



PARLIAMENT

OF THE REPUBLIC OF SOUTH AFRICA

COMMITTEES

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Report of the Portfolio Committee on Arts and Sport on its activities undertaken during the 5th Parliament (May 2014 – March 2019)

Key highlights

1. Reflection on committee programme per year and on whether the objectives of such programmes were achieved

The Portfolio Committee on Arts and Culture (Committee) has been able to conduct its oversight responsibility over the Department of Arts and Culture and its entities. When the Committee noted that approximately 80% of the budget of the Department was transferred to its entities, the Committee took a strategic decision to focus on the entities. Having surveyed the entities, the Committee realised that some entities were in a crisis and that necessitated close monitoring by the Committee. The Committee was able to visit those entities in distress and made recommendations for them move out of the proverbial quagmire. Although the Committee had planned an oversight visit to the Northern Cape in 2018/19 financial year, it was not implemented. A study tour to Brazil was approved by Parliament; however, it was not undertaken because of the unavailability of state officials due to their involvement in preparations for the 2018 Brazilian general election.

2. Committee's focus areas during the 5th Parliament

The Committee focused on the following key areas during the 5th Parliament:

- Library conditional grants;
- Community Arts Centres;
- Mzansi Golden Economy (MGE);
- The Boards of entities and their functionality;
- Artists in schools programmes;
- The monitoring role played by the Department on its entities; and
- Financial (mis)management by the Department and entities.

3. Key areas for future work

The Committee has to ensure that the Department allocates resources equitable to all arts, culture and heritage activities. Although the entities have improved in their audits, some are regressing, thus, there should be close monitoring on the regressing entities. Nonetheless, the Committee should not neglect improving entities, as they may also regress. It will be imperative for the Committee to pay close attention to financial transgression in the form of irregular, wasteful and fruitless expenditure. The Department has failed to reprimand officials who incur irregular, fruitless and wasteful expenditure over the years. Irregular expenditure has increased in the entities from R129 million in 2016/17 to R135 million in 2017/18. It would be critical for the Committee to ensure that officials that have committed irregular, wasteful and fruitless expenditure by being negligent or by contravening the law (PFMA) be held accountable. In entities, it seems to be a culture for them to easily litigate against employees, such that even if an employee wins a case at the labour court, they would continue with the litigation elsewhere. The incoming Committee will have to monitor the funds that entities spend on litigations closely, and make sure that all those who are found to have litigated frivolously pay from their pockets. The Department is unable to spend the Mzantsi Golden Economy funds, thus, it is important to ensure that the Mzantsi Golden Economy funds are spent accordingly.

The programme of Artists in Schools is a great idea, however, it should be better managed to get the desired results. The library Conditional Grants should be monitored closely. The Department seems not to have proper monitoring instrument of its entities, although it transfers a large percentage of its budget to them.

Pan South African Language Board (PanSALB) is a Constitutional Body (see Chapter 1 of the Constitution (6)(5)), however, as it gets funds from the Department of Arts and Culture, it has to report to it on the usage of funds. PanSALB being a Constitutional Body, this creates a conundrum as to whom it should report. A Constitutional Body should report directly to Parliament. The Committee should set the record straight to curb the confusion.

Some entities are still grappling with GRAP 103, such that it has contributed to them getting a qualification.

Most artists miss opportunities for funding from the Department because of miscommunication. The entire value chain for calls for applications for funding until adjudication is not effective and efficient; hence, it needs to be significantly improved.

4. Key challenges emerging

The committee for the past two years has been operating with a stand-in Content Advisor, which means that it is not adequately resourced. As the stand-in Content Advisor is employed to serve another committee; it became impossible for him to accompany the Committee on oversight visits. With 28 entities that report to the Department, this meant that the Committee needed to be

thoroughly informed and have clear understanding and knowledge of the work of the entities, however, without a permanent Content Advisor, this was not always the case.

Most often than not, the misunderstanding and friction between the Department and its entities made the Committee to play an arbiter role between them. The main cause of friction and misunderstanding is the poor monitoring of entities by the Department. The Department does not seem to have proper communication strategy such that mostly stakeholders are not aware of the Departmental programmes.

5. Recommendations

The following are recommendations that should be attend to:

- Parliament should employ a Content Advisor as a matter of urgency for the Committee;
- The Department should strengthen its monitoring of entities;
- Department should find a better way to communicate and respond to stakeholders and staff within entities; and
- The DAC to respond to questions and submit requested information on time to provide the committee time to engage with the information;
- The Committee should conduct an international study as it has not conducted any study tours since 2009. The Committee has not been exposed to any international trips to learn best practices from other countries.

