



## DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state\*.
2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority and/or take an oath declaring his/her interest.

**3 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

3.1 Full Name: .....

3.2 Identity Number: .....

3.3 Company Registration Number: .....

3.4 Tax Reference Number: .....

3.5 VAT Registration Number: .....

3.6 Are you presently in the service of the state\* **YES / NO**

3.6.1 If so, furnish particulars.

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\* MSCM Regulations: "in the service of the state" means to be –

- (a) a member of –
  - (i) any municipal council;
  - (ii) any provincial legislature; or
  - (iii) the national Assembly or the national Council of provinces;
- (b) a member of the board of directors of any municipal entity;
- (c) an official of any municipality or municipal entity;
- (d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);
- (e) a member of the accounting authority of any national or provincial public entity; or
- (f) an employee of Parliament or a provincial legislature.
- (g) Exemption from regulation 44 of the Supply Chain Management Regulations
  - (i) All municipalities and municipal entities are, subject to subclauses (2) and (3), exempted from regulation 44 of the Supply Chain Management Regulations but only insofar as that regulation prohibits municipalities and municipal entities from making awards to a person on any of the following grounds:
    - i. That person is a non-executive member of the Board of Directors of a municipal entity; or

- (iii.) The exemption contained in subclause (i) is subject to the following conditions:
  - i. Municipalities and municipal entities must require all bidders bidding for an award to disclose their bids
    - 1. in the case of a bidder who is a natural person, whether that bidder serves on the Board of Directors of any municipal entity, and if so –
      - a. whether that person serves as an executive or non-executive of the Board; and
      - b. the name of the relevant municipal entity;
    - 2. in the case of a bidder which is not a natural person, whether any director, manager, principal shareholder or stakeholder of that bidder serves on the Board of Directors of any municipal entity, and if so –
      - a. whether that person serves as an executive or non-executive of the Board; and
      - b. the name of the relevant municipal entity;
    - 3. a disclosure in terms of paragraph (i.) by the successful bidder must be placed on the website of the municipality or municipal entity making the award; and
    - 4. the notes to the financial statements of a municipality or municipal entity must disclose particulars of any award to a person by that municipality or municipal entity which would have been prohibited in terms of regulation 44 if it were not for the exemption contained in subclause (i).

- ii. That a person is not a natural person and any of its directors, managers, principal shareholders or stakeholders is a non-executive member of the Board of Directors of a municipal entity.
- (ii) The exemption contained in subclause (1) does not apply to the municipal entity on whose Board of Directors a person referred to in paragraph (i.), or a director, manager, principal shareholder or stakeholder referred to in paragraph (ii.), serves as a member, and that municipal entity remains fully bound by regulation 44.

3.7 Have you been in the service of the state for the past twelve months? YES / NO

3.7.1 If so, furnish particulars.

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3.8 Do you, have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid? .....  
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3.8.1 If so, furnish particulars.

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3.9 Are you, aware of any relationship (family, friend, other) between a bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid?

3.9.1 If so, furnish particulars

**YES / NO**

**YES / NO**

3.10 Are any of the company's directors, managers, principle shareholders or stakeholders in service of the state?

**YES / NO**

3.10.1 If so, furnish particulars.

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3.11 Are any spouse, child or parent of the company's directors, managers, principle shareholders or stakeholders in service of the state?

**YES / NO**

3.11.1 If so, furnish particulars.

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3.12. Does any of the company's directors, managers, principle Shareholders serve as an executive or non-executive member on the board of directors of a municipality /municipal entity.

**YES/NO**

3.12.1 If so furnish particulars of municipality/municipal entity.

**CERTIFICATION**

**I, THE UNDERSIGNED (NAME)** .....

**CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS CORRECT.**

**I ACCEPT THAT THE STATE MAY ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.**

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Signature

Date

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Position

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Name of Bidder