODE	
DEPARTMENTAL NAME	
UNIT	
JOB TITLE	
PROFESSIONAL BODY(IES) REGISTERED WITH (IF APPLICABLE)	
NAME OF PROFESSIONAL BODY	REGISTRATION NUMBER AT PROFESSIONAL BODY
NAME OF PROFESSIONAL BODY	REGISTRATION NUMBER AT PROFESSIONAL BODY
NAME OF PROFESSIONAL BODY	REGISTRATION NUMBER AT PROFESSIONAL BODY
JOB FUNCTIONS (KEY PERFORMANCE AREAS, AS CONTAINED IN THE JOB DESCRIPTION OF THE APPLICANT)	

SECTION B: WORKING HOURS (TO BE COMPLETED BY THE APPLICANT)	
CURRENT WORKING HOURS OF THE APPLICANT (PER WEEK)	
CALL/STANDBY DUTIES HOURS (PER WEEK)	
CURRENT OVERTIME HOURS WORKED (PER MONTH)	
SECTION C: APPLICATION FOR OTHER REMUNERATIVE WORK (TO BE COMPLETED BY THE APPLICANT)	
PLEASE DESCRIBE THE CATEGORY OF OTHER REMUNERATIVE WORK APPLYING FOR	
DESCRIBE IN DETAIL THE NATURE OF THE WORK THAT WILL BE PERFORMED	
DATES FOR PERFORMING THE REMUNERATIVE WORK	
PLANNED START DATE OF OTHER REMUNERATIVE WORK (NOTE THAT PERMISSION IS ONLY GRANTED FOR A MAXIMUM PERIOD OF 12 CALENDAR MONTHS)	
SPECIFY THE DAYS OF THE WEEK AND SPECIFIC HOURS THAT WORK WILL BE PERFORMED WORKING HOURS (E.G. 05:00 TO 06:00, ETC.)	
MONDAY	
TUESDAY	
WEDNESDAY	
THURSDAY	
FRIDAY	
SATURDAY	
SUNDAY	
TOTAL NUMBER OF HOURS PLANNED FOR PERFORMING THE REMUNERATIVE WORK (PER MONTH)	
SPECIFY WHERE THE REMUNERATIVE WORK WILL BE PERFORMED (E.G. HOME, OFFICE, SCHOOL, DOOR-TO-DOOR, ETC.)	
IF THE REMUNERATIVE WORK WILL BE UNDERTAKEN WITH/IN AN ESTABLISHED BUSINESS OR ORGANISATION, PLEASE PROVIDE DETAILS	
NAME OF BUSINESS/ORGANISATION	
DETAILS OF PERSON YOU WILL BE REPORTING TO	
SURNAME	
INITIALS	
CONTACT NUMBER OF BUSINESS/ORGANISATIONS	
CONTACT NUMBER OF PERSON YOU WILL BE REPORTING TO	
SECTION D: DECLARATION (TO BE COMPLETED BY THE APPLICANT)	

I,_____(full name), hereby confirm that the information supplied in this application form is correct and undertake to assist my department in meeting its service

delivery demands, including overtime commitments (if applicable), which includes being on call/standby (when applicable) as scheduled.

I acknowledge that my first commitment is to meet the operational objectives of my department. I confirm that my performance of other remunerative work will in no way interfere with my commitments to my department.

I confirm that my performance of other remunerative work will not take place during the hours I am required for duties as agreed in my employment contract.

I confirm that I will not use any state resources for the purpose of performing other remunerative work.

I accept that I shall not conduct business with any organ of the state, either in person or as part of an entity (including non-profit organisations).

I accept that permission to perform other remunerative work is only granted for the time agreed upon (and reflected on the certificate of approval), and that it only applies to the services/types of remunerative work as indicated in this application form.

I accept that, should I wish to continue with such remunerative work, I must submit a new application at least 30 days before expiry.

I accept that non-compliance with any of the conditions, monitoring or control measures pertaining to other remunerative work may lead to disciplinary action and that the sanction imposed includes forfeiture of remuneration and/or benefits gained.

I accept that the normal policies and measures governing discipline also apply in terms of non-compliance with the other remunerative work policy and measures.

I agree to abide by any control measures applicable to the other remunerative work system, including that it may be required of me to sign in and out each time I enter or exit the institution where I perform my basic or overtime duties.

I agree to attach the certificate of approval when disclosing my financial interests, if applicable. I acknowledge that the Executive Authority or delegated authority can, at any time, terminate my authorisation to perform other remunerative work, based on a change in operational requirements and/or poor performance on my part.