1. Introduction

1.1 Department/s and Entities falling within the committee's portfolio

a) Department of Arts and Culture

The strategic objectives are:

- Promoting and preserving heritage infrastructure;
- To build and maintain community libraries;
- Positioning the cultural and creative industries to contribute to economic development; and
- Facilitating nation building and social cohesion.

b) Entities:

Name of Entity	Role of Entity
National Arts Council	Provides and encourages the provision of opportunities for persons to practice the arts.
National Film and Video Foundation	Develops and promotes the film and video industry in South Africa.
National Heritage Council	Mobilises and builds awareness about heritage.
ArtsCape	To advance, promote and preserve the performing arts in South Africa, but predominantly in the Western Cape
PACOFS	It is a Playhouse where an environment is provided for artists to practise and perform their different art forms.
The Market Theatre Foundation	Producing and providing a platform for a professional performing and visual arts repertoire that is authentic and artistically.
The Playhouse Company	Producing, co-producing and presenting productions with artistic, entertainment and educational value for diverse and ever increasing audiences
The South African State Theatre	As a centre of excellence for artistic development, our goal is to ensure a presence and availability of sustainable, good quality productions.
National Library of South Africa	<ul style="list-style-type: none"> • to build up a complete collection of published documents emanating from or relating to South Africa; • to maintain and extend any other collections of published and unpublished documents with the emphasis on documents emanating from and relating to Southern Africa;
South African Library for the Blind	The South African Library for the Blind renders a Library and information service to blind and visually impaired people through the production of accessible South African reading material in development of a comprehensive Library collection and rendering of advisory services to promote access to information.
PANSALB	Investigates complaints about language rights and violations from individuals, organisation or institution.
Die Taalmuseum & -monument	<ul style="list-style-type: none"> • Promote the diversity of Afrikaans through inclusive programmes and activities. • Digitalise information to better conserve and increase access to it.
Ditsong Museums of South Africa	Manages and administers Southern African heritage assets in the fields of fauna, palaeontology, cultural history, anthropology, archaeology and military history; which

Name of Entity	Role of Entity
	require constant monitoring of the sustainable and responsible custodianship of these irreplaceable national heritage assets as required by policy and legislation.
Freedom Park	To provide a pioneering and empowering heritage destination in order to mobilise for reconciliation and nation building in our country; to reflect upon our past, improving our present and building our future as a united nation; and to contribute continentally and internationally to the formation of better human understanding among nations and peoples.
Iziko Museums of South Africa	To manage and promote Iziko's unique combination of South Africa's heritage collections, sites and services for the benefit of present and future generations.
KwaZulu-Natal Museum	The KwaZulu-Natal Museum is dedicated to serving the people of South Africa by interpreting material evidence of the natural and cultural world in order to increase knowledge, understanding and appreciation of the nation's wealth of history and biodiversity.
Luthuli Museum	To conserve, uphold, promote and propagate the life, values, philosophies and legacy of the late Chief Albert Luthuli in the struggle against apartheid oppression respect for human rights as well as life devotion to non-violent resolution to world problems.
Msunduzi Museum-Isigcinamagugu	The Msunduzi and Ncome Museums will actively preserve, promote and present our cultural heritage to benefit nation building and social cohesion.
National English Literacy Museum	The <i>National English Literary Museum (NELM)</i> is one of South Africa's literary treasures.
National Museum	To provide heritage resources and an enjoyable experience to all people through quality research, conservation, education and exhibitions.
Nelson Mandela Museum	<ul style="list-style-type: none"> • Creating a reference library with a definitive collection of books about Nelson Mandela; • Hosting youth leadership camps at the Nelson Mandela Youth & Heritage Centre at which our future leaders are provided with an active learning experience that encompasses human rights, democracy, indigenous knowledge systems and national history; and

Name of Entity	Role of Entity
	<ul style="list-style-type: none"> • Conceptualising exhibition programmes that illustrate his vision and values, his life and times.
Robben Island Museum	RIM implements a wide range of conservation, educational, tourist development, research, archiving and general heritage programmes that are designed to achieve its mandate; conserve the Island's natural and cultural resources and heritage; and promote it as a platform for critical debate and life-long learning.
South African Heritage Resources Agency	Managing the national estate through partnerships with other bodies to promote an integrated heritage resources management system.
William Humphrey Arts Gallery	Apart from its primary function as a museum of art, this gallery serves the community as an educational and cultural centre. Its activities include temporary exhibitions, art workshops for children, development stimulation classes for pre-school children and craft workshops for unemployed women.

1.2 Functions of committee:

The mandate of the Committee is to:

- Process, pass and monitor the implementation of relevant legislation;
- Strengthen oversight and accountability by undertaking an effective process of scrutinising and overseeing the Executive and entities reporting to relevant departments;
- Ensure adequate public participation during all legislative and service delivery processes;
- Ensure co-operative governance and intergovernmental relations, with special delegates and provincial legislatures; and
- Deepen their knowledge through international participation.

1.3 Method of work of the committee (if committee adopted a particular method of work e.g. SCOPA.)

The committee conducted oversight visits, held meetings and received information from the affected parties

1.4 Purpose of the report

The purpose of this report is to provide an account of work done by the Portfolio Committee on Arts and Culture during the 5th Parliament. In addition, this report will inform the members of the new Parliament of key outstanding issues pertaining to the oversight and legislative programme of the four department and the entities that account to the Committee.

This report provides an overview of the activities the committee undertook during the 5th Parliament, the outcome of key activities, as well as any challenges that emerged during the period under review and issues that should be considered for follow up during the 6th Parliament. It summarises the key issues for follow-up and concludes with recommendations to strengthen operational and procedural processes to enhance the committee's oversight and legislative roles in future.

