



FACTSHEET ON FINALISED CASES OF FINANCIAL MISCONDUCT FOR THE 2012/2013 FINANCIAL YEAR

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INTRODUCTION AND BACKGROUND

The Public Finance Management Act, 1999 (PFMA)¹, read with Chapter 4 of the Treasury Regulations, 2002², compels all Public Service departments to report on finalised cases of financial misconduct to, amongst others, the Public Service Commission (PSC).

The PSC has since the 2001/2002 financial year, published reports on finalised cases of financial misconduct to give effect to its constitutional mandate, which, amongst others, is to investigate, monitor and evaluate the organisation and administration, and the personnel practices of the Public Service and also the above-mentioned legislative framework. The PSC's reports on financial misconduct have served as a tool for Parliament, the provincial Legislatures and departments, to monitor financial misconduct in the Public Service and to put measures in place to minimise financial misconduct and to eradicate the Public Service of corruption.

This Factsheet on finalised cases of Financial Misconduct for the 2012/2013 financial year comprises of statistical information on finalised cases of financial misconduct reported by national and provincial departments for the 2012/2013 financial year and includes trends analysis of finalised cases of financial misconduct reported by national and provincial departments for the 2009/2010, 2010/2011, 2011/2012 and 2012/2013 financial years.

According to the Treasury Regulations, 2002, an Accounting Officer must as soon as a disciplinary case on financial misconduct is completed, report to amongst others the PSC. Thus, the PSC has over the past financial years, reported on finalised cases of financial misconduct. However, for the 2012/2013 financial year, in order to monitor the time taken by departments to finalise financial misconduct cases, the PSC increased its scope on the reporting of financial misconduct to include cases that were not finalised as at 31 March 2013. This Factsheet thus also includes a statistical overview of the cases of financial misconduct that were reported by national and provincial departments as not finalised as at 31 March 2013.

OBJECTIVES OF THE STUDY

The objectives of the Factsheet on Finalised Cases of Financial Misconduct for the 2012/2013 financial year were to:

- provide a statistical overview of finalised cases of financial misconduct reported by national and provincial departments for the 2012/2013 financial year;
- provide trends analysis of cases reported since the 2009/2010 financial year; and
- provide a statistical overview of cases of financial misconduct that were reported by national and provincial departments as not finalised as at 31 March 2013.

¹ Republic of South Africa. The Public Finance Management Act No.1 of 1999.

² Republic of South Africa. Treasury Regulations, 2002 published in Government Gazette No 23463 dated 25 May 2002.

METHODOLOGY

The following methodology was followed in the execution of the project:

- A circular was forwarded to all national and provincial departments reminding them to submit reports on finalised cases of financial misconduct for the 2012/2013 financial year to the PSC. The formats for reporting financial misconduct were forwarded to departments and also up-loaded on the PSC's Website.
- Telephonic follow-ups were made with departments to confirm receipt of the circular.
- On expiry of the due date for inputs, which was 28 June 2013, follow-ups were made telephonically as well as through electronic mail with departments that did not submit their reports by the due date.
- Reports on finalised cases of financial misconduct from departments were captured onto a database. In instances where the report was unclear or incomplete information was provided, follow-up enquiries were made with the respective departments.
- Information was analysed and this "*Factsheet on Finalised Cases of Financial Misconduct for the 2012/2013 Financial Year*" was compiled.

STATISTICAL OVERVIEW

(a) Total number of finalised cases of financial misconduct reported by national and provincial departments for the 2012/2013 financial year

There has been 100% compliance by all national and provincial departments in submitting reports on finalised cases of financial misconduct for the 2012/2013 financial year to the PSC, as required by the PFMA³ and the Treasury Regulations⁴. Departments were requested to ensure that the reports were signed off by the accounting officer prior to it being submitted to the PSC. Despite the request, the following departments submitted reports that were not signed off by the respective accounting officer:

PROVINCE	DEPARTMENT
Eastern Cape Province	Education
	Local Government and Traditional Affairs
	Office of the Premier
	Transport
North West Province	Economic Development, Environment Conservation and Tourism
	Education and Training
	Finance

³ Republic of South Africa. The Public Finance Management Act No.1 of 1999.

⁴ Republic of South Africa. Treasury Regulations, 2002 published in Government Gazette No 23463 dated 25 May 2002.

PROVINCE	DEPARTMENT
	Health
	Local Government and Traditional Affairs
	Office of the Premier
	Public Works, Roads and Transport
	Social Development, Women, Children and People with Disabilities
	Sport, Arts and Culture
Northern Cape	Health

A total of **807** finalised cases of financial misconduct were reported by national and provincial departments for the 2012/2013 financial year. Of the **43** national departments, **21** departments submitted a “*nil return*”. A “*nil return*” means that the department reported that no financial misconduct cases were finalised in the 2012/2013 financial year. With regard to provincial departments, **48** of the **112** departments submitted a “*nil return*”. These findings suggest that departments either do not have the capacity to investigate and finalise cases of financial misconduct or they do not regard prioritisation of the investigation of such cases as a strategic matter. **Appendix A** provides a list of the **21** national departments that submitted a “*nil return*”. **Appendix B** provides a list of the **48** provincial departments that submitted a “*nil return*”.

Figure 1 below shows that of the **807** cases of finalised financial misconduct reported, **236 (29.2%)** were reported by national departments and **571 (70.8%)** were reported by provincial departments.

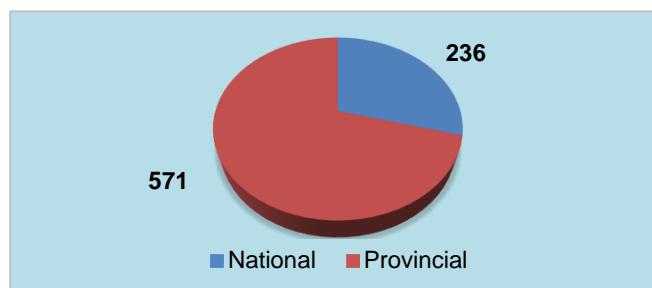


Figure 1: Total number of finalised cases of financial misconduct reported by the national and provincial departments for the 2012/2013 financial year

(b) Total number of finalised cases of financial misconduct reported by national departments for the 2012/2013 financial year

Table 1 below shows that of the **236** finalised cases of financial misconduct reported by national departments for the 2012/2013 financial year, the Department of Police (South African Police Services [SAPS]) reported the highest number of cases **72 (30.5%)**. The Department of Social Development reported the second highest number of cases **42 (17.8%)**, followed by the Department of Defence with **30 cases (12.7%)**.

NATIONAL DEPARTMENTS	NO. OF CASES
Police (SAPS)	72
Social Development	42
Defence	30
Rural Development and Land Reform	17
Public Works	14
Correctional Services	10
Labour	9

The following departments finalised the lowest number of cases in the 2012/2013 financial year, with one case each:

- Cooperative Governance
- Energy
- Government Communication and Information Systems (GCIS)
- Independent Police Investigative Directorate (IPID)
- Mineral Resources
- Science and Technology
- Trade and Industry

NATIONAL DEPARTMENTS	NO. OF CASES
National Prosecuting Authority	9
Home Affairs	8
Statistics South Africa	5
Environmental Affairs	3
Health	3
Water Affairs	3
Higher Education and Training	2
DoJCD	2
Cooperative Governance	1
Energy	1
GCIS	1
IPID	1
Mineral Resources	1
Science and Technology	1
Trade and Industry	1

Table 1: Number of finalised cases of financial misconduct reported per national department

(c) Total number of finalised cases of financial misconduct reported by provincial departments for the 2012/2013 financial year

Figure 2 below shows that of the 571 finalised cases of financial misconduct reported by the provincial departments for the 2012/2013 financial year, the Gauteng Province reported the highest number of cases 189 (33.1%). The Western Cape Province reported the second highest number of cases 105 (18.4%), followed by KwaZulu-Natal Province which reported 80 (14%) cases. The Mpumalanga Province reported the least number of cases of 16 (2.8%). Appendix C provides a breakdown of the 571 finalised cases of financial misconduct reported by each provincial department for the 2012/2013 financial year.

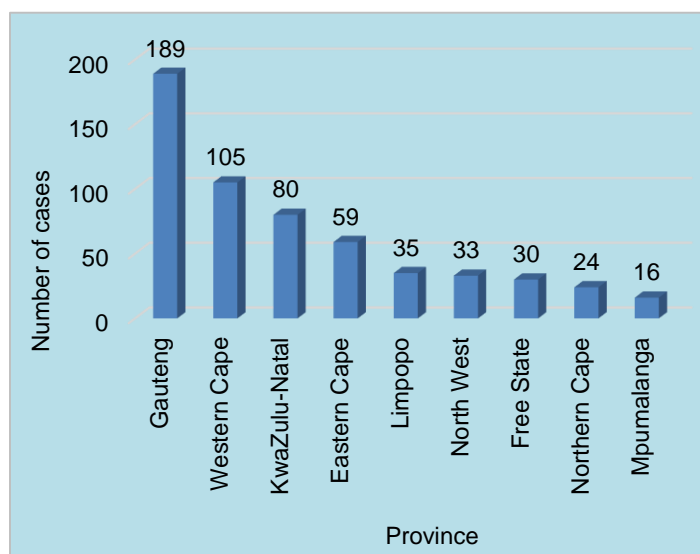


Figure 2: Number of finalised cases of financial misconduct reported by provincial departments

(d) Types of financial misconduct cases reported by national and provincial departments

Treasury Regulations 4.3.1⁵ stipulate that departments must, amongst others, report on the **type** of financial misconduct the official is alleged to have committed. The PSC categorised the types of financial misconduct cases reported by departments for statistical purposes.