Signature of Applicant:

Designation: Date:

AFTER COMPLETING THE FORM AND SIGNING THE ABOVE (SECTIONS A-D), PLEASE PRESENT IT TO THE ETHICS OFFICER FOR FURTHER ADMINISTRATIVE PROCESSING AND SUBMISSION TO THE EXECUTIVE AUTHORITY/DELEGATED OFFICIAL.

SECTION E: RECOMMENDATIONS (TO BE COMPLETED BY THE IMMEDIATE SUPERVISOR)	
RECOMMENDATION BY SUPERVISOR	
APPLICATION IS SUPPORTED/NOT SUPPORTED.	

Motivation for recommendation/reasons for not supporting Signature of Supervisor: Designation:	
Date:	
SECTION F: RECOMMENDATIONS (TO BE COMPLETED BY THE ETHICS OFFICER)	
Application is supported/not supported	
Motivation for recommendation	
If not supported please state reason(s):	
Reason(s) Tick Conflict of interest Organisational requirements (workload)	
Impacting negatively on the employee's performance Contravening provisions in the Code of Conduct Involving the use of State resources to perform other remunerative work (including telephone, fax, email, etc.)	
Prevents the employee from placing their time at the disposal of the State.	
Signature of Ethics Officer:	
Designation:	
Date:	
SECTION G: APPROVAL (TO BE COMPLETED BY THE EXECUTIVE MANAGEMENT OR DELEGATED AUTHORITY)	
Application is Approved/Not approved	
Comments Signature of Executive Authority/Delegated Official:	
Date:	
CERTIFICATES: APPROVAL OF OTHER REMUNERATIVE WORK	
Permission is hereby granted to (_____EMPLOYEE) (_____EMPLOYEE NUMBER NO/ID NO) TO PERFORM OTHER REMUNERATIVE WORK OUTSIDE (THE DEPARTMENT_____).	
The following work will be conducted: (Short description, indicating the type of work, the name and type of business activity, name of employer and the amount of remuneration to be received) Period: to (maximum 12 calendar months) Please note: Permission is only granted for the work indicated above.	
If it is to be discovered that you are not adhering to Government prescripts regulating other remunerative work, including not conducting business with an organ of state, your permission will be withdrawn, and disciplinary steps will be instituted. If you wish to continue with other remunerative work after the expiry of the approved date, a further application must be submitted. _____ (Executive Authority/Delegated Authority)	

DATE:

ANNEXURE B [DECLARATION OF FAMILY MEMBERS]

DECLARATION OF INTEREST: FAMILY MEMBERS DOING BUSINESS WITH THE MUNICIPALITY

(To be completed by all employees of the Municipality)

1. Employee Information

Full Name:

Employee Number:

Department/Division:

Position/Designation:

Contact Number:

Email Address:

2. Declaration Statement

In accordance with the Municipal Finance Management Act (MFMA), the Municipal Systems Act, and the Municipality's Code of Conduct for Employees, I hereby declare the following:

1. I understand that I am required to disclose any family member who conducts business with the Municipality, directly or indirectly, whether as a supplier, service provider, contractor, or through any business entity.

2. I acknowledge that failure to disclose such interests may constitute misconduct or a breach of the Code of Conduct.

3. Details of Family Member(s) Doing Business with the Municipality

Full Name of Family Member	Relationship to Employee	Name of Business Entity	Business Registration No. (if applicable)	Nature of Business	Type of Engagement/Contract with Municipality	Value/Duration of Contract (if known)

(Attach additional pages if necessary.)

4. Declaration (Tick as applicable)

☐ I hereby declare that none of my family members are doing business with the Municipality.

☐ I hereby declare that the above family member(s) are doing business with the Municipality as disclosed above.

5. Employee Confirmation

Employee Signature:

Date:

6. Supervisor/Manager Acknowledgement

Name of Supervisor/Manager:

Designation:

Signature:

Date: _____

7. HR/Corporate Governance Office Use Only

Reviewed by:

Position:

Date Received:

Comments:

Notes:

• “Family member” includes a spouse, partner, child, parent, sibling, or any relative by blood or marriage whose financial interests may create a conflict of interest.

• This declaration must be updated annually or whenever a new conflict of interest arises.

ANNEXURE C

MSUKALIGWA LOCAL MUNICIPALITY

REGISTER OF GIFTS, BENEFITS, AND HOSPITALITY BY EMPLOYEES AND COUNCILLORS				
Date of Receipt of Offer	**Description of gift or benefit offered**	**Reason for acceptance**	**Person or Organization offering the gift or benefit**	**Value of gift or benefit**