Government Gazette
Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

Regulation Gazette	*No. 12029*	*Regulasiekoerant*
Vol. 733	31 July / Julie 2026	No. 55112

N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes

ISSN 1682-5845

9 771682 584003 55112

AIDS HELPLINE: 0800-0123-22 Prevention is the cure

IMPORTANT NOTICE:

THE GOVERNMENT PRINTING WORKS WILL NOT BE HELD RESPONSIBLE FOR ANY ERRORS THAT MIGHT OCCUR DUE TO THE SUBMISSION OF INCOMPLETE / INCORRECT / ILLEGIBLE COPY.

NO FUTURE QUERIES WILL BE HANDLED IN CONNECTION WITH THE ABOVE.

Contents

No.		Gazette No.	Page No.
GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS			
Home Affairs, Department of / Binnelandse Sake, Departement van			
R. 7762	Border Management Authority Act, 2020 (Act No. 2 of 2020): Border Management Authority Regulations, 2026 ...	55112	3

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF HOME AFFAIRS

NO. R. 7762 **31 July 2026**

BORDER MANAGEMENT AUTHORITY ACT, 2020
BORDER MANAGEMENT AUTHORITY REGULATIONS, 2026

The Minister of Home Affairs has, in terms of section 36 of the Border Management Authority Act, 2020 (Act No. 2 of 2020) and after consultation with the Commissioner, made the Regulations in the Schedule.



DR L.A. SCHREIBER, MP
MINISTER OF HOME AFFAIRS
DATE: 16/07/26

Definitions

1. In these Regulations, any word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned and, unless the context otherwise indicates—

"the National Border Targeting Centre" means the border risk management and targeting centre contemplated in section 11(2)*(f)* of the Act, and **"Centre"** has a corresponding meaning; and

"the Act" means the Border Management Authority Act, 2020 (Act No. 2 of 2020).

Structure and functioning of border guard

2. (1) The structure for the border guard must have the following—

(a) commissioned officers—

(i) Commissioner;

(ii) Deputy Commissioners;

(iii) Assistant Commissioners;

(iv) Deputy Assistant Commissioners;

(v) Senior Commandants;

(vi) Commandants;

(vii) Deputy Commandants;

(viii) Assistant Commandants; and

(ix) Chief border guards.

(b) non-commissioned officers—

(i) senior border guards;

(ii) border guards; and

(iii) junior border guards.

(2) Subject to sections 5, 15 and Chapter 6 of the Act, the border guard must function in accordance with standing orders, instructions, directives, guidelines and policies in relation to the operational functioning of the border guard, as may be issued by the Commissioner for the purpose of subregulation (3).

This gazette is also available free online at **www.gpwonline.co.za**

(3) The border guard must function in such a manner so as to—

(a) physically secure and patrol the border law enforcement areas and ports of entry effectively;

(b) act as a first line of defence to protect the Republic against health, sanitary, phyto-sanitary, environmental risks and bio-security risks associated with the cross-border movement of persons and goods;

(c) prevent illegal migration into and out of the Republic;

(d) prevent drug and human trafficking;

(e) prevent cross-border smuggling of goods and wildlife, including its products;

(f) report suspected subversive activities to the relevant law enforcement agencies;

(g) supervise and manage compliance by foreigners of visa and residence legislation;

(h) act as the first line of response on border law enforcement; and

(i) where necessary, cooperate and coordinate their border law enforcement functions with the relevant law enforcement, security and intelligence organs of state.

Conducting business with Authority or state

3. Officials may not—

(a) directly or indirectly, conduct business with the Authority or the state; or

(b) be a director of a public or private company which conducts business with the Authority or the state.

Deed of Commission

4. (1) A Deed of Commission contemplated in section 14(2) of the Act must—

(a) be in a form that is substantially similar to Form 1 in Schedule A; and

(a) constitute proof of the appointment as a commissioned officer.

(2) A Deed of Commission for a temporary commission contemplated in section 14(3)*(c)* of the Act must—

(b) be in a form substantially similar to Form 2 in Schedule A; and

(a) constitute proof of the appointment as a temporary commissioned officer.

(3) The probation period contemplated in section 14(3)*(c)* of the Act is six months.