⁵ Republic of South Africa. Treasury Regulations, 2002 published in Government Gazette No 23463 dated 25 May 2002.

Table 2 below reflects the categories of financial misconduct and description of cases reported by departments that fall into such categories.

TYPE	DESCRIPTION
Corruption	For a comprehensive description of corruption, refer to the Prevention and Combating of Corrupt Activities Act, 2004 ⁶ .
Fraud	The unlawful and intentional making of a misrepresentation which causes actual and/or potential prejudice to another.
Financial Mismanagement	Expenditure other than unauthorised expenditure, incurred in contravention of, or that is not in accordance with a requirement of any applicable legislation.
Theft	The unlawful taking with the intent to steal something which is prone to being stolen.
Misappropriation and abuse	The wrongful, improper or excessive use of public funds and/or assets in a person's care.
Gross negligence	Any act or omission without considering the consequences thereof.

Table 2: Description of the types of financial misconduct cases categorised by the PSC

Figure 3 shows that of the **807** cases of finalised financial misconduct reported by national and provincial departments for the 2012/2013 financial year, "**Theft**" was the type of financial misconduct with the highest number of cases **225 (27.9%)**. This was followed by "**Fraud**" with **209 (25.9%)** cases and "**Financial mismanagement**" with **157 (19.5%)** cases. The type of financial misconduct with the least number of cases reported was "**Corruption**" with **14 (1.7%)** cases.

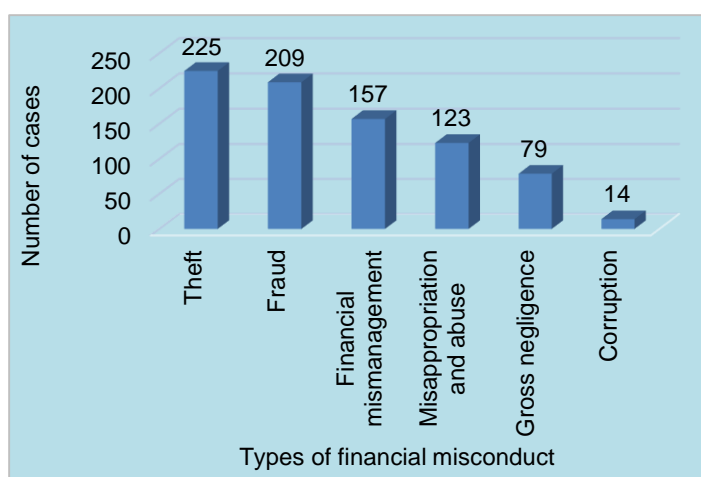


Figure 3: Types of financial misconduct cases reported by both national and provincial departments for the 2012/2013 financial year

(e) Levels of employees charged with financial misconduct

Treasury Regulations 4.3.1⁷, stipulate that departments must report on, amongst others, the **ranks** of the employees that have been charged with financial misconduct. Due to the different rank designations in departments, the PSC requested departments to indicate the salary levels of employees instead of ranks, for statistical purposes.

⁶ Republic of South Africa. Prevention and Combating of Corrupt Activities Act, No 12 of 2004.

⁷ Republic of South Africa. Treasury Regulations, 2002 published in Government Gazette No 23463 dated 25 May 2002.

Figure 4 below shows that of the **807** cases of financial misconduct reported by national and provincial departments, **541 (66.7%)** cases were reported in respect of salary levels 1 to 8. The highest number of cases **127 (15.7%)** was reported in respect of employees on salary level 5. Although financial misconduct prevails at all salary levels in the public service, it appears to be most prevalent at salary levels 2 to 9. The findings suggest that departments should develop and implement systems that would

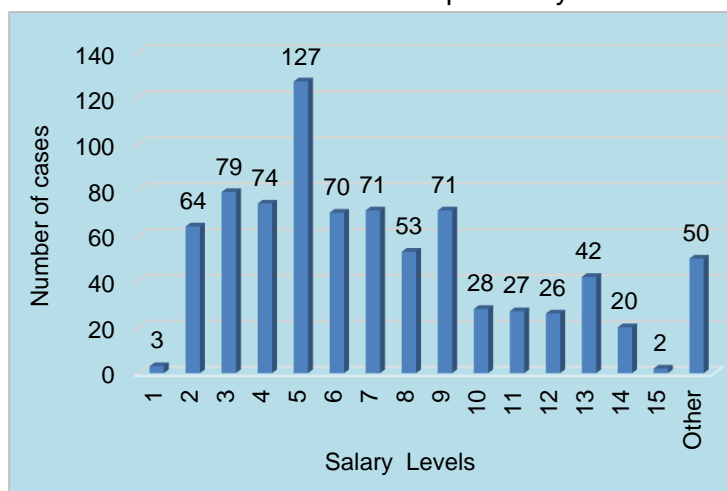


Figure 4: Levels of employees charged with financial misconduct for the 2012/2013 financial year

The Departments of Police (SAPS), Education: Eastern Cape, Social Development and Special Programmes: Eastern Cape, Education: Gauteng, Office of the Premier: Western Cape, Social Development: Western Cape and Statistics South Africa reported cases with salary levels reflected as “Grade” “PL”, “Band”, “Intern”. Given that the salary levels did not fall within the salary levels 1 to 16, the PSC categorised them as “Other”. In **50 (6.2%)** cases, the salary levels were reflected as “Other”. A total of **152 (18.8%)** cases were reported in respect of employees on salary levels 9-12 (Middle Management). In respect of employees on the Senior Management Service (SMS) level (salary levels 13-15), departments reported that they have finalised **64 (7.9%)** cases in the 2012/2013 financial year.

(f) Outcome of financial misconduct cases

Treasury Regulations 4.3.1⁸, stipulate that departments must report on, amongst others, the **outcome** of disciplinary proceedings in respect of finalised cases of financial misconduct. The PSC has categorised the outcomes for statistical purposes. The categories of the outcomes of the disciplinary proceedings reported by national and provincial departments are indicated in **Table 3** below:

CATEGORY	DESCRIPTION
Guilty	Cases where the Chairperson of the disciplinary hearing had found the employee guilty of the charge(s), or the employee pleaded guilty to the charges.
Withdrawn	Cases where the employee was charged with misconduct, but the charge(s) was/were withdrawn. The reasons for the withdrawal of the charges are ascribed to a lack of evidence, the timeframe since the incident occurred, the employee repaying the loss and in some cases the transfer of the employee to another department.
Not guilty	Cases where the Chairperson of the disciplinary hearing has found the employee not guilty of the charge(s).
Retired/ Deceased/Resigned/ Absconded	Cases where, whilst the disciplinary case was pending – <ul style="list-style-type: none"> the employee attained the prescribed retirement age and retired from the Public Service (Retired); the employee passed on (Deceased);

⁸ Republic of South Africa. Treasury Regulations, 2002 published in Government Gazette No 23463 dated 25 May 2002.

CATEGORY	DESCRIPTION
	<ul style="list-style-type: none"> the employee has left the employ of the Public Service (Resigned); and the employee absented him/herself from his/her official duties without permission for a period exceeding one calendar month (Absconded).

Table 3: Outcome of financial misconduct cases reported

Figure 5 below provides an overview of the outcome of financial misconduct cases reported to the PSC by national and provincial departments for the 2012/2013 financial year. Of the **807** cases reported, employees were found guilty of financial misconduct in **689 (85.4%)** cases. Employees were found not guilty in **66 (8.2%)** cases and **26 (3.2%)** cases were withdrawn. In the remaining **26 (3.2%)** cases, it was reported that the employees resigned (**18**), retired (**3**), were deceased (**3**) or absconded (**2**) prior to the finalisation of the financial misconduct case against him/her.

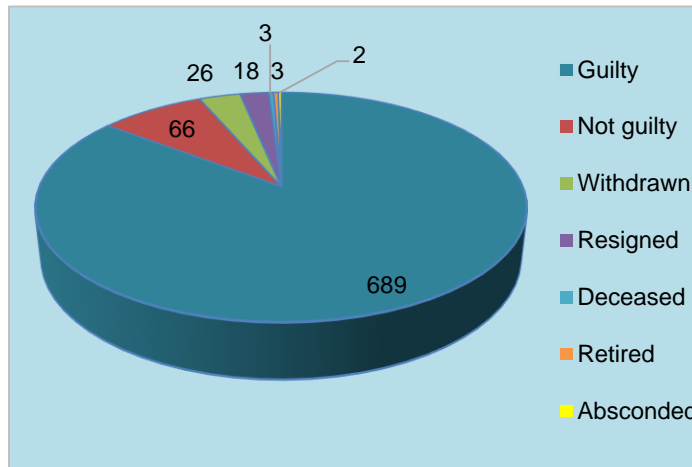


Figure 5: Outcome of finalised cases of financial misconduct reported for the 2012/2013 financial year

Section 16B (6) of the Public Service Act, 103 of 1994 (as amended)⁹, indicates that “If notice of a disciplinary hearing was given to an employee, the relevant executive authority shall not agree to a period of notice of resignation which is shorter than the prescribed period of notice of resignation applicable to that employee”. Departments are to ensure compliance with Section 16B (6) of the Public Service Act, 103 of 1994 (as amended), when dealing with resignations whilst disciplinary action is being instituted against the employee.

