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North West Provincial Government  
**REPUBLIC OF SOUTH AFRICA**

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## **SUPPLY CHAIN MANAGEMENT DIRECTORATE**

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**TO : ALL SUPPLY CHAIN MANAGEMENT PRACTITIONERS**

**FROM : MR. S. MADUMA**  
**DIRECTOR SUPPLY CHAIN MANAGEMENT**

**DATE : 05<sup>th</sup> OCTOBER 2009**

### **SCM CIRCULAR NO.02**

#### **CODE OF CONDUCT FOR SUPPLY CHAIN MANAGEMENT PRACTITIONERS**

In accordance with the Framework for Supply Chain Management (section 76(4) (c) of the PFMA) that was promulgated in Government Gazette Number 25767 on 5<sup>th</sup> December 2003 as Treasury Regulations, National Treasury is required to issue a Code of Conduct for the Supply Chain Management Practitioners that should be adhered to by all officials and other role players involved in supply chain management.

#### **1. GENERAL PRINCIPLES**

1. The Government of South Africa commits itself to a policy of fair dealing and integrity in the conducting of its business. The position of a supply chain management (SCM) Practitioners should not perform their duties to unlawfully gain any form of compensation, payment of gratuities from any person, or supplier/ contractor for themselves, their family or their friends.
2. Practitioners should ensure that they perform their duties efficiently, effectively and with integrity, in accordance with the relevant legislations and regulations including the Public Service and Administration, National Treasury Regulations, Practice Notes and the Accounting Officer's Procurement Procedures. They should ensure that public resources are administered responsibly.
3. Supply Chain Practitioners should be fair and impartial in the performance of their functions. They should at no time afford any undue preferential treatment to any group or individual or unfairly discriminate against any group or individual. They should not abuse the power and authority vested in them.
4. Supply Chain Practitioners should comply with the code of conduct for the Public Service as contained in Chapter 2 of the Public Service Regulations.

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### **2. CODE OF CONDUCT**

#### **2.1 Performance of duties**

An employee-

- 2.1.1 Does not engage in any transaction or action that is in conflict with or infringes on the execution of his or her official duties;
- 2.1.2 Will rescue himself or herself from any official action or decision-making process which may result in improper personal gain, and this should be properly declared by the employee;
- 2.1.3 Accepts the responsibility to avail himself or herself of ongoing training and self –development throughout him or her career;
- 2.1.4 Honest and accountable in dealing with public funds and uses the Public Service’s property and other resources effectively, efficiently and only for authorized official purposes;
- 2.1.5 Promote sound, efficient, transparent and accountable administration;
- 2.1.6 In the course of his or her official duties, shall report to the appropriate authorities, fraud, corruption, nepotism, maladministration and any other act which constitutes an offence, or which is prejudicial to the public interest;
- 2.1.7 Give honest and impartial advice based on all available relevant information to higher authority when asked for assistance of this kind; and
- 2.1.8 Honours confidentially of matters, documents and discussions, classified or implied as being confidential or secret.

### **3. PERSONAL CONDUCT AND PRIVATE INTERESTS**

An employee-

- 3.1 An employee shall not, without prior written approval of the Head of Department obtain or accept any gift, benefits or item of monetary value (a description and the value and source of gift with a value in excess of R350.00) from any person for himself or herself during the performance of duties as these may be construed as bribes”.
- 3.2 Does not use or disclose any official information for personal gain or the gain of others”.

### **4. CONFLICT OF INTEREST**

- 4.1 SCM practitioners, to the extent required by their position, should declare any business, commercial and financial interests or activities undertaken for financial gain that may raise a possible conflict of interest.

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4.2 They should not place themselves under any financial obligation to outside individuals or organizations that might seek to influence them in the performance of their official duties.

4.3 SCM Practitioners should not take improper advantage of their previous office after leaving their official position.

### **5. ACCOUNTABILITY**

5.1 SCM Practitioners are accountable for their decisions and action to the public

5.2 SCM Practitioners should use public property scrupulously.

5.3 Only the Accounting Officer or his delegations have the authority to commit the government to any transaction for the procurement of goods and/or services.

5.4 All transactions conducted by a Supply Chain Practitioner should be recorded and accounted for in an appropriate accounting system. SCM Practitioners should not make any false or misleading entries into a system for any reason whatsoever.

### **6. OPENESS**

6.1 SCM Practitioners should be as open as possible about all the decision and actions that they take. They should give reasons for their decisions and restrict information only if it is in the public interest to do so.

### **7. CONFIDENTIALITY**

7.1 Any information that is the property of the government or suppliers should be protected at all times. No information regarding any bid/ contract/ bidder/ contractor may be revealed if such an action will infringe of relevant bidder's/ contractor's personal rights.

7.2 Matters of confidential nature in possession of supply chain practitioners should be kept confidential unless legislation or Head of Department give permission, the performance of duty or the provisions of law requires otherwise. Such restrictions should also apply after separation from services.

### **8. BID EVALUATION/ ADJUDICATION TERMS**

8.1 Bid evaluation/adjudication terms should regulate supply chain management on behalf of the institution in an honest, fair, impartial, transparent, cost effective and accountable manner in accordance with the Accounting Officer's Procurement Procedures and Procurement Delegations.

8.2 The evaluation/adjudication teams may be authorized to deal with all supply chain management matters and finalize bids/price quotations in accordance with the directives/delegated powers of the Accounting Officer and submit the recommendation for the award of the bid to the Head of Department. The

Evaluation Bid Committee may therefore not approve the award of a bid to a specific bidder(s).

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8.3 The Bid evaluation/adjudication committee should be familiar with and adhere to the prescribed legislation, directives and procedures in respect of supply chain management in order to perform effectively and efficiently.

8.4 All members of the Evaluation/Adjudication Committee should be cleared at the level of "CONFIDENTIAL" and should be required to declare their financial interest annually.

No person should –

8.5 Interfere with the supply chain management system of Public Safety or

8.6 Amend or tamper with any bid after its submission.

**9. COMBATIVE PRACTICES**

9.1 Combative practices are unethical and illegal and should be avoided at all cost. They include but are not limited to:

- (i) Suggestions to fictitious lower questions;
- (ii) Reference to non-existent competition;
- (iii) Exploiting errors in bids;
- (iv) Soliciting bids from bidders whose names appear on the list of restricted bidders/suppliers/persons

I.....undersigned, accept the above Code of Conduct and I hereby confirmed my ethical conduct in Supply Chain Management.

Signature.....at.....date:.....

Regards,

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**MR S. MADUMA**  
**DIRECTOR SUPPLY CHAIN MANAGEMENT**

**"Working together we can do more"**