3

Swearing or declaring allegiance by commissioned officers

5. (1) An oath or a declaration of allegiance contemplated in section 14(3)*(a)* of the Act must be made in a form that is substantially similar to Form 3 in Schedule A.

(2) The oath or declaration of allegiance must be made before the Commissioner or any person authorised by the Commissioner for that purpose.

(3) An officer who has sworn an oath or made a declaration of allegiance under subregulation (1) remains bound by that oath or declaration after leaving employment with the Authority.

Training of officers

6. (1) The Commissioner must develop a training and development plan for officers, which plan must include, but not limited to, training on—

(a) anti-corruption and ethical conduct required of officers;

(b) all legislation relating to the border law enforcement functions of the Authority;

(c) the Bill of Rights enshrined in Chapter 2 of the Constitution;

(d) diplomatic and foreign affairs matters relating to international relations and the interests of the Republic in respect of foreign states;

(e) the Criminal Procedure Act, 1977 (Act No. 51 of 1977), Firearms Control Act, 2000 (Act No. 60 of 2000) and any other relevant legislation;

(f) relevant public international law;

(g) relevant agriculture, environment matters, health, immigration and maritime matters;

(h) the use of small firearms that must include training in—

(i) the use of firearms;

(ii) weapon handling, including the stripping and assembling of a firearm;

(iii) tactical movement; and

(iv) making safe of the firearm;

(i) regimental rules;

(j) application of correct drill and saluting procedures; and

This gazette is also available free online at **www.gpwonline.co.za**

(k) occupational health and safety within the border law enforcement area and at ports of entry.

(2) Officers must complete a physical training programme and must pass the required fitness level test.

Training of commissioned officer

7. (1) The training for commissioned officer must include, but not limited to,training on—

(a) anti-corruption and ethical conduct required of officers;

(b) all legislation relating to the border law enforcement functions of the Authority;

(c) the Bill of Rights enshrined in Chapter 2 of the Constitution;

(d) diplomatic and foreign affairs matters relating to international relations and the interests of the Republic in respect of foreign states;

(e) the Criminal Procedure Act, 1977 (Act No. 51 of 1977), Firearms Control Act, 2000 (Act No. 60 of 2000) and any other relevant legislation;

(f) relevant agriculture, environment matters, health, immigration and maritime matters;

(g) regimental rules; and

(h) application of correct drill and saluting procedures.

(2) Commissioned officers must complete a physical training programme and must pass the required fitness level test.

Arming of officers

8. (1) The Commissioner may issue arms, ammunition, vehicles, uniforms and any other equipment to officers to enable officers to execute their functions, powers and duties effectively.

(2) An officer must—

(a) when not on duty, keep his or her official firearm in a locked safe that is mounted on a wall;

(b) undergo psychological assessments annually in order to determine suitability for continued fitness to carry a firearm;

This gazette is also available free online at **www.gpwonline.co.za**

(c) ensure, while on duty, that his or her official firearm is on his or her person at all times and is not left unattended or left in vehicles; and

(d) comply with the Firearms Control Act, 2000, relevant legislations, internal standing orders, instructions, directives, and policies of the Authority.

Ranks of officers

9. The ranks of officers, in order of superiority, are—

(a) Commissioner;

(b) Deputy Commissioners;

(c) Assistant Commissioners;

(d) Deputy Assistant Commissioners;

(e) Senior Commandants

(f) Commandants;

(g) Deputy Commandants

(h) Assistant Commandants;

(i) Chief border law enforcement officers;

(j) Senior border law enforcement officers;

(k) Border law enforcement officers; and

(l) Junior border law enforcement officers.

Security grading of officials

10. The following security grading requirements may apply to the officials of the Authority:

(a) Top secret;

(b) secret; or

(c) confidential.

Educational Qualifications and Experience for officials

11. The educational qualifications and experience for officials are as set out in Schedule B and must, where relevant, include registration with the relevant professional body.

This gazette is also available free online at **www.gpwonline.co.za**

Identification card

12. (1) The identification card contemplated in section 13(6) of the Act must be in a form that is substantially similar to Form 4 in Schedule A.