Departments are advised to take cognisance of the consequences for non-compliance with the Public Service Act, 103 of 1994 (as amended). Section 16A of the Public Service Act, 103 of 1994 (as amended), amongst others, stipulates that:

“(1) An executive authority shall –

- (a) immediately take appropriate disciplinary steps against a head of department who does not comply with a provision of this Act or a regulation, determination or directive made thereunder;
- (b) immediately report to the Minister the particulars of such non-compliance; and
- (c) as soon as possible report to the Minister the particulars of the disciplinary steps taken.

(2) A head of a department shall—

⁹ Republic of South Africa. The Public Service Act 103 of 1994, (as amended).

- (a) immediately take appropriate disciplinary steps against an employee of the department who does not comply with a provision of this Act or a regulation, determination or directive made thereunder;
- (b) immediately report to the Director-General: Public Service and Administration the particulars of such non-compliance; and
- (c) as soon as possible report to that Director-General the particulars of the disciplinary steps taken”.

(g) Sanctions imposed in cases of financial misconduct

In terms of section 38 of the PFMA¹⁰, the Accounting Officer of a department must take effective and appropriate disciplinary steps against an employee who contravenes or fails to comply with the provisions of the PFMA and/or who undermines the financial management and internal control system of the department. This is put into effect by various procedures pertaining to disciplinary action that are applicable in the Public Service, depending on the legislation in terms of which an employee is employed, e.g. the Public Service Act, 1994¹¹, the South African Police Service Act, 1995¹² and the Defence Act, 1957¹³.

Note: “Combination of sanctions” refers to those cases where the chairperson of the disciplinary hearing pronounced two sanctions e.g. a final written warning and suspension without pay, as provided for in clause 7.4(a)(v) of the Disciplinary Code and Procedures for salary levels 1-12 and in clause 2.7 (4) (a) of the Disciplinary Code and Procedures for SMS members.

“Suspended dismissal”, is a sanction imposed in terms of the South African Police Service Discipline Regulations, 2006. It means, should the employee commit a similar or related act of misconduct before the expiry of the six months’ period, the sanction of dismissal will be implemented.

Figure 6 shows that of the **807** cases of financial misconduct reported by national and provincial departments, employees were found guilty of committing financial misconduct and sanctions were imposed, in **689** cases. In **238 (34.5%)** cases, a sanction of “*Final written warning*”, was imposed and this was the most common sanction imposed.

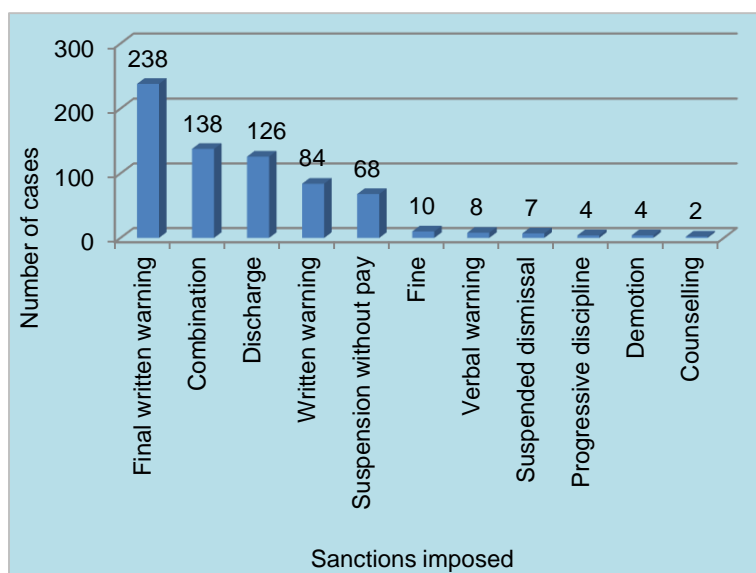


Figure 6: Sanctions imposed in cases of financial misconduct reported by national and provincial departments

¹⁰ Republic of South Africa. The Public Finance Management Act 1 of 1999.

¹¹ Republic of South Africa: The Public Service Act 103 of 1994 (as amended).

¹² Republic of South Africa: The South African Police Service Act 68 of 1995.

¹³ Republic of South Africa: The Defence Act 44 of 1957.

This was followed by the “Combination of sanctions” that was imposed in **138 (20%)** cases and employees were “Discharged” in **126 (18.3%)** cases. The sanction “Counseling” was imposed in **2 (0.3%)** cases and it was the least imposed sanction.

(h) Amount of money involved in financial misconduct cases reported by national and provincial departments

Table 4 below reflects the amount of money involved in respect of finalised cases of financial misconduct reported by both national and provincial departments for the 2012/2013 financial year amounted to **R84 722 980.68**.

NATIONAL/PROVINCIAL	AMOUNT INVOLVED	AMOUNT RECOVERED	NO LOSS TO THE STATE	AMOUNT NOT RECOVERED
NATIONAL	R28 474 188.02	R255 888.97	R18 929 011.15	R9 289 287.90
SUBTOTAL	R28 474 188.02	R255 888.97	R18 929 011.15	R9 289 287.90
PROVINCIAL				
Eastern Cape	R1 050 811.29	R2 467.51	R271 465.33	R776 878.45
Free State	R1 490 973.50	R2 674.98	R1 270 577.86	R217 720.66
Gauteng	R24 765 691.16	R121 872.00	R8 257 438.92	R16 386 380.24
KwaZulu-Natal	R17 429 082.63	R65 238.75	R16 913 528.16	R450 315.72
Limpopo	R1 350 126.51	R340 444.77	R0.00	R1 009 681.74
Mpumalanga	R5 028 247.65	R75 981.67	R611 691.21	R4 340 574.77
North West	R633 080.96	R0.00	R0.00	R633 080.96
Northern Cape	R3 736 039.93	R127 199.19	R927 035.21	R2 681 805.53
Western Cape	R764 739.03	R42 743.53	R174 180.18	R547 815.28
SUBTOTAL	R56 248 792.66	R778 622.44	R28 425 916.87	R27 044 253.35
TOTAL	R84 722 980.68	R1 034 511.37	R47 354 928.02	R36 333 541.25

Table 4: Amount of money involved in respect of financial misconduct cases reported by national and provincial departments for the 2012/2013 financial year

Information submitted by both national and provincial departments indicates that an amount of **R1 034 511.41 (1.2%)** was recovered from the employees found guilty of financial misconduct and an amount of **R47 354 928.02 (55.9%)** was considered as no loss to the State because the State did not suffer any loss. An example of no loss to the State is when an employee is charged for the negligent loss of a laptop and the laptop is subsequently recovered. The information submitted by both national and provincial departments indicates that as at 1 April 2013, an amount of **R36 333 541.25 (42.9%)** was not recovered.

National departments

The total amount of money involved in financial misconduct reported by national departments for the 2012/2013 financial year was **R28 474 188.02 (33.6%)**. An amount of **R255 888.97 (0.9%)** was recovered and **R18 929 011.15 (66.5%)** was considered no loss to the State. An amount of **R9 289 287.90 (32.6%)** was not recovered.

The Department of Social Development reported the highest amount **R15 473 813.83** representing **54.3%** of the total amount reported by national departments. The Department of Rural Development and Land Reform reported the second highest amount **R3 835 194.16** representing **13.5%** of the total amount reported by national departments.

The Department of Justice and Constitutional Development reported the lowest amount of **R1 478.40 (0.01%)** and the full amount involved was recovered. The Departments of Trade and Industry, Environmental Affairs, Science and Technology, GCIS and IPID reported that the full amount involved in financial misconduct was considered no loss to the State.

The Departments of Corporate Governance and Energy reported that they each finalised one (1) case of financial misconduct, however, they did not indicate the amount of money involved in financial misconduct.

Appendix D provides a breakdown of the amount of money involved in respect of cases of financial misconduct reported by national departments for the 2012/2013 financial year.

Provincial departments

The total amount of money involved in respect of financial misconduct cases reported by provincial departments for the 2012/2013 financial year was **R56 248 792.66 (66.4%)**. An amount of **R778 622.64 (1.4%)** was recovered. **R28 425 916.87 (50.5%)** was considered no loss to the State and **R27 044 253.35 (48.1%)** was not recovered. **Appendix E** provides a breakdown of the amount involved in the cases of financial misconduct reported by provincial departments.

The Gauteng Province reported the highest amount of money involved, with a total of **R24 765 691.16**, representing **(44%)** of the total amount involved in financial misconduct cases reported by provinces. Kwazulu-Natal Province reported the second highest amount with a total of **R17 429 082.63**, representing **(40%)** of the total amount involved in financial misconduct cases reported by provinces. The North West Province reported the lowest amount involved, **R633 080.96 (1.1%)**.

A number of provincial departments reported that the full amount involved in financial misconduct for the 2012/2013 financial year was either recovered, there was no loss to the State or there was a combination of both recovery/no loss to the State. A list of these departments are indicated in **Appendix F**.

(i) Criminal proceedings instituted against employees charged with financial misconduct

Treasury Regulations 12.5 and 4.3.1¹⁴, and the Prevention and Combating of Corrupt Activities (PCCA) Act, 2004¹⁵, are the legislative frameworks that guide departments on criminal proceedings to be instituted against employees charged with financial misconduct. Furthermore, Paragraph 2.6 of the Disciplinary Code and Procedures for the Public Service (salary levels 1-12) and Paragraph 2.2.2 of the Disciplinary Code and Procedures for members of the SMS stipulates that *"If an employee commits misconduct that is also a criminal offence, the criminal procedure and the disciplinary procedure will continue as separate and different proceedings"*.