2. Key statistics

The table below provides an overview of the number of meetings held, legislation and international agreements processed and the number of oversight trips and study tours undertaken by the committee, as well as any statutory appointments the committee made, during the 5th Parliament:

Activity	2014/15	2015/16	2016/17	2017/18	2018/19	Total
Meetings held	18	23	24	25	24	114
Legislation processed	0	0	0	0	0	0
Oversight trips undertaken	3	2	4	2	0	11
Study tours undertaken	0	0	0	0	0	0
International agreements processed	0	0	0	0	0	0

Activity	2014/15	2015/16	2016/17	2017/18	2018/19	Total
Statutory appointments made	0	0	0	0	2	2
Interventions considered	0	0	0	0	0	0
Petitions considered	0	0	0	0	0	0

3. Stakeholders:

None

4. Briefings and/or public hearings

{Any critical issues that were focused on, challenges and/or issues arising from these that needs to be followed up}

5. Legislation: None

The Committee did not process legislation during the fifth Parliament.

6. Oversight trips undertaken

The following oversight trips were undertaken:

Date	Area Visited	Objective	Recommendations	Responses to Recommendations	Follow-up Issues	Status of Report
05 September 2014	Pan South African Languages Board , Pretoria		1.DAC and PanSALB to come up with a turnaround strategy and before end of November 2014;	Attached as annexures		Adopted, 24 March 2015

Date	Area Visited	Objective	Recommendations	Responses to Recommendations	Follow-up Issues	Status of Report
			<p>2. The Minister responsible for Arts and Culture should ensure that the Board of PanSALB fills the position of the CEO as from 01 April 2015. In the meantime, the Minister should assist the Board by appointing a temporary CEO;</p> <p>3.The Minister should assist the Board to wind up all court cases and where it is necessary for PanSALB to be involved in litigation it should utilise its internal legal services or the service of the state attorneys;</p> <p>4. The Minister and the Board to facilitate the development of a new organisational structure that is linked to the strategy and current Medium Term Expenditure Framework's indicative allocations of PanSALB. Furthermore, the Minister should assist the Board to restructure and reposition PanSALB;</p> <p>5. The Minister should assist the Board to execute the mandate of</p>			

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			<p>PanSALB as codified in the Constitution of the Republic of South Africa and the Pan South African Language Board Act;</p> <p>6. The Minister should assist the Board to conduct a forensic investigation on the appointment of staff during the tenure of the CCEO. Where necessary, the Minister should assist the Board to facilitate a change management process within the PanSALB;</p> <p>7. The Minister should assist the Board to develop an organisational communication strategy which creates a forum for a discursive management approach which ensures that discussion making involves various layer of management and decisions are documented and communicated to all stake holders and staff;</p> <p>8. The Minister should assist the Board to develop a management process of the R20 million that</p>			

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			<p>PanSALB received from the National Lottery Distribution Trust Fund. Where necessary the Minister should assist the Board to reprioritise the nature of this funding in consultation with the funder; and</p> <p>9. The Minister to ensure that the Board has necessary funding in order to fulfil its fiduciary duties. Where necessary the Minister should reprioritise funding within Vote 14.</p>			
24-26 November 2014	Nelson Mandela Museum (Umtata); Performing Arts Centre of the Free State (Bloemfontein); Windybrow Theatre (Johannesburg)		<p>Nelson Mandela Museum</p> <p>1. Management to host regular staff meetings;</p> <p>2. Council to ensure that all museum policies are updated before the end of the 2014/15 financial year;</p> <p>3. Council to finalise the issue of the disciplinary process of the CEO before the end of the 2014/15 financial year;</p> <p>4. Council to ensure that its exhibitions are revamped in order to be in line with the historical narrative of Nelson Mandela; and</p>			Adopted, 05 August 2015

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			<p>5. Delays in the finalisation of the renovations of the Bhunga Building to be settled and the building to be opened to the public by not later than 30 June 2015.</p> <p>Performing Arts Centre of the Free State</p> <p>1. The Minister of Arts and Culture to expedite the appointment of Council at PACOFS;</p> <p>2. Council to investigate the validity of the appointment of the current CEO;</p> <p>3. Council to put a moratorium on the appointment of unsuitably qualified staff members at PACOFS. In addition, Council to ensure that it establishes a vibrant skills development programme within the organisation;</p> <p>4. Council to ensure that PACOFS complies with the Constitution, legislations and regulations that govern South Africa. Given the Committee's findings the institutions to focus on supply chain management and labour laws;</p>			

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			<p>5. Council to establish harmonious relations with all spheres of government with particular emphasis on forging cordial relations with the Free State provincial government and Mangaung Municipality; and</p> <p>6. Council to ensure that PACOFS develops a clear artistic development strategy that focuses on the empowerment of local artists in the Free State.</p> <p>Windybrow Theatre</p> <p>1. The process of refurbishing Windybrow Theatre to be spearheaded;</p> <p>2. The Theatre's operations to continue to be under the leadership of the Market Theatre; and</p> <p>3. The possibility of merging Windybrow and the Market Theatre to be investigated while the Department is in the process of revising the 1996 Arts, Culture Heritage White Paper.</p> <p>Transversal recommendations</p>			