(2) The identity card contemplated in subregulation (1) must contain the following information—

(a) The logo of the Authority;

(b) a photograph of the officer;

(c) the name, surname, identity and staff number of the officer;

(d) the rank of the officer;

(e) the date of issuing of identification card;

(f) the signature of the Commissioner; and

(g) the powers of a peace officer that may be conferred on him or her in a declaration as a peace officer, referred to in section 334(1)*(a)* of the Criminal Procedure Act, 1977 (Act No. 51 of 1977).

Outside remunerative work by officials

13. (1) An official appointed in terms of section 13(1)*(b)* of the Act must not conduct remunerative work outside of the Authority unless authorised thereto by the Commissioner.

(2) Authorisation to conduct remunerative work outside of the Authority may not be granted where—

(a) the work to be performed will be conducted during official work hours;

(b) the official equipment or resources of the Authority will be used for that work; or

(c) the work to be conducted conflicts with the work of the Authority or has the potential to cause reputational damage to the Authority.

Code of conduct

14. (1) The code of conduct applicable to officers is as set out in Schedule C.

(2) All officers must adhere to the code of conduct referred to in subregulation (1).

This gazette is also available free online at **www.gpwonline.co.za**

Sanctions for misconduct

15. Depending on the seriousness of the misconduct, the officer's previous record and any mitigating or aggravating factors, the sanctions for misconduct may include—

(a) a verbal warning;

(b) a written warning valid for six months;

(c) a final written warning valid for six months;

(d) suspension without pay for no longer than three months;

(e) demotion as an alternative to dismissal, if the officer consents thereto; or

(f) dismissal.

Rules and procedures for meetings of advisory committees

16. (1) An advisory committee must—

(a) at its first meeting, appoint a chairperson and deputy chairperson from amongst members appointed in terms of section 26(2)*(b)* of the Act;

(b) determine its own working arrangements; and

(c) be supported by a secretariat, the members of which are to be drawn from the support staff.

(2) Decisions of an advisory committee must be adopted by majority consensus where each member of the advisory committee has one vote.

(3) In the event of equal votes, the Chairperson of that advisory committee shall have the deciding vote.

National Border Targeting Centre

17. (1) The Centre contemplated in section 11(2)*(f)* of the Act is hereby established as a unit within the Authority.

(2) The Centre shall consists of—

(a) the head of the Centre;

(b) such number of officials of the Authority as may be appointed by the Commissioner;

This gazette is also available free online at **www.gpwonline.co.za**

(c) competent representatives, with the minimum security clearance level as determined by the Commissioner, of the following organs of state—

(i) State Security Agency;

(ii) SAPS Crime Intelligence;

(iii) Defence Intelligence;

(iv) Customs Unit of the South African Revenue Service; and

(v) Financial Intelligence Centre; and

(d) a representative of any other organ of state as the Commissioner may consider necessary.

(3) The Commissioner must appoint the head of the Centre.

(4) The head of the Centre must—

(a) be a South African citizen;

(b) be suitably qualified to be appointed as the head of the Centre; and

(c) be a commissioned officer.

(5) The head of the Centre may not perform remunerative work outside of his or her official duties unless authorised thereto as contemplated in regulation 13.

(6) The primary purpose of the Centre is to identify, analyse and make recommendations to mitigate risks which affect the border law enforcement areas and ports of entry.

(7) The Centre must, in order to achieve its purpose,—

(a) collect,collate and analyse data and information to identify risks;

(b) develop intelligence on identified risks;

(c) analyse, interpret and prioritise risks and engage in scenario development and analysis;

(d) recommend measures to mitigate, neutralise or resolve identified risks; and

(e) recommend appropriate expertise and adequate support capability, procedures and systems.

(8) The Commissioner must determine—

(a) a detailed functions, operating model and organisational structure; and

(b) the capabilities and system requirements,

This gazette is also available free online at **www.gpwonline.co.za**

of the Centre.

(9) The Commissioner must ensure that the Centre is adequately secured and capacitated for its effective and efficient functioning.

(10) The head of the Centre must provide reports to—

(a) the Commissioner and relevant Deputy Commissioner, as and when required;

(b) the Border Technical Committee, at least on a quarterly basis; and

(c) the Inter-Ministerial Consultative Committee, at least on a quarterly basis.