¹⁴ Republic of South Africa. Treasury Regulations, 2002 published in Government Gazette No 23463 dated 25 May 2002.

¹⁵ Republic of South Africa. Prevention and Combating of Corrupt Activities Act, Act No. 12 of 2004.

Figure 7 below indicates of the **807** employees that were charged with financial misconduct, criminal proceedings were instituted against employees in **158 (19.6%)** of the cases. In **491 (60.8%)** cases, departments indicated that no criminal proceedings were instituted against employees charged with financial misconduct. In **116 (14.4%)** cases, the departments failed to indicate whether or not criminal proceedings were instituted against employees who were charged with financial misconduct. In **42 (5.2%)** cases, departments indicated that further action was not applicable.

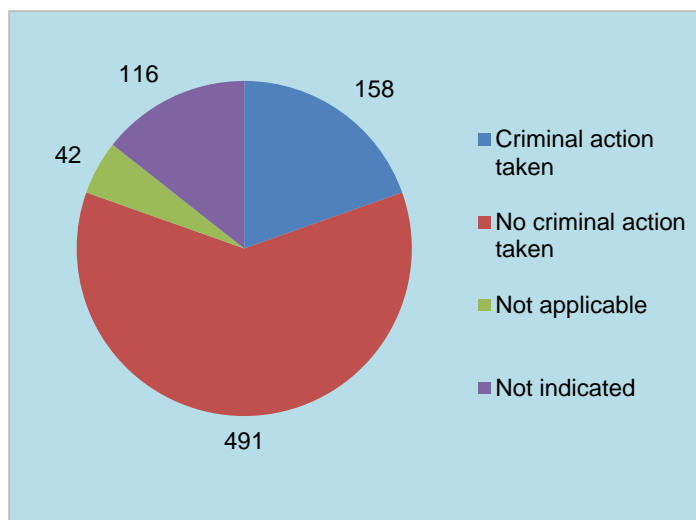


Figure 7: Breakdown of the responses by departments regarding criminal proceedings instituted against employees

TRENDS ANALYSIS OF FINANCIAL MISCONDUCT CASES REPORTED FOR THE FINANCIAL YEARS 2009/2010 TO 2012/2013

(a) Decrease in financial misconduct cases for the 2012/2013 financial year

Figure 8 below shows that in comparison with the 2011/2012 financial year, there has been a decrease in the number of financial misconduct cases reported in the 2012/2013 financial year by **436** i.e. from **1243** to **807** cases. In the past four financial years, the highest number of financial misconduct cases was reported in 2011/2012 financial year (**1243** cases). It is the first time in four years that the number of cases reported as finalised is below **1000**.

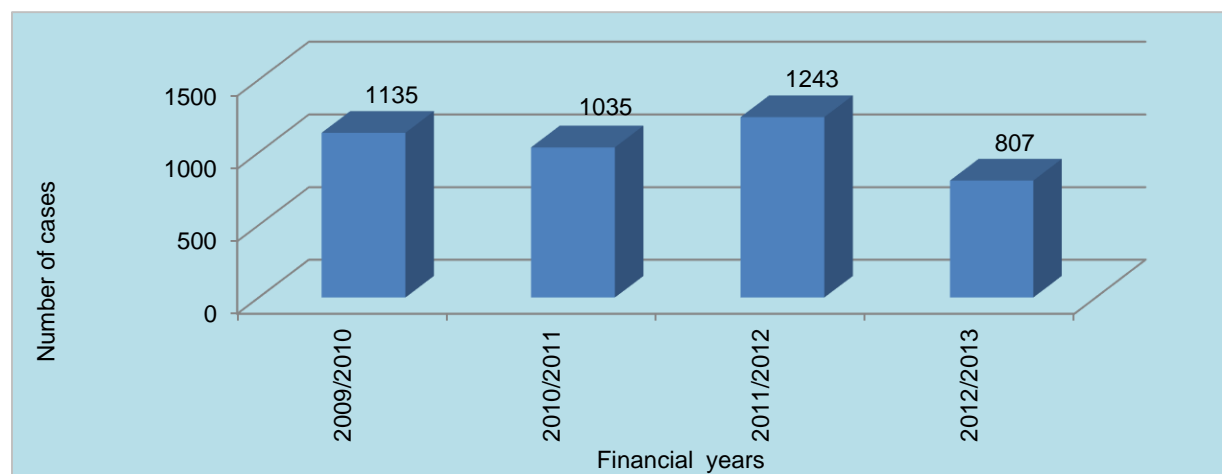


Figure 8: Number of financial misconduct cases reported for the financial years 2009/2010 to 2012/2013

(b) Increase in cases in the categories “fraud” and “theft”

Figure 9 below reflects that fraud and theft cases comprised **434 (54%)** of the cases reported by national and provincial departments for the 2012/2013 financial year. The number of cases reported in the category “*fraud and theft*” for the 2012/2013 financial year has increased by **15%** in comparison to the number of cases in the same category that was reported in the 2011/2012 financial year.

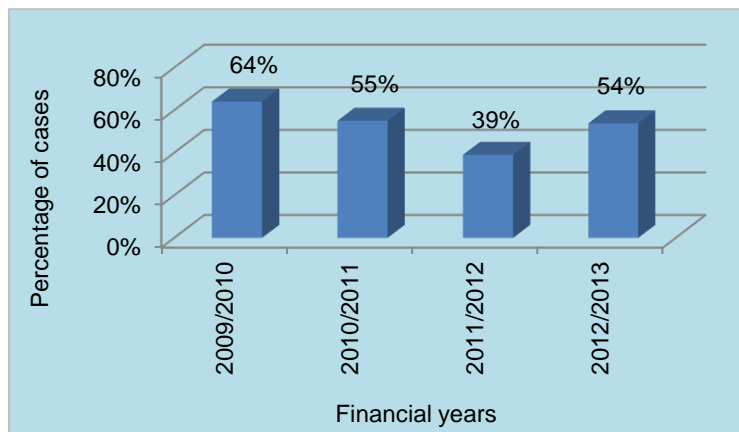


Figure 9: Fraud and Theft cases reported for the financial year 2009/2010 to 2012/2013

(c) High number of SMS members charged with financial misconduct

Figure 10 below shows that financial misconduct was the highest at salary levels 1 to 8 during the 2009/2010 to 2012/2013 financial years. In the 2012/2013 financial year the total number of cases of financial misconduct committed by SMS members increased by **4** cases in comparison to the 2011/2012 financial year i.e. from **60** to **64** cases. This is an indication that there is still a significant number of employees on the SMS level that commit financial misconduct. This finding suggests that senior officials who are entrusted with amongst other things the responsibility of looking after the resources of the State are not well trained in this regard.

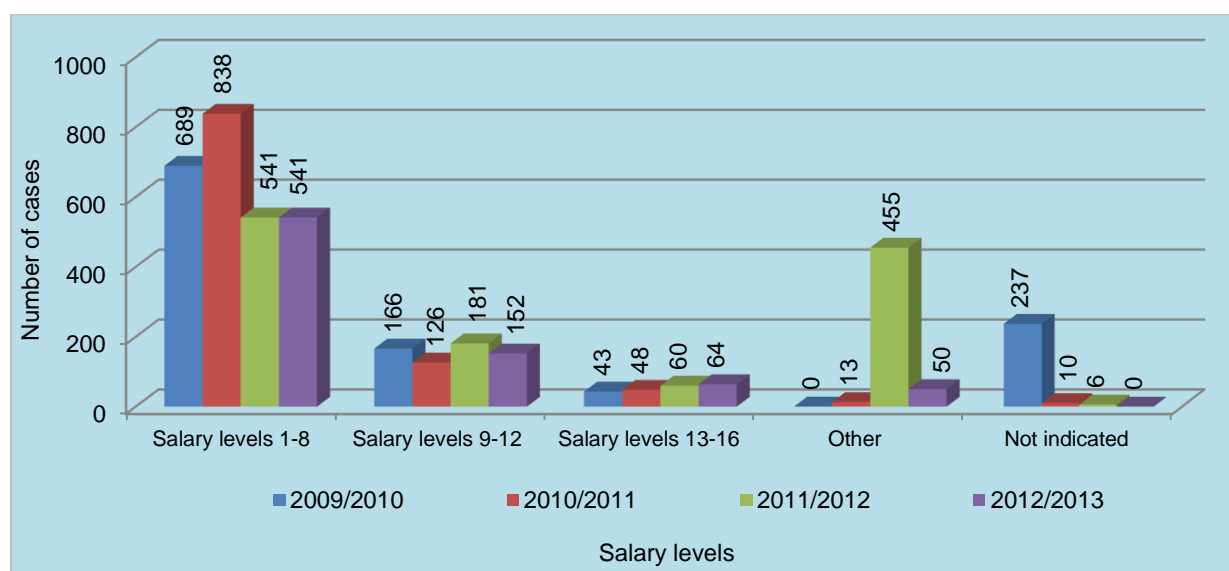


Figure 10: Salary levels of employees charged with financial misconduct for the financial years 2009/2010 to 2012/2013

(d) Increase in the percentage of employees found guilty of financial misconduct

Figure 11 below shows that there has been an increase of **9%** in the percentage of employees found guilty of financial misconduct in the 2012/2013 financial year in comparison to the 2011/2012 financial year i.e. from **76%** to **85%**. The percentage of employees found guilty over the past four financial years exceeds **75%** per financial year.