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			<p>The Committee notes that in some instances institutions were without a Council. This created a vacuum as accounting officers are not accountable to any direct authority. Furthermore, it also emerged that in many instances there was no mechanism to ensure that proper handover between the outgoing Council and a newly appointed Council takes place.</p> <p>The Committee recommends the following to the Minister of Arts and Culture:</p> <p>1. The Minister of Arts and Culture to ensure that all Cultural Institutions have a Council as required by the Cultural Institutions Act, (No.119 of 1998). In addition the Minister to ensure that there is sufficient time for the previous council to hand over to the new council.</p> <p>The Committee therefore recommends the following to</p>			

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			<p>the Standing Committee on Public Accounts (SCOPA):</p> <ol style="list-style-type: none"> 1. The Department of Arts and Culture should account on the role it played during the renovation project; 2. Former Council members who were involved should also account on the role they played; and 3. Former managers of Windybrow Theatre should likewise account on their role in the renovation project. 			
27 -29 January 2015	Freedom Park; National Library of South Africa; Pan South African Languages Board		<p>Freedom Park</p> <ol style="list-style-type: none"> 1. Since the term of the current Council would expire shortly the following should be taken into consideration with regards to the recruitment of the CEO: 2. The recruitment process of the Chief Executive Officer of the Freedom Park not to proceed until the new council is appointed by the Minister of Arts and Culture; 3. An independent executive recruitment consultant be appointed to manage the recruitment process in order to guarantee its credibility and 			Adopted, 24 March 2015

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			<p>integrity; The Chief Executive Officer to be appointed on a five year contract in order to attract suitably competent and experienced candidates, and ensure institutional cohesion and stability;</p> <p>4. Council to engage stakeholders that are involved in the reconciliation road project and should ensure that the road is operational by the beginning of the 2015/16 financial year;</p> <p>5. Council to conduct an investigation on all suppliers' contracts to ensure that the final product is in line with the original contract; and</p> <p>6. Council to ensure that the restructuring process is prioritised and finalised.</p> <p>National Library of South Africa:</p> <p>1. The NLSA to prioritise the refurbishment of the Cape Town campus;</p> <p>2. The NLSA to ensure that it complies with labour relations legislations; and</p>			

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			<p>3. The NLSA to develop a staff retention strategy.</p> <p>Pan South African Language Board:</p> <p>1. The Minister to ensure that amended to the Library legislation are processed.</p> <p>2. The Minister should engage the National Treasury in order to regularise conditions of employment of staff who are employed against the Conditional Grant.</p> <p>3. The Minister to attend to the issue of PanSALB.</p>			
20- 24 July 2015	Limpopo Province		<p>Community Library Conditional Grant</p> <p>1. The DAC to develop the transversal library norms and standards;</p> <p>2. The DAC to ensure that the expenditure of the Community Library Conditional Grant is fast tracked; and</p> <p>3. Limpopo's allocation of the Community Library Conditional Grant is increased proportionally to ensure that the province is able to meet its historical backlogs.</p>			Adopted,

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			<p>Flags in School 1. The DAC to develop guidelines, in partnership with the Department of Basic Education, to ensure that there is a greater involvement of learners in the hoisting of the national flag and protocols that are associated with it are popularised.</p> <p>Community Arts Centres 1. The Minister to ensure that the Artists in Schools project is sufficiently funded and conditions of the MOA with the Department of Basic Education are fully implemented.</p> <p>Artists in Schools 1. The DAC to develop a policy directive that regulates the delivery of artistic programmes within the CAC and clarifies the roles of each sphere of government.</p>			
14- 18 September 2015	Joint oversight, Mpumalanga (PC Environmental		<p>Minister of Arts and Culture It is recommended that the Minister of Arts and Culture:</p>			30 Nov 2016

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	Affairs and PC Tourism)		<p>1. In collaboration with provinces, develops an overarching policy that provides norms and standards for the provision of library services.</p> <p>2. Develops a framework for the development, management and operation of the Community Arts Centre in South Africa.</p> <p>3. Considers the possibility of conducting a re-evaluation of Isandlwana site to ascertain if it could become a national heritage site and subsequently the possibility of inscribing it to the list of UNESCO world heritage sites.</p> <p>4. The President officially opened the reconciliation bridge that connects the Blood River Monument and the Ncome Museum on 16 December 2014. However, this bridge was locked due to disagreements between the two sites. The bridge carries a powerful symbolism of reconciliation. The Minister must</p>			

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			<p>ensure that the Blood River Monument bridge is opened.</p> <p>5. Conducts a policy review with regard to management and maintenance of heritage sites in KwaZulu-Natal and South Africa in general.</p> <p>Minister of Environmental Affairs</p> <p>1. Investigates instituting the concept of Rhino Ambassadors in the Isimangaliso Wetland Park Authority to make communities aware of the plight of rhinos in the country and improving relationships between conservation agencies and local communities.</p> <p>2 Ensures through the departmental efforts that municipalities use latest technology and machines in their air quality monitoring stations to produce quality and reliable data</p>			

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			<p>that could be used to determine air quality.</p> <p>3. Ensures that the World Heritage Sites implement programmes that accrue tangible economic benefits to surrounding communities in the cultural, tourism and natural capital economy value chain offered by these protected areas.</p> <p>4. Ensures that concessions ring-fenced for local communities are tailor-made to emerging enterprises and are affordable to allow participation by new entrants into the local economy value chain.</p> <p>5. Works closely with provinces to ensure that municipalities comply with relevant legislation with regard to identifying and operating landfill sites.</p> <p>6. Considers supporting communities who are involved in biodiversity conservation, for example, those at the Manukelana Indigenous Tree Nursery, with the</p>			

