

NORTHERN CAPE EDUCATION DEPARTMENT

Subject : DEBT WRITE-OFF POLICY
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Responsible Unit : Finance

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1. LEGISLATIVE FRAMEWORK

- 1.1 Section 38 of the Public Finance Management Act, 1999 imposes an obligation on the Accounting Officer to ensure that the department has and maintains an effective, efficient and transparent systems of financial and risk management and internal control.
- 1.2 Regulation 11.4 of the Treasury Regulations prescribes the circumstances under which a debt owing to the Department may be written off and requires the Accounting Officer to determine a debt write-off policy for the Department.
- 1.3 This policy provides a framework and procedure for the write-off of debt owing to the Department in accordance with the above legislative instruments.

2. INTERNAL CONTROL

- 2.1 Any debt that complies with the requirements set out in Paragraph 3 of this policy shall be referred to the Loss Control Committee by the Director: Finance.
- 2.2 The Loss Control Committee shall consider the circumstances of the debt and ensure that it satisfies the requirements of Paragraph 3.
- 2.3 If the Loss Control Committee is satisfied that Paragraph 3 has been complied with, it will make a recommendation to the Chief Financial Officer for the write-off of the debt.
- 2.4 The Chief Financial Officer must advise the Accounting Officer as to whether or not the debt should be written off.

- 2.5 If the Accounting Officer writes off a debt, the Director: Finance shall record such write-off in accordance with the generally accepted accounting practices.
- 2.6 All debt write-offs must be disclosed in the Department's Annual Financial Statements, with a clear reference this policy.

3. DEBT THAT MAY BE WRITTEN OFF

No debt may be written off unless-

3.1 all reasonable steps have been taken to recover the debt and the debt is irrecoverable;
or

3.2 there is reasonable evidence that-

- (a) recovery of the debt would be uneconomical;
- (b) recovery would cause undue hardship to the debtor or his or her dependants; or
- (c) it would be to the advantage of the State to effect a settlement of its claim or to waive the claim.

In determining compliance with this paragraph the Loss Control Committee, Chief Financial Officer may consider the following:

- the age of the debt;
- whether the debtor is untraceable and what measures were taken to trace him/her;
- whether the existence of a debt is supported by proper documentation;
- whether there is any legal basis for the existence of the debt;
- whether the cost of recovery would exceed the anticipated recovery amounts;
- the personal circumstances of the debtor; and
- any other relevant information.

4. OPERATION

This policy will be effective from the date of approval by the Head of Department and supersedes all prior policies and procedures relating to debt write-off.

Approved



Head of Department

12. 2. 2008

NORTHERN CAPE EDUCATION DEPARTMENT

Subject : POLICY ON GOVERNMENT FLEET VEHICLES
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SUBJECT

A policy on the use of Government Fleet vehicles.

BACKGROUND

Government officials need, from time to time, to use a vehicle to carry out their duties. In recognition of this, certain categories of officials (senior and middle managers) are granted a car allowance as part of their remuneration package. Others are entitled to apply for a subsidised vehicle on a needs basis. A third category of official, by far the largest, may apply, from time to time, to use a Government Garage vehicle (known as a Government Fleet vehicle). This policy addresses this latter category of official. The first two types are dealt with in other policy documents.

PURPOSE

1. To outline the basic rules and regulations governing the use of Government Fleet vehicles
2. To describe the procedures to be followed when applying to use a government vehicle
3. To ensure that Government Fleet vehicles are well-maintained and used economically and productively
4. To minimise the unauthorised use of Government Fleet vehicles
5. To provide officials with sufficient knowledge and understanding of the rules and regulations governing the use of Government Fleet vehicles and thereby protect them from breaching those rules and regulations as a result of ignorance

A. PRINCIPLES

1. Authorised users of Government Fleet vehicles

Government Fleet vehicles can only be used by officials who fulfil the following criteria:

- i. An employee who is:
 - (a) Employed full-time by the department and **does not** have a vehicle in terms of the SMS or MMS flexible remuneration package or a vehicle allocated in terms of the government subsidised vehicle scheme. However, in absolutely exceptional cases, the category of excluded employees may apply to the Head of Department for authority to use a fleet vehicle:
 - (i) where a subsidised vehicle is under repairs for a prolonged period, or
 - (ii) where a subsidised vehicle or a vehicle allocated in terms of the SMS or MMS package is inappropriate for the work to be carried out.
 - (b) Appointed in terms of Treasury Instruction S3, provided that the S3 contracted employee has a clause in his/her contract stating that, for government transport purposes, the employee is regarded as an employee of the state. An addendum to this effect can be added to the contract of existing S3 employees if required.
 - (c) An official with a valid, unendorsed South African driver's license, or a valid, unendorsed foreign driver's license *and* International Driver's License
 - (d) An official with no outstanding transport-related disciplinary action against them at the time of taking the vehicle.

Where necessary, a driver must be in possession of a Professional Driver's Permit.

2. Trip Authorities

- (a) All users of Government Fleet vehicles must have an approved and signed Trip Authority which
 - (i) can only be issued to authorised drivers
 - (ii) contains details of all destinations, including the point of departure and the final destination, in the sequence in which they will be visited
 - (iii) contains, in the case of vehicles carrying cargo, a full description and list of items to be carried
 - (iv) refers to all days on which the vehicle will be used, including the starting and finishing day
 - (v) has the name, surname and ID number of each person who will be driving the vehicle on a particular trip (each driver must be an authorised driver as defined in this policy in Section 1 above)

- (vi) has the name and surname of each passenger who will travel with the driver/s
- (vii) has been signed by an official at the level of Deputy Director or above (in the case of district offices, Assistant Director or above), who is senior to the driver(s) of the vehicle and is in their direct management line. In cases where the designated signatory is unavailable, alternate signatories must have been identified and agreed upon by 15 April of each financial year.
- (viii) Can be faxed
- (ix) Can, in cases where a vehicle has to be moved in an emergency, be issued immediately after the event or within 24 hours of the event. This can only be done in cases of extreme emergency and where the manager is satisfied that the movement was necessary.
- (x) Can be issued, in exceptional cases, for a period of up to a week against a weekly or monthly work plan. This must be authorised by the HOD.
- (xi) Must be carried by the driver at all times and produced on demand to any authorised government official, traffic officer or police officer. Copies must be filed in the transport office and with registry.

3. Passengers

- a. All official passengers in a Government Fleet vehicle must have their full names listed on the trip authority.
- b. Official passengers may be other government employees or, in certain instances, non government employees who must, in pursuance of the duty of a government official, travel in a vehicle driven by that government official. Approval to transport non government employees for official purposes can only be given by an official at a rank no less than Director on a case-by-case basis.
- c. Casual or unauthorised passengers may not be transported.
- d. A Government Fleet vehicle may not be used to transport family members unless the line manager signing the trip authority has approved a prior application to do so. Such approval must be kept on file for three years by the transport officer and a copy carried by the driver of the Government Fleet vehicle. Family members travel at their own risk and the department accepts no responsibility for them.

4. Upkeep of vehicles

- a. The transport unit or administrative unit managing Government Fleet vehicles in each centre is responsible for the upkeep of vehicles. This includes regular cleaning and servicing, as well as regular evaluations of vehicles for purposes of decision-making on retention or disposal of vehicles.
- b. Notwithstanding point 4a above, any official who uses a Government Fleet vehicle is responsible for the care of that vehicle while it is in his or her possession. Officials must exercise due care in the use of the vehicle to protect it from damage and/or unnecessary wear and tear, and is responsible for keeping the interior clean while it is in his or her possession and handing it back in a clean state when he or she has finished using it.
- c. No smoking is permitted in the Government Fleet vehicles. The residual odours and clinging smoke could be hazardous to the health of other subsequent users)