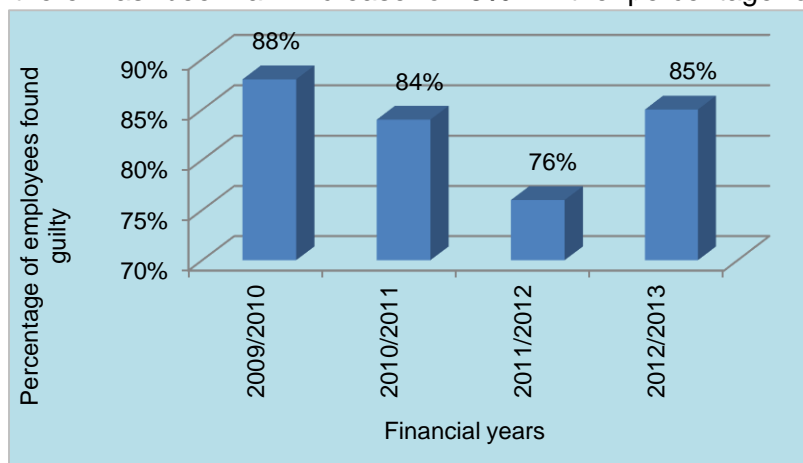


Figure 11: Percentage of employees that were found guilty for the financial years 2009/2010 to 2012/2013

(e) Comparison of sanctions imposed in the Public Service

The Disciplinary Code and Procedures for the Public Service (salary levels 1-12) and the Disciplinary Code and Procedures for members of the SMS provide a framework within which departments must manage disciplinary matters. Although the Disciplinary Codes and Procedures for the Public Service (salary levels 1-12) and for the members of the SMS provide examples of sanctions that can be imposed, the Presiding Officer recommends to the Director General/Head of Department the type of sanction to be imposed. The Presiding Officer considers the type of sanction to impose following consideration of the merits of the case and the mitigating and aggravating circumstances. Given that discipline is a management function and is dealt with by the respective departments, there will always be inconsistencies in the sanctions imposed for misconduct of a similar nature.

Reports submitted by departments for the 2012/2013 financial year reveal that there is no consistency in the sanctions imposed for similar transgressions within the departments and amongst them. There is a need for uniformity of sanctions for similar charges, in order to create certainty and to ensure deterrence. Figure 12 indicates the most common sanctions imposed for the financial years 2009/2010 to 2012/2013.

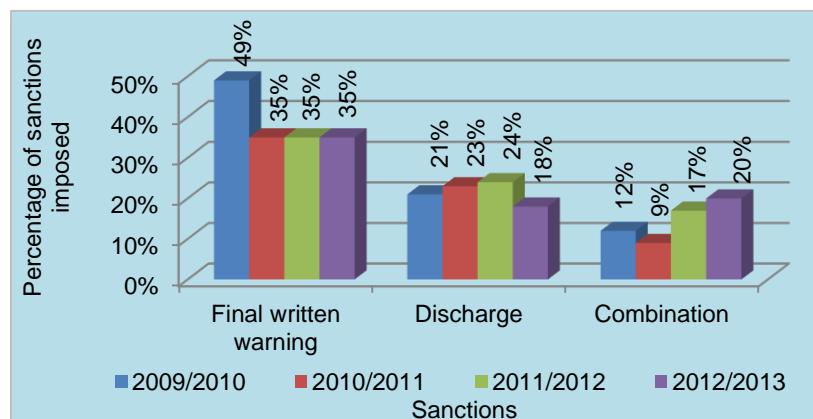


Figure 12: Most common sanctions imposed in financial misconduct cases over the past four financial years

Figure 12 shows that in comparison to the 2011/2012 financial year, a sanction of discharge imposed against employees found guilty of financial misconduct in the 2012/2013 financial year decreased by **6%** and a combination of sanctions increased by **3%**.

In order to ensure fairness and to avoid labour disputes, departments should ensure that there is consistency in the sanction imposed for transgressions of a similar nature. Furthermore, departments should consider precedents set in previous cases when considering the sanction to be imposed.

(f) Decrease in the amount of money involved in financial misconduct

Although all national and provincial departments submitted reports on finalised cases of financial misconduct for the 2012/2013 financial year, not all departments indicated the amount of money involved in the cases reported. Thus, the amounts reflected in this report are based on the information provided by departments. **Figure 13** below shows that there has been a **63.1%** decrease in the amount of money involved in financial misconduct cases reported for the 2012/2013 financial year in comparison to the 2011/2012 financial year i.e. from **R229 866 763.15** (2011/2012) to **R84 722 780.68** (2012/2013) financial year.

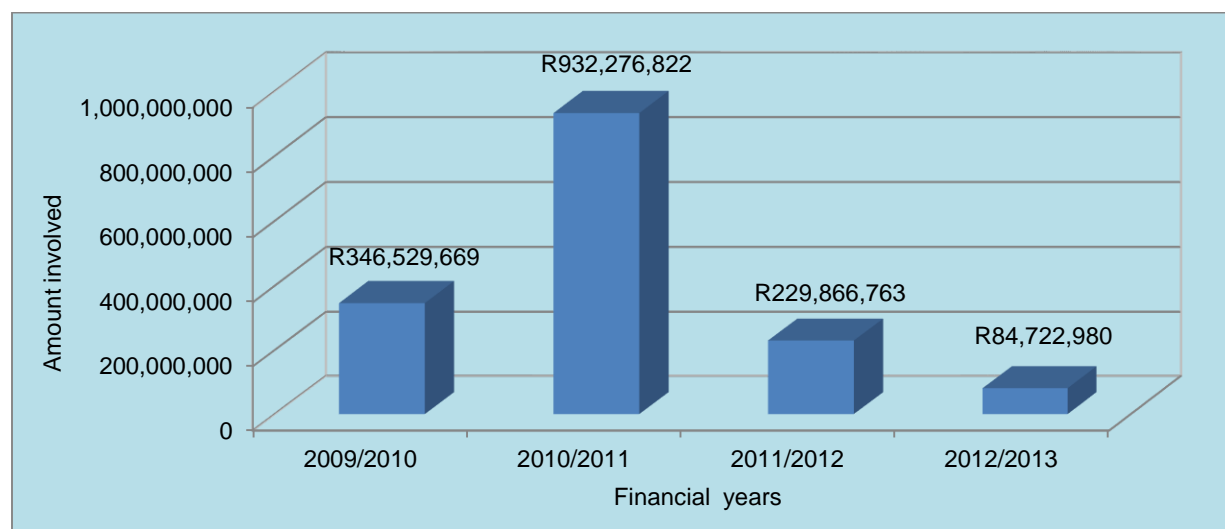


Figure 13: Total amount involved in financial misconduct cases reported for the financial years 2009/2010 to 2012/2013

Figure 13 above shows that there has also been a decrease in the number of cases reported in the 2012/2013 financial year by **436 (35.1%)**, in comparison to that reported in the 2011/2012 financial year i.e. from 1243 to 807 cases.

(g) Decrease in criminal proceedings instituted in cases of financial misconduct

In terms of section 34 (1) of the PCCA Act¹⁶, any person who holds a “position of authority” is compelled to report offences of theft, fraud, extortion, forgery or uttering of a forged document involving amounts of R100 000.00 or more to the SAPS. **Figure 14** shows that for the 2012/2013 financial year, departments instituted criminal action in **158 (20%)** of the financial misconduct cases and in **491 (61%)** of the cases, no criminal proceedings were instituted.

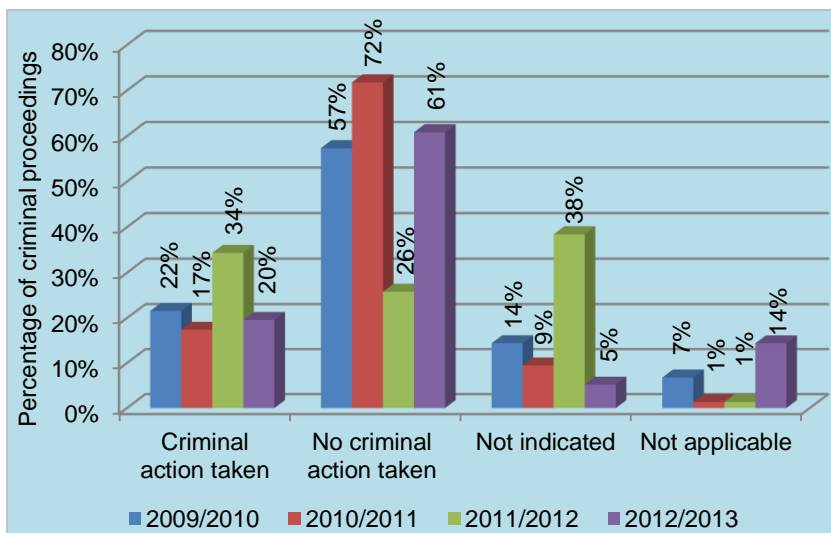


Figure 14: Criminal proceedings instituted against employees charged with financial misconduct for the financial years 2009/2010 to 2012/2013

Figure 14 above furthermore shows that there has been a **14%** decrease in criminal proceedings instituted compared to the 2011/2012 financial year. In **(42) 5%** of the cases reported for the 2012/2013 financial year, departments failed to indicate whether criminal proceedings were instituted or not. In **(116) 14%** of the cases departments indicated that criminal proceedings are not applicable.