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			<p>aim of upscaling such initiatives and replicating them elsewhere. There is a need for the Department to facilitate the young people who are currently involved in such biodiversity conservation initiatives and are passionate about conservation to pursue graduate studies in conservation biology in the nearby universities.</p> <p>7. Submits a status report on access to beaches in the iSimangaliso Wetland Park.</p> <p>8. Submits a status report on invasive species, especially on the extent and magnitude of funding needed in the iSimangaliso Wetland Park and other World Heritage Sites in the country.</p> <p>9. Determines whether the recommendations of the South Durban Health Study are being implemented by the relevant authorities, notably the eThekweni City Health Department.</p>			

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			<p>Minister of Tourism</p> <p>1. Convenes an inter-ministerial task team amongst the Department of Arts and Culture; Environmental Affairs; and Tourism to develop an Implementation Protocol of some collaborative projects geared towards unlocking tourism economic benefits of cultural and heritage attributes of South Africa.</p> <p>2. Ensures that the National Provincial Registrar of Tourist Guides assist museums and other heritage site authorities with the understanding of Tourist Guides Regulations as per the Tourism Act (Act no 3 of 2014) to ensure professionalisation and accreditation of all personnel handling tours in the country.</p> <p>3. Develops a Tour Operator Incubator Programme to ensure that rural areas and small towns develop a local capacity to package and market tour</p>			

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			<p>packages that will prevent economic leakages as local operators will be empowered to provide professional tourist services.</p> <p>4. Conceptualises and implements a skills development programme with the Minister of Arts and Culture geared towards formalising and commercialising cultural performances as part of tourism product offering and diversification.</p> <p>5. Uses the quarterly tourism MinMec to discuss with his provincial counterparts about proposed major tourism projects, be they championed by the national department or provinces, and entertain a notion of establishing joint project steering committees to ensure that projects are comprehensively packed at an inception stage.</p> <p>6. Investigates interventions that could be implemented by the</p>			

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			<p>Department of Tourism to assist local communities in accessing tourism operations concessions offered by Isimangaliso Wetland Park Authority.</p> <p>7. Intensifies collaboration with the Department of Transport and municipalities in ensuring that proper signage is provided to all tourist attractions in the country.</p> <p>8. Develops a community Beneficiation Model to streamline community-based tourism programmes and projects for the enhanced participation of local communities. This should incorporate the capacity-building programme for the Community Trust charged with the responsibility of running or overseeing operations of community tourism projects.</p> <p>9. Considers developing a stimulus package programme to assist the emerging tourism enterprises at Khula Village</p>			

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			<p>adjacent to Isimangaliso Wetland Park using a Tourism Cluster Model to ensure that the community access benefits from the readily available market that feeds Isimangaliso Wetland Park and the town of St Lucia.</p> <p>10. Discuss with the MEC for Economic Development, Tourism and Environmental Affairs in KwaZulu- Natal the economic spin offs of providing formal markets stalls nearby World Heritage Sites for local communities to manufacture and sell their craft artefacts as souvenirs to tourists. The Minister may also investigate if it is not possible to construct market stalls for souvenirs as strategic tourist routes through the Social Responsibility Initiative funding.</p>			
14 -15 September 2016	Nelson Mandela Museum (Umtata)		1. Council to expedite the appointment of the Chief Executive Officer at the Nelson Mandela Museum and ensure that a proper hand over process takes place;			Adopted, 07 March 2017

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			<p>2. The organisation has to adhere to labour laws such that when employee's positions are changed, they should be remunerated accordingly;</p> <p>3. Management to host regular staff meetings, meeting calendar to be submitted to the Department;</p> <p>4. The institution should rework their organizational structure and do away with the bloated managerial positions;</p> <p>5. Job grading should be done as soon as possible and all employees should have job description;</p> <p>6. Skills development plans and equity plans should be in place and forwarded to the Committee;</p> <p>7. Mvezo site should not be in the Museum advertising strategy, as this is misleading;</p> <p>8. Council to ensure that all museum policies are updated before the end of the 2016/17 financial year;</p>			

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			<p>9. Council to ensure that Nelson Mandela Museum complies with the Constitution, legislations and regulations that govern South Africa. Given the Committee's findings the institution to focus on labour laws;</p> <p>10. A monitoring mechanisms should be in place as speedily as possible.</p>			
02 December 2016	Performing Arts Council of the Free State		<p>1. The entity should appoint a permanent Chief Executive Officer for the stability of the organisation;</p> <p>2. The entity should not violate labour laws and flout procedures;</p> <p>3. The entity should develop a disciplinary code that is in line with the Labour Relations Act;</p> <p>4. The entity should ensure that the Human Resources Unit is capacitated to deal with labour issues;</p> <p>5. The Department should ensure that it strengthens its monitoring and evaluation systems over its entities;</p> <p>6. Management should host regular staff meetings and the</p>			Adopted, 07 March 2017