5. Parking of Government Fleet vehicles

- a. Government Fleet vehicles must normally be parked at official premises where a bay is allocated for that purpose. The premises should be lockable or have a 24-hour security service.
- b. When a vehicle is away from its home base, it must be
 - i. Locked with a gear lock or a steering lock
 - ii. Parked at the nearest official property (eg government premises, police stations etc) should other secure parking not be available
- c. A Government Fleet vehicle can be parked at an official's home overnight if the following conditions have been met:
 - i. The location has been reviewed by a transport officer and security is considered adequate eg there is a garage or lockable gates **and**
 - ii. The member of staff will be leaving early in the morning or returning late at night (ie outside of normal public transport times) **or**
 - iii. The personal safety of the person is considered by the department to be at risk (only in exceptional circumstances and approved by the HOD) **or**
 - iv. The home of the official is at a place between the office and the intended destination such that it is not sensible to first come to the office (normally resulting in a saving of at least 25 kms) **or**
 - v. If the individual works from home **or**
 - vi. The individual is on call and has no other means of transport to respond to a call-out
 - vii. A signed authority form for parking at home has been issued by the person responsible for signing trip authorities. Such an authority will normally be issued for each separate occasion, except that, in cases where an official is on call, a blanket authority can be issued (and withdrawn at any time).

6. Unauthorised or inappropriate use

- a. No unauthorised person may drive a Government Fleet vehicle.
- b. A Government Fleet vehicle may not be used without a valid trip authority, except in an emergency, in which case a valid trip authority, with details of the nature of the emergency, must be issued immediately after the use of the vehicle or within 24 hours of the use of the vehicle
- c. No official may use a Government Fleet vehicle to carry a casual or unauthorised passenger.
- d. A Government Fleet car may not be used to transport family members unless the line manager signing the trip authority has approved a prior application to do so and as long as the driver has signed acknowledgement that the department and the government will carry no responsibility for the safety of those persons.
- e. A Government Fleet car may not be used for extraordinary or private purposes (such as funerals, condolence trips, hospital visits) unless there is authorisation from the HOD
- f. A Government Fleet vehicle may not deviate from the journey or destinations indicated on a trip authority. This means, for example, that if the vehicle is on its way to Barkly West from Kimberley a detour off the main road would be an unauthorised deviation, except in the case of an emergency (such as mechanical problems with the vehicle, critically low fuel level, a medical emergency etc).
- g. If a Government Fleet vehicle is stopped by any relevant authorities who believe that the vehicle is being used in an unauthorised manner, the vehicle may be

impounded (and, depending on the circumstances, the driver remanded in custody).

- h. Government Fleet vehicles cannot be used for party political activities or for industrial union activities.
- i. A Government Fleet vehicle may not be driven by anyone who is under the influence of alcohol or any other mind-altering substance.
- j. An official or any other person who is suspected of the unauthorised use of a Government Fleet vehicle will face possible disciplinary or legal action. The department also reserves the right to deny any official the use of Government Fleet vehicles if he or she is found guilty of any violation of the provisions of this policy document.

7. Service Level Agreement (SLA)

- a. Transport officials undertake to:
 - i. apply Batho Pele (People First) principles in all their dealings with departmental officials who need to use the fleet vehicle.
 - ii. maintain the department's Government Fleet in the best possible condition, for the comfort and safety of their clients
 - iii. provide fast, efficient, accurate and courteous service to their clients at all times