(h) Recovery of money lost through financial misconduct

Section 38(c) (i) of the PFMA¹⁷, read in conjunction with Treasury Regulations, Part 5, paragraph 12.5.1¹⁸, requires accounting officers to take effective steps to collect all money owing to the department.

Figure 15 below shows that in the 2012/2013 financial year both national and provincial departments reported that a total of **R48 389 439.39 (57.1%)** was recovered from the employees found guilty of financial misconduct or the financial misconduct did not result in any loss to the State and an amount of **R36 333 541.25 (42.9%)** has not been recovered at the time of reporting to the PSC. There has been a decrease in the recovery of money lost through financial misconduct in the 2012/2013 financial year by **8.9%** i.e. from 66% to 57.1%, in comparison to the 2011/2012 financial year.

¹⁶ Republic of South Africa. Prevention and Combatting of Corrupt Activities Act, Act No. 12 of 2004.

¹⁷ Republic of South Africa. The Public Finance Management Act No.1 of 1999.

¹⁸ Republic of South Africa. Treasury Regulations, 2002 published in Government Gazette No 23463 dated 25 May 2002.

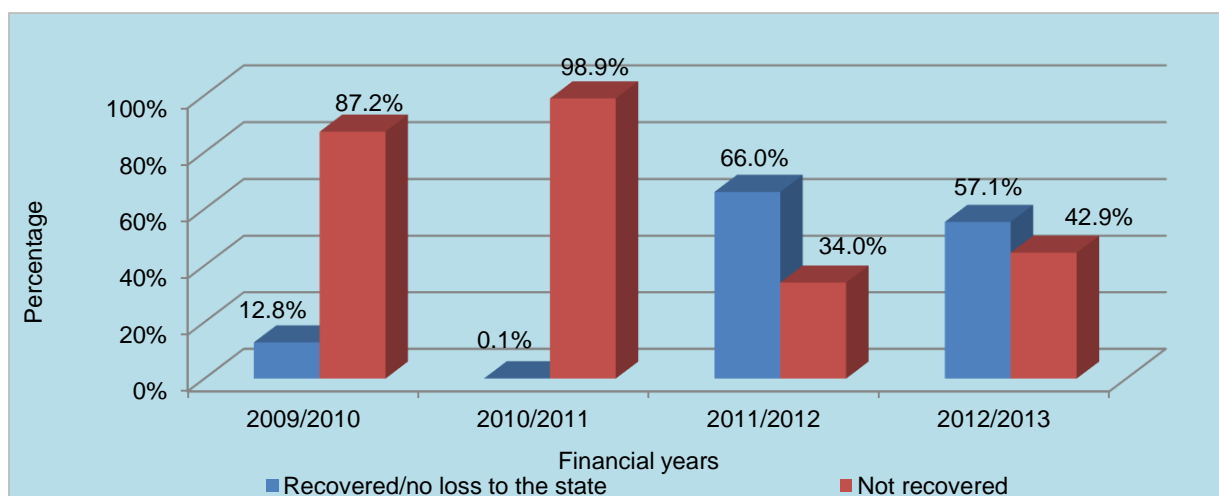


Figure 15: Money Recovered/No loss to the State and money not recovered as a result of financial misconduct for the financial years 2009/2010 to 2012/2013

In the 2011/2012 financial year, both national and provincial departments reported that the amount of money involved in financial misconduct was **R229 866 763.15**. Departments indicated that of the **R229 866 763.15** an amount of **R2 341 125.30 (1.1%)** was recovered from the employees found guilty of financial misconduct, an amount of **R150 379 581.20 (65.4%)** was considered as no loss to the State. An amount of **R77 146 056.65 (33.5%)** was not recovered.

In the 2012/2013 financial year, departments reported that they recovered a further amount of **R648 613.96** representing **0.28%** of the total amount reported in 2011/2012. The small percentage of **0.28%** recovered in comparison to the percentage **(33.5%)** that was outstanding points to the fact that there is a very slow recovery of the money lost. Departments should henceforth make every endeavour to recover all money lost through financial misconduct.

CASES OF FINANCIAL MISCONDUCT NOT FINALISED AS AT 31 MARCH 2013

(a) Total number of cases of financial misconduct reported by national and provincial departments as not finalised as at 31 March 2013

In order to monitor the time taken by departments to finalise financial misconduct cases, the PSC increased its scope on the reporting of financial misconduct. Both national and provincial departments were requested to report on disciplinary cases of financial misconduct which were not finalised as at 31 March 2013. Both national and provincial departments reported that **501** cases had not been finalised as at 31 March 2013.

Figure 16 provides a breakdown of the number of cases reported by national and provincial departments as not finalised as at 31 March 2013. Of the **501** cases reported as not finalised, **102 (20.4%)** of the cases were reported by national departments and **399 (79.6%)** of the cases were reported by provincial departments.

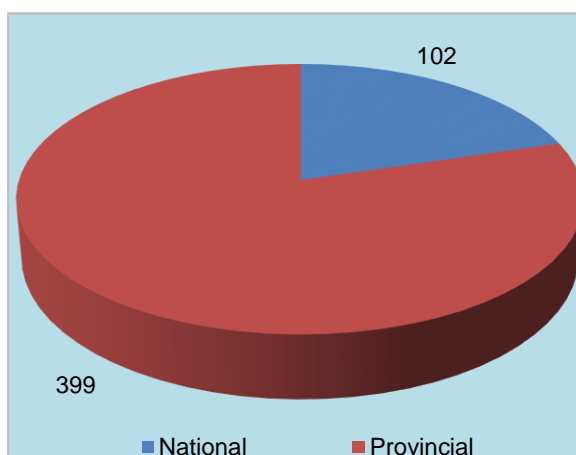


Figure 16: Total number of cases of financial misconduct reported by national and provincial departments not finalised as at 31 March 2013

Some of the key reasons provided by national and provincial departments for non finalisation of the **501** financial misconduct cases were as follows:

- Investigation in progress
- Awaiting approval of sanction
- Sanction to be implemented
- Outcome of appeal to be implemented
- Official appealed sanction/ Awaiting outcome of appeal
- Case finalised after the 31 March 2013
- Awaiting investigation report and charge sheet
- Investigating Officer to be appointed
- Disciplinary hearing postponed
- Disciplinary hearing in progress
- Case to be dealt with by external investigators
- Referred to Legal Services for opinion.

The Disciplinary Code and Procedures for the Public Service (salary levels 1-12) and the Disciplinary Code and Procedures for the members of the SMS stipulate, amongst others, the following:

- The employee/member must be given notice at least five (5) working days before the date of the hearing.
- The disciplinary hearing must be held within ten (10) working days after the notice is delivered to the employee/member.
- The Chairperson must communicate the final outcome of the hearing to the employee/member within five (5) working days after the conclusion of the disciplinary enquiry, and the outcome must be recorded on the employee's/member's personal file.
- The employer shall not implement the sanction during an appeal by the employee (salary levels 1-12)

- Nothing in the Disciplinary Code and Procedures detracts a member's right to utilise dispute settlement mechanisms provided under the Labour Relations Act (members of the SMS).

Despite the above stipulations in the Disciplinary Code and Procedures, there is still a large number of cases reported as not finalised within the set timeframes.

b) Types of cases of financial misconduct reported by national and provincial departments as not finalised as at 31 March 2013

The PSC categorised the types of cases of financial misconduct reported by departments for statistical purposes. **Table 2** titled “*Description of the types of financial misconduct cases categorised by the PSC*”, reflects the categories of financial misconduct and the description of cases reported by departments that fall into these categories.

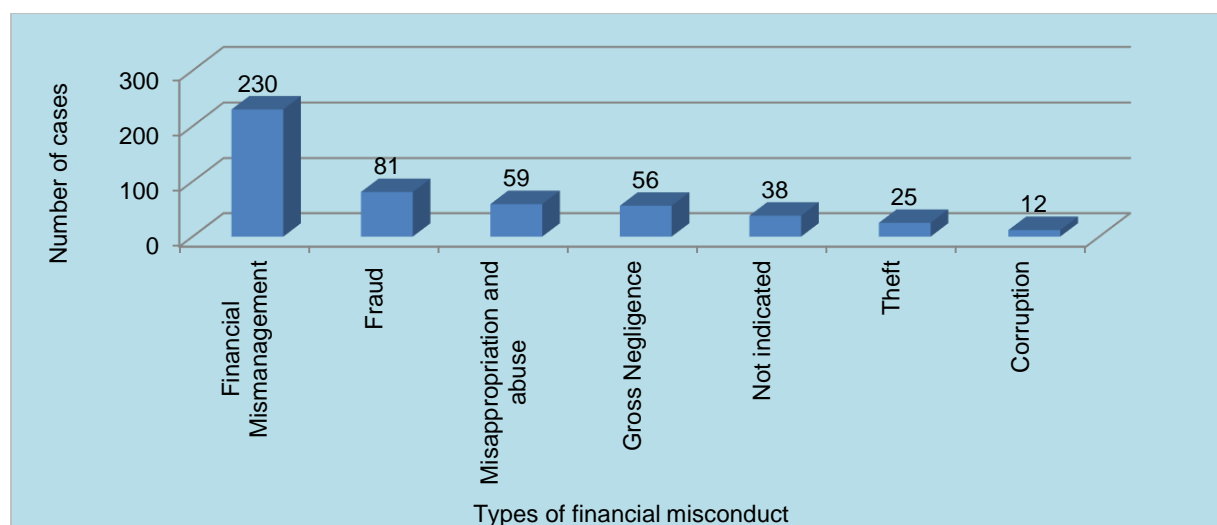


Figure 17: Types of financial misconduct cases reported by national and provincial departments as not finalised as at 31 March 2013

Figure 17 above further shows that of the **501** financial misconduct cases reported as not finalised as at 31 March 2013, “*Financial Mismanagement*” is the type of financial misconduct with the highest number of cases **230 (45.9%)**. This was followed by “*Fraud*” with **81 (16.2%)** cases and “*Misappropriation and abuse*” with **59 (11.8%)** cases. The category with the least number of cases reported as not finalised as at 31 March 2013 was “*Corruption*” with **12 (2.4%)** cases.