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			<p>meeting calendar has to be submitted to the Department;</p> <p>7. The entity should look at the issue of the new union, as it does not have a majority to be recognised. The union can only be a forum in line with the Labour Relations Act;</p> <p>8. Management should consult unions in their decision making and not only inform them of their decisions, as this may lead to unnecessary conflicts; and</p> <p>9. The institution should build a corporate culture.</p>			
30 January – 03 February 2017	PACOFS; Anglo Boer War Museum; Pan South African Languages Board; National Library of South Africa and Ditsong Museum of South Africa		<p>PACOFS:</p> <p>a. Communication lines: Lines of communication should be open between Managers and workers and between the Council and workers.</p> <p>b. Physical state of buildings: The entity has to ensure that it keeps its buildings clean. As a playhouse, the buildings have to be attractive.</p> <p>c. Litigation: The entity should curb unnecessary litigations as they are time</p>			Adopted 14 March 2017

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			<p>consuming and also expensive to the entity.</p> <p>d. Human Resources Matter: With the appointment of the new HR Director, the entity should stop outsourcing disciplinary hearings. The organizational review should be expedited and ensure that it minimises the loss of jobs.</p> <p>e. The New CEO: Employees should support the new CEO so that he can succeed in his work and the entity can be successful.</p> <p>f. Union Matters: Officials in Management are advised to terminate their membership in the union. The two unions in the entity do not see eye to eye, thus it is advisable for the entity to find a facilitator whereby the unions will be brought together to resolve the animosity between them.</p> <p>g. Management: The entity should address gender representativity at management level.</p>			

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			<p>h. Programmes at the centre: The entity needs to have a programme to grow arts in the Free State. Activities like weddings must stop taking place at PACOFS as it a playhouse.</p> <p>i. Policy Development: All staff members must be consulted when new policies are developed and the entity has to ensure that policies are written in the language that is understood by employees.</p> <p>Anglo Boer War: Artefacts: The Museum has to devise ways and means to make people across the country to know the untold story of the Anglo-Boer war. It would be beneficial for the Museum to have DVDs that are made available to learners at school and this can be done better with the collaboration of Basic Education Department.</p> <p>Recognising children and women: The museum is commended by the committee for recognizing the women and children in the garden of</p>			

Date	Area Visited	Objective	Recommendations	Responses to Recommendations	Follow-up Issues	Status of Report
			<p>Remembrance. More effort should be made to get the names of those that are not known. The garden of Remembrance will be complete when all those who died during the Anglo-Boer war are known.</p> <p>Education: The museum must facilitate for more learners to come to the museum. There should be a relationship between the Museum and the Department of Arts and Culture in the province so that the Department can assist the Museum in transporting students to the museum.</p> <p>Transformation: The Museum must diversify its staff compliment.</p> <p>Funding: Department of Arts and Culture must develop guidelines to ensure there is equitable distribution of funding of museums in the country.</p> <p>Succession plan: The CEO and the management have to ensure that there is succession plan in the entity.</p> <p>Audit Findings: The Museum should work close with Auditor General South Africa (AGSA) so</p>			

Date	Area Visited	Objective	Recommendations	Responses to Recommendations	Follow-up Issues	Status of Report
			that they can understand the methodology used by AGSA specifically when it comes to GRAP 103.			
27 – 30 March 2017	National Arts Council and the Ditsong Museums of South Africa Satellite Sites		<p>NLSA</p> <p>a. HR Matters: The entity should reduce the percentage of the budget spent on personnel so that more money can go to operations.</p> <p>b. Revenue generation: The proposal document on revenue collection should be completed as soon as possible and be presented to the entire staff.</p> <p>c. Succession planning and promotion: The entity has to ensure that all employees know the policy on succession and its implications.</p> <p>d. Policies: The Department of Arts and Culture needs to expedite the coordination of the review of the legislation. A policy for repatriation of library content stuff has to be developed as soon as possible.</p>			

Date	Area Visited	Objective	Recommendations	Responses to Recommendations	Follow-up Issues	Status of Report
			<p>e. Infrastructure: The NLSA has to plan the refurbishment of the Cape Town campus in a phase manner.</p> <p>f. Audit Findings: The leadership team should evaluate themselves on compliance every three months so as to ensure that they are in line with AG's recommendations. The Library with the Department has to look at the issue of GRAP 103 and come up with plans to resolve the issue.</p> <p>g. ICT: The entity has to ensure that all the libraries have connectivity as per the Grant requirements</p> <p>DITSONG</p> <p>Human Resource issues: The entity should look at the legality and operate within the framework in appointing contract workers. The Christmas leave moratorium should be addressed by the Council to management so that it may not recur. Realignment of the structure of the entity should be expedited so that the entity can fix</p>			

Date	Area Visited	Objective	Recommendations	Responses to Recommendations	Follow-up Issues	Status of Report
			<p>the challenge of career pathing. The entity has to develop a workplace forum which can bring harmony to the organisation. It is crucial for the entity to take human capital development seriously. Personnel budget should be reduced so that more funds can go to operations.</p> <p>Organisational structure: The entity should fill the void at a middle management level. This will ensure that there is proper communication between the senior management and all other employees.</p> <p>Audit Findings: There should be a policy and processes that the entity should follow to illustrate how other assets cannot be valued and this will excuse them from GRAP 103 for the non-valuable assets. The entity has to strive towards clean audit.</p> <p>Audit Fees: To lessen the audit fees, the entity should ensure that they are efficient in their record keeping so that the Auditor General does not come numerous times a year to do the audits (AGSA to come once to do auditing).</p>			

