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Very Urgent

DISTRIBUTION

Regional Directors
District Education Officers
Heads, Primary and Secondary Schools

SUSPENSION ON GROUNDS OF FINANCIAL PREJUDICE : RESUMPTION OF DUTY

In terms of the Public Service (Disciplinary) Regulations, 1992, which have now been repealed, a suspension order imposed on a member on an allegation involving financial prejudice to the Government remained in force until the allegation was determined. In many cases, the member remained on suspension for periods well over three months.

However, in terms of Section 48(2)(b)(ii) of the Public Service Regulations, 2000, a suspension order imposed on a member, on financial or non financial prejudice, shall be deemed to be cancelled after three months from the date of its imposition if the allegation has not been determined, unless the Public Service Commission directs that the order remains in force for such period as it shall specify by written notice to the member.

In view of the above, Regional Directors must ensure that all members who have been on suspension in terms of the repealed Public Service (Disciplinary) Regulations, 1992, for three months or more on financial prejudice to Government are advised to resume duty immediately since, in terms of Section 66(4) of the new regulations cited above, any disciplinary action, including the imposition of a suspension order, made in terms of the Public Service (Disciplinary) Regulations, 1992, shall be deemed to have been made in terms of the corresponding provision of the Public Service Regulations, 2000, and the provisions of these (new) regulations shall thereafter apply accordingly.

It is therefore the intention of the Head of Ministry that cases involving suspensions on financial prejudice of periods of over three months are finalised without further