C. PROCESS

1. All new employees in the department are required to prove their driving capabilities by showing their driver's licence to a transport officer before being issued with a Government Fleet vehicle for the first time.
2. Application for use of a Government Fleet vehicle must be made 96 hours before the vehicle is needed, using the required Trip Authority form. If the vehicle is applied for less than 96 hours before it is needed, the line manager must verify that the late application was necessary and unavoidable. The verification must indicate why a deviation from the monthly transport plan was necessary.
3. Once the Trip Authority has been signed, the official will be handed the green bag containing the keys, papers and petrol card for the vehicle.
4. The official will be accompanied to the vehicle by a transport official or an official driver to inspect the vehicle, with the purpose of assessing the general state (including the cleanliness, inside and out) of the vehicle, identifying any pre-existing damage to the vehicle and recording the quantity of fuel in the tank and the odometer reading (number of kilometers done to date). The form provided for this assessment must be completed and signed before the vehicle is taken.
5. The official must carry the green bag in the vehicle at all times.
6. The vehicle must only be filled up or have oil added using the petrol card. Any petrol purchases not using the petrol card will not be refunded by the department. For this reason, the official taking the vehicle must verify that there is a petrol card and that it is still valid (not expired) before taking the vehicle.
7. The use of the vehicle, the carrying of passengers and the parking of the vehicle must be undertaken in terms of the general and specific rules governing these matters that are contained in this document and in policy documents of the Department of Transport.

8. When the vehicle is returned, it must once again be checked for cleanliness and damage by the official who was issued the vehicle together with a transport officer or official driver, and an assessment of its performance must be recorded by the official who was issued the vehicle, using the form provided for this purpose.
9. The green bag and its contents, the completed forms and all fuel slips must then be returned to the transport office and the official who used the vehicle must check with the transport officer that everything is in order before leaving the transport office.
10. If an official returns a vehicle late, i.e. when the transport staff have already left, he or she must hand over the green bag and its contents to the security personnel on duty (where such personnel exist). The security representative must sign for the bag and verify that everything is there (keys, petrol card, documents etc). The official then has the responsibility of presenting the green bag to transport officials the next day (or on the Monday if the vehicle is returned late on a Friday, following the procedure as outlined above for the checking of the vehicle. Please note: for as long as the green bag has not been returned to the transport office, the vehicle and the green bag and its contents remain the responsibility of both the security officer and the official who used the vehicle
11. Where Government Fleet vehicles are not under the direct control of the transport office, but managed completely by one of the line function units, the Director of that unit is responsible for ensuring that the above policy is implemented and that all procedures contained in it are strictly followed. Officials directly responsible for transport matters in head office and in the District Offices shall inspect such Government Fleet vehicles (and records relating to those vehicles that are managed by such units) at least once a quarter and / or whenever deemed necessary in order to monitor and support the relevant units in complying with the department's policies.

C. LEGAL OBLIGATIONS

1. While a vehicle is under the control of a departmental official, that official is legally responsible for that vehicle.
2. All officials are responsible for knowing the contents of this policy and for adhering to its provisions.
3. An official who is found guilty of infringing traffic laws while using a Government Fleet vehicle is responsible for any fines or other penalties or sanctions that may be imposed as a result of such infringement.
4. If an official is involved in an accident, however minor, while on duty, he or she must immediately report it at the nearest police station and thereafter write a report and submit it to the transport section. If the accident involves another vehicle or an injury, the official driving the Government Fleet vehicle must report it to the police and submit their own and the police report to the transport section. This will assist in identifying damage that is not obvious (eg damage to an exhaust from hitting a severe bump), enabling the damage to be attended to as part of the proper maintenance of the vehicle.

5. If an official is involved in an accident while on duty, an investigation will be undertaken to determine whether the official was negligent or not. If not, the department will pay for any repairs and any other costs, needed for the vehicle. If negligence is proven, the department will pay for the repairs and any other costs related to the accident and then reclaim all or some of the money back from the responsible official. The official may also face disciplinary action, depending on the circumstances of the accident and the nature of the negligence.
6. If an official is injured in a vehicle accident while on duty, whether as a driver or a passenger, this will be treated in the same way as any other Injury On Duty (IOD). In the case of injuries to other people, normal Third Party provisions will apply. However, if negligence is proven on the part of the official driving, the department cannot be held liable for injuries sustained by the official driving, his or her passengers, or any other third party. Responsibility in this instance will rest with the official found guilty of negligent driving.

Approved



Head of Department

12. 02. 2008