Date	Area Visited	Objective	Recommendations	Responses to Recommendations	Follow-up Issues	Status of Report
			<p>Communication: The entity has to ensure that the communication lines are open and there is transparency in the entity. A communication strategy is needed and everyone in the entity should know about it and it will open channels of communication.</p> <p>General maintenance: The Department should provide adequate funding for maintenance so that the entity can maintain its building.</p> <p>Unions: The Unions must further strengthen their relationship.</p> <p>Record management system: The entity needs to develop a sound record management system.</p> <p>Policies: The entity should ensure that it follows the law and recognises long service. Management has to review the policy on acting.</p> <p>Safety and Security: The entity has to beef up its security at Tswaing museum so that it can attract people to the museum to increase its revenue.</p> <p>Revenue generation: The museum has to be repositioned by coming up with a new marketing</p>			

Date	Area Visited	Objective	Recommendations	Responses to Recommendations	Follow-up Issues	Status of Report
			<p>strategy, which will attract more visitors to the museum.</p> <p>Litigation cases: The entity has to ensure that it accelerates these cases so as to be done with them as soon as possible.</p>			
31 July – 04 August 2017	National Heritage Monument (Pretoria); Botshabelo Heritage Site; Makhonjwa World Heritage Site; Samora Machel Museum; Ester Mahlangu House; Kwaggafontein Library; Emthonjeni Library; Mashishing Township Library; Langelooop Library; Sabie Library;		<p>Libraries</p> <p>a) Membership Fees: The Provincial Department should fast-track the introduction of free membership for students to enable student's full access to library material.</p> <p>b) Operating hours: The operating hours of libraries should be increased to accommodate the users particularly on the weekend.</p> <p>c) Structure of buildings: The Department should develop a uniform structural plan for all libraries and ensure that they are standardized to suit the needs of the communities.</p> <p>d) Relegation of library responsibility to municipality: The Provincial Department should reconsider the delegation of their</p>			Adopted, 13 February 2018

Date	Area Visited	Objective	Recommendations	Responses to Recommendations	Follow-up Issues	Status of Report
	Mpumalanga Archive; Matsamo Customs and Traditional Centre and the Tfolalwati Youth Development and Community Arts Centre (Mpumalanga),		<p>constitutional mandate to municipalities.</p> <p>e) Insufficient staff: The Department through the conditional grant should ensure that vacant positions are filled and all libraries are properly resourced in terms of human capital.</p> <p>f) Up to date library material: The Department should fast track the appointment of a service provider to process library material.</p> <p>National Heritage Monument Land ownership- the National Heritage Monument should consider going into a 99year lease contract with the City of Tswane</p> <p>Outcomes of the Forensic Investigation – the Department should communicate the findings of the investigation. If the NHC is found innocent, the Department should ensure that the funds are released to the NHC, to continue with their work.</p>			

Date	Area Visited	Objective	Recommendations	Responses to Recommendations	Follow-up Issues	Status of Report
			<p>Lack of Communication- the Department and the NHC should hold quarterly meetings.</p> <p>Ester Mahlangu The Committee recommends that the National and Provincial Departments support Ester Mahlangu with her art works and ensure that those who are tasked with promoting and protecting her brand are trained to protect her legacy, and not exploit her work.</p>			
14-15 September 2017	Enyokeni Cultural Precinct; KwaZulu Natal Museum		<ol style="list-style-type: none"> 1. The Department should plan all its projects appropriately. As the Enyokeni Projects was not in the APP, that makes its funding irregular. Thus, the DAC should regularise the project. 2. The Department should ensure that the contracts that it enters into with other entities/ and or departments should be watertight and not be open for contestation. 3. Whenever the Department is involved in projects with other government entities, it should 			Adopted, 13 February 2018

Date	Area Visited	Objective	Recommendations	Responses to Recommendations	Follow-up Issues	Status of Report
			<p>always closely monitor those projects, to get return on investments.</p> <p>4. All projects that are outsourced by the Department should be handed over to the Department appropriately to curb any misunderstanding in the end.</p> <p>5. The Department should put together a plan and the financial breakdown of the funding of the roof and ablution facilities.</p> <p>6. Work that is outsourced should be properly monitored to minimise shoddy workmanship and to maximise return on investment.</p> <p>KwaZulu Natal Museum:</p> <p>1. The Department should put an operational plan in place on how it will embark on making the building habitable and user friendly for the museum staff and all the species in the museum.</p> <p>2. The space where scientists conduct their work must be separated from the space where fossils are kept because fossils require a certain temperature.</p>			

Date	Area Visited	Objective	Recommendations	Responses to Recommendations	Follow-up Issues	Status of Report
			<p>3. The Department and the entity should expedite the job grading so that they do not lose more employees.</p> <p>4. The capture and evaluation of GRAP 103 should be expedited so that by the time of next auditing, they should be in order.</p> <p>5. The entity should provide room for more employees to study further and to do research in their niche areas.</p>			

a) Challenges emerging

The following challenges emerged during the oversight visit:

- Technical/operational challenges
- Content-related challenges

b) Issues for follow-up

The 6th Parliament should consider following up on the following concerns that arose:

-

7. Study tours undertaken: None

The Committee did not undertake any Study Tours during the fifth Parliament.

