


Corruption in South Africa – An Anti-corruption Information Guide for Foreign Investors

Business Unity South Africa (BUSA) has put together an anti-corruption information guide as a starting point for foreign businesses who want to invest in our country.

We appeal to everyone doing business in South Africa to help us build an ethical business culture!



Download the complete guide

www.busa.org.za

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The bottom line about Corruption in South Africa:

- We have world-class legislative and corporate governance environment.
- Our law enforcement agencies are well equipped to deal with corruption.
- It is easy to do business in South Africa without being involved in corruption.
- Corrupt business is risky business.

According to the most recent Transparency International Global Corruption Barometer only 3% of South African respondents had paid a bribe to obtain services. Clearly it is by far the norm to get services without any need for bribery.

International legal instruments ratified or ascended to by South Africa:

- United Nations (UN) Convention against Corruption,
- Organisation for Economic Co-operation and Development (OECD) Anti-bribery Convention,
- African Union (AU) Convention on Preventing and Combating Corruption, and
- Southern African Development Community (SADC) Protocol Against Corruption

These commit South Africa to international co-operation such as extradition, mutual legal assistance, and cross-border asset recovery.

Some relevant laws

- **Prevention and Combating of Corrupt Activities Act**
- The Competition Act
- Protected Disclosures Act
- Prevention of Organised Crime Act
- Companies Act

Potential risks:

- You could be **banned from doing business** with any government entity for between 5 and 10 years.
- You could face imprisonment of up to a **life sentence**.
- If you are in a **position of authority** in a company (for example, being the CEO, company secretary, or a director), and you know of corruption, fraud, or extortion involving **more than R100 000** and don't report it, you are guilty of a crime in your **personal capacity**.

Facilitation payments are, according to the US Foreign Corrupt Practices Act, payments made to a "foreign official, political party, or party official" where the purpose is to "expedite or to secure the performance of a routine governmental action".

Facilitation payments are illegal in South Africa.

You can report corruption *anonymously* to:

Crime Stop – the South African Police Services' anonymous hotline

- 08600 10111
- Any corruption

The Public Service Anti-Corruption Hotline

- 0800 701 701
- Public Sector Corruption

The South African Revenue Service's Anti-Corruption Hotline

- 0800 00 28 70
- For any complaints related to corruption and extortion at ports or borders (for example - related to importing and exporting), or related to tax officials.