

## REPORT ON THE PROGRESS OF THE NATIONAL ANTI-CORRUPTION STRATEGY (NACS) AS AT 31 MARCH 2025

Two of the National Anti-Corruption Advisory Council's (NACAC) key mandate areas were to advise on the effective implementation of the NACS by government, civil society and the private sector; and to advise key role-players on the overarching thrust of the Strategy, namely the six pillars upon which it is premised.

In doing so, NACAC also monitored the progress of implementation of the interventions in the NACS and noted slow but significant progress. A key challenge was and continues to be the slow prosecution and conviction of criminal referrals within the court system. As the NACS timeframe ends in 2030, there will need to be more focus on the institutionalisation of NACS in the remaining timeframe (2024-2029).

Of significance to the success of the NACS, several pieces of anti-corruption legislation related to preventing and combating corruption were assented by the President during NACAC's period. These include the:

- Judicial Matters Amendment Act (Act 15 of 2023) (makes technical and practical amendments to various laws administered by the Department of Justice and Constitutional Development);
- Electoral Matters Amendment Act (Act 14 of 2024) (incorporating changes to the Political Party Funding Act);
- National Prosecuting Authority Amendment Act (Act 10 of 2024). This Act creates and empowers a permanent Investigating Directorate against Corruption (IDAC);
- General Intelligence Laws Amendment Bill, disestablishing the State Security Agency and returning to the doctrine of national security, to address the abuse of intelligence services for state capture; and
- Changes to strengthen the Prevention and Combatting of Corrupt Activities Act (PRECCA) - which include a new offense of failure to prevent corruption.

### Progress and proposed interventions aligned with NACS strategic pillars

NACAC has been collecting data on activities aligned to the implementation of the NACS pillars using performance measures and indicators. In tracking the key indicators and targets in the NACS Framework, the following key milestones per strategic pillar can be reported. Medium-

term interventions to advance NACS progress are also proposed and the responsible department indicated.

## **STRATEGIC PILLAR ONE: CITIZEN PARTICIPATION**

Focus: Promote and encourage active citizenry, whistleblowing, integrity and transparency in all of society:

- A multi-year and interdisciplinary research study 'Tracking Social Norms and Behaviour Change in South Africa: Measuring Attitudes to Corruption' was undertaken by the HSRC. The information contributes to providing baseline information to the monitoring and evaluation of the NACS Framework.
- The drafting of the whistleblower protection Bill is in progress by the Department of Justice and Constitutional Development (DoJCD).
- To strengthen transparency and accountability of political parties in the context of the June 2024 national and provincial elections, NACAC engaged with the Independent Electoral Commission's unit responsible for administering the Political Party Funding Act and developed and submitted an advisory to the President on political party funding.

The finalisation of the amendments to the Protected Disclosures Act (PDA) to strengthen whistleblower protection and support has been slow and needs to be fast-tracked by the DoJCD. Proposed amendments include expanding the scope of the PDA, criminalizing retaliation, and establishing independent bodies to manage disclosures and provide support. There is a need for more public awareness and education campaigns to destigmatize whistleblowing and foster a culture of integrity by both government institutions and non-state actors.

Proposed Interventions for Medium-Term (2024 - 2029) and Departmental Annual Performance Plans (APPs)

Public awareness and education to prevent and combat corruption

- Promotion of values reorientation education in the schooling system to inculcate ethics and integrity; and increase awareness on how to prevent and combat corruption (DoE).
- Awareness and training of government officials on whistleblower protection and support to encourage people to willingly report corruption because they understand the benefits of doing (PSC/DPSA and NSG).

- Host public dialogues and International Anti-Corruption Day commemorations to create awareness amongst all sectors of society to prevent and combat corruption within their spheres of influence (PSC).
- Enhance communication of anti-corruption messages to provide periodic reports on corruption arrests and prosecutions to the public (GCIS).
- Issue departmental Directives on protection and support whistleblowing to guide departments and encourage officials to report suspected corrupt activities and unethical behaviour to the employer (DPSA).
- Review the Promotion of Access to Information Act (PAIA) and strengthen oversight to improve compliance with PAIA (PSC/DPSA/OTPs).

