



24 November 2020

Ms Bertha P. Mabe
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**Request to investigate irregular expenditure by Parliament on flights for retired
Members of the Executive**

Dear Chairperson,

I hereby request that the Joint Standing Committee on the Financial Management of Parliament urgently investigate the irregular expenditure by Parliament of millions of Rands to pay for business class flight tickets for retired ministers, deputy ministers and their spouses. This matter needs to be placed on the committee's agenda for its next meeting.

According to the June 2019 version of the Guide for Members of the Executive (also known as the "Ministerial Handbook"), the "Travel Privileges for former National Members and their spouses" are as follows:

Flights (Air Transport Tickets)

- (a) Former Ministers: Forty-eight (48) single domestic flights (business class) per annum.
- (b) Former Deputy Ministers: Thirty-six (36) single domestic flights (business class) per annum.

Spouses of:

- (a) Former Ministers: Twenty-four (24) single domestic flights (business class) per annum.
- (b) Former Deputy Ministers: Eighteen (18) single domestic flights (business class)
- (c) Widow/Widower of former Minister's/Deputy Minister: Twelve (12) single domestic flights per annum (business class).

However, this provision was entirely removed from the latest version of the Ministerial Handbook promulgated in November 2019. The Minister of Public Service and Administration, Senzo Mchunu, informed the Portfolio Committee on Public Service and Administration that Parliament nonetheless continues to pay for this benefit and that the language was merely removed from the Handbook because the expenditure is not incurred by a national government department.

I have subsequently also confirmed with Parliament that this practice, which sees the legislature paying for business class flights for retired Members of the Executive, continues unabated. In response to a request I submitted under the Promotion of Access to Information Act (PAIA), Parliament indicated that, between 1 April 2018 and 31 March 2019 alone, the institution spent R9 268 420.90 on purchasing business class flight tickets for retired Members of the Executive, their spouses, and their widows/widowers. In the following year, between 1 April 2019 and 31 March 2020, Parliament spent another R9 555 694 on this benefit. I am also informed that this practice has persisted since the dawn of the democratic dispensation in 1994.

I am of the strong view that this amounts to grossly irregular expenditure by Parliament.

In the first instance, it amounts to a serious violation of the principle of the separation between the Legislature and the Executive. Secondly, in response to my PAIA request for “a detailed description of the current policy,” Parliament indicated that “facilities are provided in accordance with the Ministerial Handbook 2007.” This appears to indicate that, beyond the mere fact that it appears in the Ministerial Handbook, there is no legal or statutory basis which empowers Parliament to spend millions of Rands on benefits for (retired) Members of the Executive.

It is also unclear how the Executive can, in essence, make a law which unilaterally forces the Legislature to spend millions of Rands every year to the direct and personal benefit of former Members of the Executive. It thus appears that this benefit has been paid out throughout the 26 years of our democracy despite the fact that there is no legal basis for it whatsoever, while also flagrantly violating the constitutionally-mandated separation between the Legislature and the Executive.

For ease of reference, I have attached to this letter (1) Parliament’s response to my PAIA request, (2) a breakdown of the amount irregularly spent by Parliament during the 2018/2019 and 2019/2020 financial years, (3) as well as all copies of the Ministerial Handbook of which I am aware.

I request that this committee urgently investigate this matter so as to avoid further irregular expenditure by Parliament. I also request that the committee recommends appropriate remedial steps to recover the amounts lost to the state over the past 26 years, as well as during the past year when the payments continued even though the benefit had been removed from the Ministerial Handbook.

I would also appreciate it if I could be furnished with a preliminary timeline for the conducting of this investigation.

Yours sincerely,



Dr Leon Schreiber MP