8. International Agreements: None

The Committee did not process any international agreements in the fifth Parliament.

9. Statutory appointments

The following appointment processes were referred to the committee and the resultant statutory appointments were made:

Date	Type of appointment	Period of appointment	Status of Report
February 2019	PANSALB	Five years	Finalised/adopted

a) Challenges emerging

The following challenges emerged during the statutory appointments:

- Technical/operational challenges
- Content-related challenges

b) Issues for follow-up

The 6th Parliament should consider following up on the following concerns that arose:

-

10. Interventions: None

The Committee did not process any interventions in the fifth Parliament

11. Petitions

The Committee did not process any petitions in the fifth Parliament

12. Obligations conferred on committee by legislation:

The Portfolio Committee on Arts and Culture, as part of its oversight function, has to examine the Annual Reports of the Department as mandated by the Constitution of the Republic of South Africa. During this period, the Committee puts together a Budget Review Recommendation Report (BRRR). BRRR is a very important tool or component of government's fiscal framework. It provides the foundation for the state budget and service delivery targets decision making. It is thus, critical that BRRR is done in a consultative process with all those concerned.

The Committee is tasked with the responsibility of ensuring that BRRR is carried out appropriately before the MTBPS for the Minister of Finance to revise the fiscal framework accordingly. During BRRR period, the Committee meets with the AGSA about the Annual Report of the Department and its entities. The Committee then drafts the BRRR, which is sent to the House for consideration, and the recommendations of the report become House resolutions. The House resolutions are sent to the Department for implementation.

a) Challenges emerging

The following challenges emerged during the statutory appointments:

- Technical/operational challenges
- Content-related challenges

b) Issues for follow-up

The 6th Parliament should consider following up on the following concerns that arose:

13. Summary of outstanding issues relating to the department/entities that the committee has been grappling with

The following key issues are outstanding from the committee’s activities during the 5th Parliament:

Responsibility	Issue(s)
Department and the National Arts Council	The progress with the implementation of the forensic investigation of the Lalela Project and the CEO’s excess bonus payment; The excess payment of bonuses for the CFO and the Art Development Manager (ADM) The irregular appointment of the CFO; formerly employed at the NFVF and investigated for fraud
Department and the National Library of South Africa	Legal matters pertaining to Mr Matyumza and Mr Mashudu; Governance issues; Misuse of funds and company car by the CEO; Theft of projector, investigation hampered by the Executive Director of Corporate Services Executive Director: Corporate Services has companies linked to him that have been awarded tenders by the NLSA; the Security Tender being just one example; Victimization of staff - Board Secretary accused by the CEO of leaking information; Interference by the Chairperson of the Board in operational matters.
Department and Performing Arts Centre of Free State	Collusion by the CFO and SCM manager on scandalous operational matters Irregular expenditure- report on procurement of council members for gospel show; Appointment of the Chief Executive Officer
Department and National Film and Video Foundation	Release of the Comperio forensic report into allegations of mismanagement at the NFVF; Appointment of the Chief Executive Officer
Department and the Market Theatre Foundation	Report on the allegations levelled against the Chairperson, the CEO and the CFO Reconstitution of the Risk Audit Committee DAC to take disciplinary measures against Council members; Council to conduct Performance Appraisal of the CEO;

Responsibility	Issue(s)
	Council to review employee salary grading
Department and the South African Heritage Resources Agency	Status of the investigation against the Chief Executive Officer
Department and the Pan South African Language Board	Governance issues; Amendment to the PanSALB At regarding the reporting lines for the entity
Department and the Robben Island Museum	Investigation into allegations of maladministration ant the Robben Island Capital works project implementation for the housing of the Mayibuye Archives
Department and the South African Roadies Association	Refurbishment project
Department of Arts and Culture and The National Heritage Monument	
Department of Arts and Culture and Capital Works Implementing Agents	Heritage Infrastructure and Legacy Projects Provincial balance Problems with implementation
Department of Arts and Culture	Finalisation and implementation of the Revised White Paper and the subsequent need for a legislative review and the reworking of the funding model for entities, NPOs and NPIs who receive subsidies from the Department.
Department of Arts and Culture	The establishment of the South African Language Practitioners' Council following the promulgation of the SA Language Practitioners' Act (No. 8 of 2014).
Department of Arts and Culture	The implementation of the Community Library Conditional Grant in respect of uniform norms and standards. The recent Cabinet approval of the South African Public Library and Information Services Bill of 2019 for public comment signifies that the issues that became known during the various oversight trips undertaken by the Committee may be resolved with the promulgation of this legislation.

14. Other matters referred by the Speaker/Chairperson (including recommendations of the High Level Panel): None

15. Recommendations

The following are recommendations that should be attend to:

- Parliament should employ a Content Advisor as a matter of urgency for the Committee;
- The Department should strengthen its monitoring of entities;
- Department should find a better way to communicate and respond to stakeholders and staff within entities; and
- The DAC to respond to questions and submit requested information on time to provide the committee time to engage with the information



XS TOM, MP

Chairperson: Portfolio Committee on Arts and Culture

Date