#### Enforcement and consequence management

- Monitor and report on the implementation of the 60 actions of the State Capture Commission to promote transparency and accountability (Presidency/ DPME/DoJ).

### **STRATEGIC PILLAR TWO: PROFESSIONAL CONDUCT**

Focus: Advance the professionalisation of employees in all sectors to optimise their contribution to create corruption-free workplaces:

- The Public Service Amendment Bill (2023) was passed in Parliament. The Bill amends the Public Service Act, 1994, to provide for among others, the devolution of administrative powers from executive authorities to heads of department.
- DPSA issued a directive on revised criteria for appointments to the senior management service (SMS).
- Draft Public Administration Management Regulations for the Central register was published for public comment in the Government Gazette of 24 January 2025. The Central Register will enable DPSA to track disciplinary cases across government spheres and public enterprise, to disqualify officials who have dismissed to reemployed in the public sector.

#### Proposed Interventions:

##### Public awareness and education to prevent and combat corruption

- Introduce a programme to create awareness for public servants to embrace a values-based work ethos and adherence to Batho Pele principles in Public Service (DPSA and departments).

##### Prevention of administrative corruption in the public sector

- Implementation and monitoring of “A National Framework Towards the Professionalization of the Public Sector” (DPSA/DPME).
- Drafting and issuing of directives on the Institutionalisation of the Ethics Officer function within departments (DPSA).
- Scaling up of financial declarations and lifestyle audits of all public servants (PSC/DPSA).

#### Enforcement and consequence management

- Strengthen and enforce discipline management in the Public Sector (PSC/DPSA).

### **STRATEGIC PILLAR THREE: ETHICAL GOVERNANCE**

Focus: Enhance governance, oversight, and consequence management in organizations:

- DPSA conducted ethics and integrity management orientation and training of departmental ethics committees in national, provincial, and local government.
- President Cyril Ramaphosa signed the Companies Amendment Bill and the Second Amendment Bill (collectively, "Bills") into law on 26 July 2024. The Bills will facilitate the compliance of Corporate Boards and businesses to ethical governance standards.

#### Proposed Interventions:

##### Public awareness and education to prevent and combat corruption

- Training of executive leadership in ethics and integrity management (NSG).
- Public dialogues on the role of stakeholders in the promotion of integrity, ethics, and accountability in challenging environments like labour and traditional leadership (PSC).

##### Prevention of administrative corruption in the public sector

- Monitor organisational compliance with measures to ensure good governance and support the promotion of ethics and ethical behaviour in all government institutions (DPME/DPSA).
- Develop and monitor the recommended actions by the Auditor-General in three spheres of government to address identified material irregularities to enhance accountability and compliance with the Public Audit Amendment Act (2018)<sup>1</sup> (AG/NT/DPME/DCOG).

#### Enforcement and consequence management

- Timeously and effective parallel investigation (non-criminal) of reported incidents and case resolution in the public sector of alleged corruption, maladministration, and wrongdoing, in compliance with the relevant organizational/labour relations policies and procedures and the applicable law (PSC and DPSA).
- Implement the Central Register, which aims to prevent officials dismissed from one sphere of government from finding employment in another sphere, unless rehabilitated (PSA/DPSA).

#### **STRATEGIC PILLAR FOUR: CREDIBLE, TRANSPARENT PROCUREMENT SYSTEM**

Focus: Improve the integrity and credibility of the public procurement system:

- To promote greater transparency, the Beneficial Ownership Register was created at Companies and Intellectual Property Commission (CIPC);
- The Public Procurement Bill was passed by Parliament in June 2024.
- Processes to implement public procurement reforms are underway and these include:, introduction of a centralized database for dismissals across public sector and review of the whistleblower policy.
- The National Treasury commissioned a research report on designing a Governance Risk Assessment System (GRAS) for public procurement data systems.

Proposed interventions:

The primary recommendation for the medium to long term is the implementation and extension of standardised reporting requirements for public procurement, to all of government and state-owned enterprises. In addition, mechanisms for monitoring and enforcing compliance with public procurement regulations should be strengthened. A straightforward, country-level e-procurement system should be implemented, with a gradual transition away from paper-based tendering, with the ultimate goal of its eventual elimination.

Public awareness and education to prevent and combat corruption

- The Public Procurement Office to ensure professional development and training of officials involved in procurement (NT/NSG).

