



OFFICE OF THE SUPERINTENDENT GENERAL

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To: Office of the MEC
Office of the Head of Department
All DDG's
ALL Chief Directors
All Directors
All employees of the Department

RE: CIRCULAR ON IMPLICATIONS OF SECTION 8 PUBLIC ADMINISTRATION AND MANAGEMENT ACT NO 11 OF 2014 ON CONDUCTING BUSINESS WITH THE STATE.

- 1.The subject matter bears a reference.
- 2.The Provincial Government is in receipt of a Directive from the Ministry of Department of Public Service and Administration (DPSA) on the implications and criminalization of Section 8 of Public Administration Management Act, No 11 of 2014 (PAMA) on officials conducting business with the state.
- 3.The purpose of this circular is to remind all employees of the Eastern Cape Department of Education (ECDOE), that, with effect from 01 April 2019, the President of the Republic of South Africa issued a proclamation, which operationalized amongst others, section 8 of the PAMA. According to this Act, employees are prohibited from conducting business with the state or organ of the state.
4. Operationalization also introduces a new offence, where contravention of section 8 of PAMA is considered as a criminal offence for all employees in the three spheres of Government. Any Person found guilty of this offence is liable to a fine or imprisonment for a period of not exceeding five (5) years or both such fine and imprisonment. The offence, furthermore, constitutes serious misconduct which may result in termination of employment by the employer. All officials of the Department as urged to remove their names as Directors of companies which are registered on Centralized Supplier Database (CSD) as it is regarded as an intention to conduct business with the state or organ of the state. **Furthermore, Departments must report conflicted officials to law enforcement agencies for criminal investigation.**
5. The Department implements the measures contained in PT Circular 12 of 2020/21 which was issued in December 2020 through awareness campaigns and workshops that were conducted by Enterprise Risk Management to educate all officials of the Department about the implications of these Directives from DPSA.
- 6.This Directive was effective on or before the 31 August 2019 and is monitored on quarterly basis for full adherence thereof.
- 7.Attached herewith is the Directive from DPSA with regards to criminalization of section 8 of PAMA and its implications to public servants or employees of Government.



NB: All officials of the Department are therefore urged to read this circular.

Failure to comply with the above will result in serious consequences as indicated in paragraph 4 above.

Yours in Good Governance and Quality Education,

MS SA MAASDORP
HEAD OF DEPARTMENT – ECDoE

25/08/2025

DATE