(11) The Centre must, in carrying out its functions, co-ordinate with the relevant organs of state or any other relevant foreign government entities or international organisations.

Review or appeal of decisions

18. (1) Any decision contemplated in section 29(1) of the Act must be communicated to that person in a form that is substantially similar to Form 5 in Schedule A.

(2) A person aggrieved by a decision referred to in subregulation (1) may,—

(a) within 10 working days from receipt of such decision; and

(b) on a form that is substantially similar to Form 6 in Schedule A,

make an application to the Commissioner for the review or appeal of that decision.

(3) The Commissioner must—

(a) within 10 working days of receipt of an application contemplated in subregulation (2); and

(b) on a form that is substantially similar to Form 7 in Schedule A,

communicate his or her decision to the aggrieved person.

(4) A person aggrieved by a decision of the Commissioner as contemplated in subregulation (3) may—

(a) within 10 working days of receipt of that decision; and

(b) on a form that is substantially similar to Form 8 in Schedule A,

make an application for the review or appeal of that decision to the Minister as contemplated in section 29(4) of the Act.

This gazette is also available free online at **www.gpwonline.co.za**

(5) The Minister must, within 14 working days from receipt of an application contemplated in subregulation (4) and on Form 9 illustrated in Schedule A, communicate his or her decision to the aggrieved person.
(6) The Commissioner must compile and maintain a register of decisions where the Forms contemplated in this regulation are recorded.

Complaints and grievances affecting work of Authority

19. (1) The Commissioner must keep a register of complaints and grievances received affecting the work of the Authority for a period of five years.
(2) A complaint or grievance affecting the work of the Authority must be submitted to the Commissioner in a form that is substantially similar to Form 10 in Schedule A.
(3) The Commissioner must, after receipt of a complaint or grievance, acknowledge receipt and investigate the complaint or grievance within 30 days or such reasonable period, which period shall not exceed 60 days from the date of receipt of the complaint or grievance.
(4) On conclusion of the investigation, the Commissioner must, in writing, inform the complainant of the outcome of the investigation and any steps taken to remedy the grievance or complaint.
(5) The Commissioner may, where appropriate, refer the complaint or grievance to the relevant law enforcement agency.

Ports of entry or exit

20.(1) A designation of any place as a port of entry or exit in terms of section 30 of the Act or under any legislation must be made by the Minister in writing.
(2) A designation of any place as a port of entry or exit or any withdrawal or cancellation thereof must be published in the *Gazette*.

Short title and commencement

21. These Regulations are called the Border Management Authority Regulations, 2026 and come into operation on the date of publication hereof.

This gazette is also available free online at **www.gpwonline.co.za**

Repeal

22. This Regulation repeals the Border Management Authority Regulation published under Government Notice No.R 6268 of 2 June 2025.

This gazette is also available free online at **www.gpwonline.co.za**

SCHEDULE A

FORMS

No.	Description	
1	Form 1	Deed of Commission
2	Form 2	Temporary Deed of Commission
3	Form 3	Oath or declaration of allegiance
4	Form 4	Identification Card
5	Form 5	Officer's decision that materially and adversely affecting a person's rights
6	Form 6	Application to the Commissioner to review or appeal officer's decision
7	Form 7	Commissioner's review or appeal decision
8	Form 8	Application to the Minister to review or appeal Commissioner's review or appeal decision
9	Form 9	Minister's review or appeal decision
10	Form 10	Complaints or grievances against Authority

This gazette is also available free online at **www.gpwonline.co.za**

FORM 1

DEED OF COMMISSION

[Regulation 4(1)(a)]

To: [insert name and rank of officer]

Whereas a commissioned rank in the Border Management Authority was conferred upon you on _____.

I hereby commission you to serve the Republic of South Africa as an officer, with loyalty, courage, dignity and honour, in discharge of your duties and responsibilities with zeal, diligence and to set a good example to those placed under your control.

Given under my hand and the seal of the Republic of South Africa on this _____ day of _____.