Prevention of administrative corruption in the public sector

- Implementation of the Public Procurement Act and regulations that will the following areas to prevent and combat procurement fraud (NT).

- Public Procurement Bill (Parts 2 and 3) tasks the Public Procurement Office to establish an integrated digital system for procurement and institute measures to “access procurement processes; (b) scrutinize procurement, and (c) monitor high value or complex procurement that entail significant risks of mismanagement and corruption. Enhanced public procurement data and management systems to ensure improved integration, digitalisation, and transparency of procurement information and databases on the principles of open governance and open contracting.
- Promotion of integrity and transparency in the procurement process – which includes codes of conduct of officials, bidders, and suppliers, measures to prevent abuse of the procurement system, and debarment of bidders and suppliers found to have engaged in corrupt practice
- Measures to promote access to the procurement process, and disclosure of procurement information.
- Establishment of a Public Procurement Tribunal to provide avenues for bid reconsideration, review, and dispute resolution.
- Measures for investigating procurement-related matters, a delegation of powers and duties, criminalization of misconduct, regulations, amendments, and implementation procedures. It provides a comprehensive framework for effectively enforcing and administering the provision of the Act.
- Mechanisms and structures to coordinate the implementation of the procurement regulations.
- Strengthening monitoring and reporting, and enforcing compliance with public procurement regulations.

#### Enforcement and consequence management

- The creation of the Central Register, which aims at debarment of bidders and suppliers found to have engaged in corrupt practices (NT)

### **STRATEGIC PILLAR FIVE: STRONG ANTI-CORRUPTION AGENCIES**

Focus: Strengthen the resourcing, coordination, transnational cooperation, performance, accountability, and independence of dedicated anti-corruption agencies

- The prosecutorial capability of the National Prosecuting Authority was strengthened through the establishment of the IDAC;

- By February 2024, the Asset Forfeiture Unit and SIU had reported recoveries of R8,6bn. A further R17,65 billion is currently subject to preservation or restraint orders pending the outcome of court processes.
- NACAC completed research on strengthening of law enforcement and anti-corruption agencies and its proposal for the establishment of the Office of Public Integrity (OPI).

#### Proposed interventions

##### Public awareness and education to prevent and combat corruption

- Continuous professional development of officials in the anti-corruption law-enforcement agencies and judiciary (DoJCD/NSG).
- Strengthening official capacity and organisational capabilities in law enforcement agencies' areas of investigation, prosecution, and Asset Recovery functions; and specific scarce skill areas of forensic investigation and financial crime investigation (DoJCD).

##### Prevention of administrative corruption in the public sector

- Establish the Office of Public Integrity as a Chapter 9 institution to combat and prevent systemic corruption (Parliament).
- Strengthen coordination mechanisms of Law Enforcement Agencies (Justice Crime Prevention and Security Cluster).

##### Enforcement and consequence management

- Accelerate enforcement to increase the number of prosecutions, convictions, and recoveries related to corruption in the public and private sectors (DoJ/NPA/SIU/SAPS, and SARS).

## **STRATEGIC PILLAR SIX: PROTECTION OF VULNERABLE SECTORS**

Focus: Protect vulnerable sectors that are most prone to corruption and unethical practices with effective risk management

- The SIU and the Border Management Authority launched the Border Management and Immigration Anti-Corruption Forum (BMIACF) in March 2025. This forum brings

together various stakeholders to address systemic corruption and combat corruption and illicit activities related to border management and immigration.

Proposed interventions:

Public awareness and education to prevent and combat corruption

- Training of Board of Directors and executive leadership in vulnerable sectors (in particular State-Owned Entities, and Municipal Councils) in good governance, ethics and integrity management (Presidency/NSG/ SALGA).

Prevention of administrative corruption in the public sector

- Conduct research to identify sectors vulnerable to corruption and the nature of corruption, in the public and private sectors, and civil society e.g., State Owned Entities (PSC).
- Develop and implement risk management and integrity management plans of vulnerable sectors (Presidency/DCOG/ NT).
- Ongoing monitoring, periodic evaluation, and review of the implementation of the anti-corruption interventions in vulnerable sectors (PSC/Presidency/NT/DPME and DCOG).