CONCLUSION

Trends contained in this Factsheet show that there has been a decrease in the number of finalised cases of financial misconduct reported by national and provincial departments for the 2012/2013 financial year in comparison to that reported in the past four (4) financial years. The decrease in the number of finalised cases of financial misconduct could be either as a

result of inadequate or poor reporting. The PSC has engaged with National Treasury for them to address the challenge of inadequate or poor reporting. During the drafting of this Factsheet, National Treasury was in the process of developing a Treasury Instruction relating to financial misconduct, which will be forwarded to departments.

The statistics contained in this report show that financial misconduct is still a serious challenge in the Public Service. Despite disciplinary action being taken against perpetrators, the sanctions imposed in most cases seem to be very lenient and inconsistent, thus making it difficult to prevent other public servants from committing financial misconduct of a similar nature in the future. There is a need for uniformity to create certainty and to ensure deterrence. Departments should consider issuing harsher sanctions, which will to a large extent deter other public servants from committing misdemeanors relating to financial misconduct.

According to the reports received from national and provincial departments a substantial number of cases of financial misconduct were not finalised by 31 March 2013. The delay in finalising the investigations and disciplinary hearings relating to financial misconduct may result in the perpetrators committing further misdemeanors or exiting the Public Service without action being taken against them. Departments should ensure that adequate investigative capacity is made available to finalise such cases.

The exact number of cases of financial misconduct finalised and not finalised as well as the amount of money involved has not been verified by the PSC and the information contained in this Factsheet is based on reports received from national and provincial departments.

The findings contained in this Factsheet suggest that departments should develop and implement systems that would assist in detection and prevention of financial maladministration. Departments should also make concerted efforts in recovering money lost to the State through financial misconduct by including in the letter of sanction to the employee concerned, that the amount of money involved in the case will be recovered from his/her salary. Recovery of money lost to the State through financial misconduct can improve the quality of financial management amongst government officials.

The PSC trusts that the statistical information and trends contained in this Factsheet will assist departments to put necessary measures in place to contribute to the eradication of financial misconduct in the Public Service.

Appendix A: List of the 21 national departments that submitted a “nil return”

	DEPARTMENT
1	Agriculture, Forestry and Fisheries
2	Arts and Culture
3	Basic Education
4	Civilian Secretariat of Police
5	Communications
6	Economic Development
7	Human Settlements
8	International Relations and Cooperation
9	Military Veterans
10	National Treasury
11	Performance Monitoring and Evaluation
12	Public Administration Leadership and Management Academy
13	Public Enterprises
14	Public Service and Administration
15	Office of the Public Service Commission
16	Sport and Recreation South Africa
17	The Presidency
18	Tourism
19	Traditional Affairs
20	Transport
21	Women, Children and People with Disabilities

Appendix B: List of the 48 provincial departments that submitted a “nil return”

PROVINCE	DEPARTMENT
Eastern Cape	Human Settlements
	Provincial Planning and Treasury
	Safety and Liaison
	Sports, Recreation, Arts and Culture
Free State	Agriculture
	Co-operative Governance and Traditional Affairs
	Economic Development, Tourism and Environmental Affairs
	Office of the Premier
	Provincial Treasury
	Rural Development
Gauteng	Agriculture and Rural Development
	Community Safety
	Economic Development
	Local Government and Housing
	Infrastructure Development
	Office of the Premier
	Provincial Treasury
	Social Development
KwaZulu-Natal	Community Safety and Liaison
	Economic Development and Tourism
	Human Settlements
	Office of the Premier
	Provincial Treasury
	Transport
Limpopo	Agriculture
	Education
	Provincial Treasury
	Public Works
	Roads and Transport
	Safety, Security and Liaison
	Social Development
Mpumalanga	Culture, Sport and Recreation
	Public Works, Roads and Transport
	Social Development
Northern Cape	Co-operative Governance, Human Settlements and Traditional Affairs
	Economic Development and Tourism
	Office of the Premier
	Provincial Treasury
	Roads and Public Works
	Transport, Safety and Liaison
North West	Education and Training
	Finance
	Local Government and Traditional Affairs
	Office of the Premier
	Public Works, Roads and Transport

	Social Development, Women, Children and People with Disabilities
Western Cape	Economic Development and Tourism
	Provincial Treasury

Appendix C: Breakdown of financial misconduct cases reported by provincial departments

PROVINCE	DEPARTMENT	NUMBER OF CASES
Eastern Cape	Economic Development, Environmental Affairs and Tourism	3
	Education	33
	Health	2
	Local Government and Traditional Affairs	1
	Office of the Premier	2
	Roads and Public Works	4
	Rural Development and Agrarian Reform	7
	Social Development and Special Programmes	6
	Transport	1
Eastern Cape Total		59
Free State	Education	3
	Health	7
	Police, Roads and Transport	1
	Public Works	1
	Social Development	15
	Sports, Arts, Culture and Recreation	3
Free State Total		30
Gauteng	Education	17
	Finance	4
	Health	164
	Roads and Transport	1
	Sports, Arts, Culture and Recreation	3
Gauteng Total		189
KwaZulu-Natal	Agriculture, Environmental Affairs and Rural Development	7
	Arts and Culture	2
	Cooperative Governance and Traditional Affairs	8
	Education	24
	Health	4
	Public Works	27
	Social Development	2
	Sports and Recreation	6
KwaZulu-Natal Total		80
Limpopo	Cooperative Governance, Human Settlements and Traditional Affairs	7
	Economic Development, Environment and Tourism	19
	Health	3
	Office of the Premier	5
	Sports, Arts and Culture	1
Limpopo Total		35
Mpumalanga	Agriculture, Rural Development and Land Administration	5
	Community Safety and Liaison	1
	Co-operative Governance and Traditional Affairs	1

PROVINCE	DEPARTMENT	NUMBER OF CASES
	Economic Development, Environment and Tourism	1
	Education	1
	Finance	1
	Health	1
	Human Settlements	3
	Office of the Premier	2
Mpumalanga Total		16
North West	Agriculture and Rural Development	1
	Economic Development, Environment, Conservation and Tourism	1
	Health	27
	Human Settlements, Public Safety and Liaison	1
	Sport, Arts and Culture	3
North West Total		33
Northern Cape	Agriculture, Land Reform and Rural Development	1
	Education	2
	Environment and Nature Conservation	2
	Health	3
	Social Development	15
	Sport, Arts and Culture	1
Northern Cape Total		24
Western Cape	Agriculture	3
	Community Safety	3
	Cultural Affairs and Sport	1
	Education	2
	Environmental Affairs and Developmental Planning	1
	Health	72
	Human Settlements	3
	Local Government	2
	Office of the Premier	5
	Social Development	9
	Transport and Public Works	4
Western Cape Total		105

Appendix D: Breakdown of the amount of money involved in respect of financial misconduct cases reported by national departments

DEPARTMENT	AMOUNT INVOLVED	AMOUNT RECOVERED	AMOUNT CONSIDERED AS RECOVERED DUE TO "NO LOSS TO STATE"	AMOUNT NOT RECOVERED
Cooperative Governance	R0.00	R0.00	R0.00	R0.00
Correctional Services	R1 357 457.35	R153 742.86	R997 680.32	R206 034.12
Defence	R274 513.16	R3 929.68	R148 868.07	R121 715.41
Energy	R0.00	R0.00	R0.00	R0.00
Environmental Affairs	R620 069.51	R0.00	R620 069.51	R0.00
Government Communication and Information System	R2 100.00	R0.00	R2 100.00	R0.00
Health	R1 124 039.59	R0.00	R0.00	R1 124 039.59
Higher Education and Training	R 97 118.00	R0.00	R0.00	R97 118.00
Home Affairs	R2 600.00	R0.00	R1 400.00	R1 200.00
Independent Police Investigative Directorate	R29 121.81	R0.00	R29 121.81	R0.00
Justice and Constitutional Development	R1 478.40	R1 478.40	R0.00	R0.00
Labour	R3 349 109.64	R29 315.38	R39 484.00	R3 280 310.26
Mineral Resources	R12 842.00	R0.00	R0.00	R12 842.00
National Prosecuting Authority	R321 816.87	R0.00	R291 552.42	R30 264.45
Public Works	R443 854.49	R1 147.75	R353 401.27	R89 305.47
Rural Development and Land Reform	R3 835 194.16	R0.00	R81 976.24	R3 753 217.92
Science and Technology	R756 969.30	R0.00	R756 969.30	R0.00
Social Development	R15 473 813.83	R0.00	R15 446 522.23	R27 291.60
Police	R492 050.57	R32 805.04	R136 873.91	R322 371.62
Statistics South Africa	R186 611.44	R2 434.00	R0.00	R184 177.44
Trade and Industry	R22 992.07	R0.00	R22 992.07	R0.00
Water Affairs	R70 435.83	R31 035.86	R0.00	R39 399.97
TOTAL	R28 474 188.02	R255 888.97	R18 929 011.15	R9 289 287.90