Minister of Home Affairs

This gazette is also available free online at **www.gpwonline.co.za**

FORM 2

TEMPORARY DEED OF COMMISSION

[Regulation 4(2)(b)]

To: [insert name and rank of officer]

I, _____, in terms of section 14(1) of the Border Management Authority Act, 2020 (Act No. 2 of 2020), hereby confer on you a temporary commission in the Border Management Authority during your period of probation, from _____ to _____, to serve the Republic of South Africa as an officer, with loyalty, courage, dignity and honour, in discharge of your duties and responsibilities with zeal, diligence and to set a good example to those placed under your control.

Given under my hand and the seal of the Republic of South Africa on this _____ day of _____.

Minister of Home Affairs

This gazette is also available free online at **www.gpwonline.co.za**

FORM 3

OATH OR DECLARATION OF ALLEGIANCE

[Regulation 5(1)]

I, **[insert name and rank of officer]**, hereby swear/solemnly declare* that I—

(a) will obey, observe, uphold and maintain the Constitution and all other law of the Republic;

(b) will perform my duties as a commissioned officer of the Border Management Authority conscientiously and to the best of my ability; and

(c) commit myself to abide by the provisions of the Border Management Authority Act, 2020 (Act No. 2 of 2020), regulations made thereunder and the legislation referred to in Proclamation 89 of 6 September 2022 and to obey any orders or instructions issued in pursuance of the said Act and regulations.

_____

Signature of deponent

I certify that the deponent has acknowledged that he/she* knows and understands the contents of this oath of office, which was sworn /declare* before me on this _____day of _____20____ and signed in my presence.

Date: _____

Place: _____

_____

Signature of Commissioner

16

**Delete that which is not applicable*.

FORM 4

IDENTIFICATION CARD

[Regulation 12(1)]

1. Identification card issued in terms of section 13(6) of the Border Management Authority Act, 2020 (Act No. 2 of 2020).
2. [name and surname]
3. [photo]
4. [identity number]
5. [staff number]
6. [rank]
7. [date of issuing of identification card]

[signature]

Commissioner

17

FORM 5

OFFICER'S DECISION THAT MATERIALLY AND ADVERSELY AFFECTS A PERSON'S RIGHTS

[Regulation 18(1)]

1. Name and contact details of the person affected:
2. Description of decision:
3. Authorising provision[1]:
4. Reasons for the decision:
5. Date and place of the decision:
6. Name and rank of the officer:

Signature of officer

Take notice that you may apply to the Commissioner to review or appeal this decision by completing the attached Form 6 and submitting it to the Commissioner within 10 days of receipt of this decision at the addresses contained in that Form.

[1] This includes the relevant provision of the Act and any of the provisions in the legislation listed in the Proclamation 89 of 6 September 2022.

This gazette is also available free online at **www.gpwonline.co.za**

FORM 6

APPLICATION TO COMMISSIONER TO REVIEW OR APPEAL OFFICER'S DECISION

[Regulation 18(2)*(b)*]

1. Name and surname of appellant:
2. Contact details of appellant:
3. Grounds of review or appeal
4. Relief sought:
5. Date of application:

Signature of appellant

This application must be—

(a) submitted to the Commissioner within 10 days of receipt of the decision to be reviewed or appealed;

(b) accompanied by the corresponding Form 5.

(c) submitted to the Commissioner by—

(i) emailing it to: [dedicated email address]; or

(ii) registered post to: [dedicated postal address].

This gazette is also available free online at **www.gpwonline.co.za**

FORM 7

COMMISSIONER'S DECISION ON REVIEW OR APPEAL

[Regulation 18(3)*(b)*]

1. Name and surname of the appellant:
2. Contact details of appellant:
3. Description of the review or appeal decision:
4. The reasons for the decision:
5. Date of the decision:

Signature of Commissioner

Take notice that you may apply to the Minister to review or appeal this decision by completing the attached Form 8, with the corresponding Forms 6 and 7 attached, and submitting all the said Forms to the Minister within 10 days of receipt of this decision at the addresses contained in Form 8.