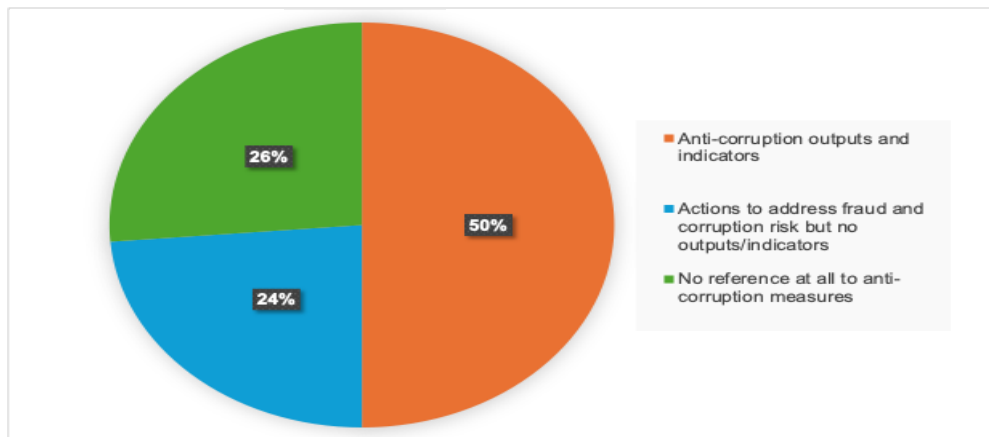
Enforcement and consequence management

- Detection, discipline management, and consequence management of corrupt of officials (PSC/DPSA).
- Ensure enforcement to increase the number of prosecutions, convictions, and amount of recoveries related to corruption in the vulnerable sectors in both public and private sectors (DOJ/NPA/SIU/SAPS/SARS).

## **ANALYSIS OF DEPARTMENTAL APPS**

This section examines the alignment of national department annual performance plans (2024/25) with NACS outputs and indicators. The figure below shows the extent of the nationalisation of the NACS outputs and indicators across national departments' 2024/25 annual performance plans.





The analysis of the 38 APPS of National Departments showed that 19 APPs contained outputs and indicators on anti-corruption in line with NACS, 19 contained related fraud and anti-corruption measures in the risk mitigation but no clearly defined outputs and indicators related to NACS, and 10 Apps had no mention of anti-corruption measures. The analysis shows that the NACS has not been fully institutionalised with government departments.

Departments/entities in the Justice Crime Prevention and Security Cluster (JCPS) and Governance, State Capacity and Institutional Development Cluster (GSCID) were more likely to have outputs and indicators on anti-corruption than departments in the other clusters. Departments in other clusters tend to have anti-corruption measures under Programme 1: Administration, as part of institutional governance and/or employment relations.

The review has shown that in the 2025/26 APP, DPME must ensure NACS targets are included in the Departments/entities in Justice Crime Prevention and Security Cluster (JCPS); and Governance, State Capacity and Institutional Development Cluster (GSCID); and NACS interventions to be mainstreamed in Programme 1 of all national and provincial departments Annual Performance Plans.

## **DRAFT MONITORING AND REPORTING FRAMEWORK: ANTI-CORRUPTION STRATEGY 2020 - 2030**

The Draft Monitoring and Reporting Framework of the implementation of the Strategy is intended to track progress against key output and outcome targets. A summary of the key outcome indicators to guide the tracking of the effectiveness and impact of the revised implementation plan is described below.

- Percentage change in attitudes/ values and norms related to ethics, integrity, and transparency to encourage whistle-blowing disaggregated into different sectors and gender (Source of data – surveys by research institutes – e.g., HSRC);
- Percentage increase in compliance by employees to ethical and professional standards in line with the Constitutional values in Chapter 9 and Professionalisation Framework for the Public Service (Source of data – DPSA Annual Report);
- Percentage increase in clean audits in government institutions (Source of data – AG annual audit reports);
- Percentage increase in transparency in public procurement to improve integrity and credibility (Source of data – Procurement Transparency Index);
- Percentage increase in investigation, prosecution of corruption-related cases, and total amount of asset recovery (Source of data- DOJCD Annual Reports);
- Percentage reduction in corruption-related incidents in identified vulnerable sectors (Source of data – AG annual reports and SIU reports).