Appendix E: Breakdown of the amount of money involved in respect of financial misconduct cases reported by provincial departments

PROVINCE	DEPARTMENT	AMOUNT INVOLVED	AMOUNT RECOVERED	AMOUNT CONSIDERED AS RECOVERED DUE TO "NO LOSS TO STATE"	AMOUNT NOT RECOVERED
Eastern Cape	Economic Development, Environmental Affairs and Tourism	R4 800.00	R900.00	R0.00	R3 900.00
	Education	R627 590.35	R0.00	R41 397.99	R586 192.36
	Health	R2 600.00	R0.00	R0.00	R2 600.00
	Local Government and Traditional Affairs	R75 000.00	R0.00	R75 000.00	R0.00
	Office of the Premier	R40 765.34	R0.00	R40 765.34	R0.00
	Roads and Public Works	R3 037.10	R1 567.51	R0.00	R1 469.59
	Rural Development and Agrarian Reform	R94 716.50	R0.00	R15 000.00	R79 716.50
	Social Development and Special Programmes	R99 302.00	R0.00	R99 302.00	R0.00
	Transport	R103 000.00	R0.00	R0.00	R103 000.00
	Eastern Cape Total	R1 050 811.29	R2 467.51	R271 465.33	R776 878.45
Free State	Education	R0.00	R0.00	R0.00	R0.00
	Health	R123 918.00	R0.00	R231.00	R123 687.00
	Police, Roads and Transport	R15 182.40	R0.00	R0.00	R15 182.40
	Public Works	R5 750.00	R2 100.00	R0.00	R3 650.00
	Social Development	R 1 270 346.86	R0.00	R1 270 346.86	R0.00
	Sports, Arts, Culture and Recreation	R75 776.24	R574.98	R0.00	R75 201.26
	Free State Total	R1 490 973.50	R2 674.98	R1 270 577.86	R217 720.66
Gauteng	Education	R117 022.00	R0.00	R74 000.00	R43 022.00
	Finance	R84 543.53	R0.00	R84 543.53	R0.00
	Health	R16 535 320.59	R100 466.96	R98 895.39	R16 335 958.24
	Roads and Transport	R7 400.00	R0.00	R0.00	R7 400.00
	Sports, Arts, Culture and Recreation	R8 021 405.04	R21 405.04	R8 000 000.00	R0.00

PROVINCE	DEPARTMENT	AMOUNT INVOLVED	AMOUNT RECOVERED	AMOUNT CONSIDERED AS RECOVERED DUE TO "NO LOSS TO STATE"	AMOUNT NOT RECOVERED
Gauteng Total		R24 765 691.16	R121 872.00	R8 257 438.92	R16 386 380.24
KwaZulu-Natal	Agriculture, Environmental Affairs and Rural Development	R18 400.00	R6 900.00	R2 400.00	R9 100.00
	Arts and Culture	R2 107.45	R0.00	R2 107.45	R0.00
	Cooperative Governance and Traditional Affairs	R62 515.62	R27 760.00	R0.00	R34 755.62
	Education	R334 072.00	R0.00	R0.00	R334 072.00
	Health	R16 155.85	R16 155.85	R0.00	R0.00
	Public Works	R4 368 384.71	R14 422.90	R4 347 873.71	R6 088.10
	Social Development	R66 300.00	R0.00	R0.00	R66 300.00
	Sports and Recreation	R12 561 147.00	R0.00	R12 561 147.00	R0.00
Kwazulu-Natal Total		R17 429 082.63	R65 238.75	R16 913 528 .16	R450 315.72
Limpopo	Cooperative Governance, Human Settlements and Traditional Affairs	R382 082.16	R285 082.16	R0.00	R97 000.00
	Economic Development, Environment and Tourism	R763 759.77	R0.00	R0.00	R763 759.77
	Health	R43 198.23	R16 316.63	R0.00	R26 881.60
	Office of the Premier	R134 410.05	R39 045.98	R0.00	R95 364.07
	Sports, Arts and Culture	R26 676.30	R0.00	R0.00	R26 676.30
Limpopo Total		R1 350 126.51	R340 444.77	R0.00	R1 009 681.74
Mpumalanga	Agriculture, Rural Development and Land Administration	R120 087.85	R9 000.00	R0.00	R111 087.85
	Community Safety and Liaison	R4 350.00	R4 350.00	R0.00	R0.00
	Co-operative Governance and Traditional Affairs	R26 000.00	R26 000.00	R0.00	R0.00
	Economic Development, Environment and Tourism	R91 750.00	R1 350.00	R0.00	R90 400.00
	Education	R4 000 000.00	R0.00	R0.00	R4 000 000.00
	Finance	R122 276.31	R0.00	R0.00	R122 276.31

PROVINCE	DEPARTMENT	AMOUNT INVOLVED	AMOUNT RECOVERED	AMOUNT CONSIDERED AS RECOVERED DUE TO "NO LOSS TO STATE"	AMOUNT NOT RECOVERED
	Health	R611 691.21	R0.00	R611 691.21	R0.00
	Human Settlements	R45 827.02	R29 016.41	R0.00	R16 810.61
	Office of the Premier	R6 265.26	R6 265.26	R0.00	R0.00
Mpumalanga Total		R5 028 247.65	R75 981.67	R611 691.21	R4 340 574.77
Northern Cape	Agriculture, Land Reform and Rural Development	R761 000.00	R0.00	R0.00	R761 000.00
	Education	R43 400.00	R5 400.00	R0.00	R38 000.00
	Environment and Nature Conservation	R1 046 284.40	R119 249.19	R927 035.21	R0.00
	Health	R1 520 820.00	R0.00	R0.00	R1 520 820.00
	Social Development	R307 001.53	R2 550.00	R0.00	R304 451.53
	Sport, Arts and Culture	R57 534.00	R0.00	R0.00	R57 534.00
Northern Cape Total		R3 736 039.93	R127 199.19	R927 035.21	R2 681 805.53
North West	Agriculture and Rural Development	R503 080.00	R0.00	R0.00	R503 080.00
	Economic Development, Environment, Conservation and Tourism	R7 220.99	R0.00	R0.00	R7 220.99
	Health	R60 477.78	R0.00	R0.00	R60 477.78
	Human Settlements, Public Safety and Liaison	R62 302.19	R0.00	R0.00	R62 302.19
	Sport, Arts and Culture	R0.00	R0.00	R0.00	R0.00
North West Total		R633 080.96	R0.00	R0.00	R633 080.96
Western Cape	Agriculture	R18 471.44	R0.00	R0.00	R18 471.44
	Community Safety	R0.00	R0.00	R0.00	R0.00
	Cultural Affairs and Sport	R0.00	R0.00	R0.00	R0.00
	Education	R81 692.00	R0.00	R0.00	R81 692.00
	Environmental Affairs and Developmental Planning	R5 048.80	R5 048.80	R0.00	R0.00
	Health	R480 951.84	R33 300.00	R0.00	R447 651.84
	Human Settlements	R0.00	R0.00	R0.00	R0.00
	Local Government	R1 593.37	R1 593.37	R0.00	R0.00

PROVINCE	DEPARTMENT	AMOUNT INVOLVED	AMOUNT RECOVERED	AMOUNT CONSIDERED AS RECOVERED DUE TO "NO LOSS TO STATE"	AMOUNT NOT RECOVERED
	Office of the Premier	R2 801.40	R2 801.40	R0.00	R0.00
	Social Development	R174 180.18	R0.00	R174 180.18	R0.00
	Transport and Public Works	R0.00	R0.00	R0.00	R0.00
Western Cape Total		R764 739.03	R42 743.57	R174 180.18	R547 815.28
TOTAL COST		R56 248 792.44	R778 622.44	R28 425 916.87	R27 044 253.35

Appendix F: List of the Provincial departments which reported that the full amount involved in respect of financial misconduct was either recovered/considered no loss to the State or there was a combination of recovered and no loss to the State

- (1) The following provincial departments reported that the full amount involved in financial misconduct for the 2012/2013 financial year was recovered:

PROVINCE	DEPARTMENT
KwaZulu-Natal	Health
Mpumalanga	Community Safety and Liaison
	Co-operative Governance and Traditional Affairs
	Office of the Premier
Western Cape	Environmental Affairs and Developmental Planning
	Local Government
	Office of the Premier

- (2) The following provincial departments reported that the full amount involved in financial misconduct for the 2012/2013 financial year was considered as no loss to the State:

PROVINCE	DEPARTMENT
Eastern Cape	Local Government and Traditional Affairs
	Office of the Premier
	Social Development and Special Programmes
Free State	Social Development
Gauteng	Finance
KwaZulu-Natal	Arts and Culture
	Sports and Recreation
Mpumalanga	Health
Western Cape	Social Development

- (3) The following provincial departments reported that there was a combination of recovery and no loss to the State with regard to the full amount involved in financial misconduct:

PROVINCE	DEPARTMENT
Gauteng	Sport, Arts and Culture
Northern Cape	Environment and Nature Conservation