This gazette is also available free online at **www.gpwonline.co.za**

FORM 8

APPLICATION TO MINISTER FOR REVIEW OR APPEAL OF COMMISSIONER'S REVIEW OR APPEAL DECISION

[Regulation 18(4)*(a)*]

1. Name and Surname of appellant:
2. Contact details of appellant:
3. Grounds of appeal or review:
4. Relief sought:
5. Date of application:

Signature of appellant

This application must be—

(a) submitted to the Minister within 10 days of receipt of the decision to be reviewed or appealed;

(b) accompanied with the corresponding Forms 6 and 7;

(c) submitted to the Minister by—:

(i) emailing it to: [dedicated email address]; or

(ii) registered post to: [dedicated postal address].

This gazette is also available free online at **www.gpwonline.co.za**

FORM 9

MINISTER'S DECISION ON REVIEW OR APPEAL

[Regulation 18(5)]

1. Name and surname of appellant:
2. Contact details of appellant:
3. Description of the review or appeal decision:
4. The reasons for the decision:
5. Date of decision:

Signature of Minister

22

FORM 10

COMPLAINTS OR GRIEVANCES AFFECTING WORK OF AUTHORITY

[Regulation 19(2)]

1. Name and surname of complainant:
2. Contact details of complainant:
3. Details of complaint or grievance:
4. Proposed remedy:
5. Date of complaint or grievance:

The complaint or grievance must be submitted to the Commissioner by—

(a) emailing this completed form to: [dedicated email address]

(b) posting this completed form through registered mail to: [dedicated postal address].

This gazette is also available free online at **www.gpwonline.co.za**

SCHEDULE B

EDUCATIONAL QUALIFICATIONS AND EXPERIENCE REQUIREMENTS FOR OFFICIALS

PATTERSON GRADE	RANK	EDUCATIONAL QUALIFICATIONS	EXPERIENCE
F3	Commissioner	Postgraduate qualification at NQF 8 as recognised by SAQA	10 years' Experience at Senior Management.
F1/F2	Deputy Commissioner	Postgraduate qualification at NQF 8 as recognised by SAQA	10 years Experience at Senior Management.
E2/E5	Assistant Commissioner	Postgraduate qualification at NQF 8 as recognised by SAQA	10 years Experience at Senior Management.
D5/E1	Deputy Assistant Commissioner	Postgraduate qualification at NQF 8 as recognised by SAQA	8 years Experience at Senior Management
D3/D4	Senior Commandant	Undergraduate qualification at NQF 7 as recognised by SAQA	5 years Experience middle management Specialist / Professionals:
D2	Commandant	Undergraduate qualification at NQF 7 as recognised by SAQA	5 years Experience at Junior Management Specialist / Professionals:
C5/D1	Deputy Commandant	Undergraduate qualification at NQF 7 as recognised by SAQA	5 years Experience at supervisory Specialist / Professionals:
C3/C4	Assistant Commandant	Undergraduate qualification at NQF 7 as recognised by SAQA	4 years Experience at supervisory Specialist / Professionals:
C2	Chief Border Guard Officer	Undergraduate qualification at NQF 6 as recognised by SAQA	3 years Experience at supervisory
B5/C1	Senior Border Guard Officer	Undergraduate qualification at NQF 6 as recognised by SAQA	3 years relevant experience

This gazette is also available free online at **www.gpwonline.co.za**

PATTERSON GRADE	RANK	EDUCATIONAL QUALIFICATIONS	EXPERIENCE
B4	Border Guard Officer	Grade 12 Certificate	1 year relevant experience
B2/B3	Admin Assistant/Junior Border Guard	Grade 12 Certificate	No Experience
A3/B1	General Workers	Grade 12 Certificate	No Experience
****	**Positions that are professional and/or specialist in nature may justify deviation from the minimum experience.**		

This gazette is also available free online at **www.gpwonline.co.za**

SCHEDULE C

CODE OF CONDUCT

1. Conduct in general

An officer must—

(a) honour and abide by the Constitution in the execution of their duties;

(b) be faithful to the Republic and put the public interest first in the execution of their duties;

(c) abide by the legislation that applies to the border law enforcement;

(d) loyally execute the policies of the government and the lawful instructions of their superiors; and

(e) co-operate with relevant law enforcement, security and intelligence organs of state.

2. Relationship with public

An officer must—

(a) promote the unity and well-being of the South African nation in performing their duties;

(b) respect and protect the dignity of every person and their rights as contained in the Constitution;

(c) serve the public in an unbiased and impartial manner;

(d) act in such a manner as to instil and maintain public confidence in the Authority;

(e) be polite, helpful and reasonably accessible in his or her dealings with the public;

(f) take into account the circumstances and concerns of the public in performing their duties and in the making of decisions affecting them;

(g) be committed through timely service to the development and upliftment of all South Africans; and

(h) recognise the right of the public to access to information, excluding information that is specifically protected by law.

This gazette is also available free online at **www.gpwonline.co.za**

3. Ethical conduct

An officer—

(a) may not receive, solicit or accept any gratification, as defined in section 1 of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004), from any official or any person in return for performing or not performing their duties;

(b) may not engage in any transaction or action that is in conflict with or infringes on the execution of his or her duties;

(c) may not conduct business with any organ of state or be a director of a public or private company conducting business with an organ of state;

(d) may not use or disclose any official information for personal gain or the gain of others;

(e) may not receive or accept any gift from any person in the course and scope of his or her employment,;

(f) must recuse themselves from any official action or decision-making process which may result in improper personal gain and properly and immediately declare it to their superior;

(g) must immediately report to the relevant authorities, fraud, corruption, nepotism, maladministration and any other act which constitutes a contravention of any law (including, but not limited to, a criminal offence) or which is prejudicial to the interest of the public, which comes to their attention during the course of his or her employment in the Authority;

(h) must refrain from favouring relatives and friends in work-related activities and not abuse their authority or influence another official, nor be influenced to abuse their authority;

(i) must deal fairly, professionally and equitably with all other officials or members of the public, irrespective of race, gender, ethnic or social origin, colour, sexual orientation, age, disability, religion, political persuasion, conscience, belief, culture or language; and

(j) must refrain from party political activities in the workplace.

This gazette is also available free online at **www.gpwonline.co.za**

4. Performance of duties

An officer must—

(a) strive to achieve the objectives of the Authority cost-effectively and in the interest of the public;

(b) be creative in thought and in the execution of their duties, seek innovative ways to solve problems and enhance effectiveness and efficiency within the context of the law;

(c) be punctual in the execution of their official duties;

(d) execute their duties in a professional and competent manner;

(e) co-operate fully with other officials to advance the interest of the public;

(f) be honest and accountable in dealing with public funds and use the State's property and other resources effectively, efficiently, and only for authorised official purposes;

(g) use the appropriate mechanisms to deal with any grievances or to direct representations;

(h) be committed to the optimal development, motivation and utilisation of officials reporting to them and the promotion of sound labour and interpersonal relations;

(i) avail themselves for training and development;

(j) promote sound, efficient, effective, transparent and accountable administration;

(k) give honest and impartial advice, based on all available relevant information, in the execution of his or her official duties;

(l) honour the confidentiality of official matters, documents and discussions;

(m) when on duty, dress and behave in a manner that is befitting of an official of the Authority;

(n) immediately report to the Commissioner any non-compliance with the Act and any other legislation that the Authority is required to implement;

(o) not consume alcoholic beverages or any other substance with an intoxicating effect while on duty or report for duty under such influence;

This gazette is also available free online at **www.gpwonline.co.za**

(p) not misrepresent themselves or use the name or position of any other official or person to unduly or improperly influence any decision-making process or obtain any undue benefit; and

(q) not release official information to the public without necessary approval.

5. Obedience

5.1 An officer must obey any order or instruction given to him or her by a superior or a person who is competent to do so: Provided that the officer may not obey a patently unlawful order or instruction.

5.2 Where it is reasonable in the circumstances, an officer may demand that an order or instruction referred to in paragraph 5.1 above be recorded in writing before obeying it.

5.3 An officer may, after having obeyed an order or instruction referred to in paragraph 5.1 , demand that such an order or instruction be recorded in writing.

This gazette is also available free online at **www.gpwonline.co.za**

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001
Contact Centre Tel: 012-748 6200. eMail: info.egazette@gpw.gov.za
Publications: Tel: (012) 748 6053, 748 6061, 748 6065

This gazette is also available free online at **www.gpwonline.co.za**