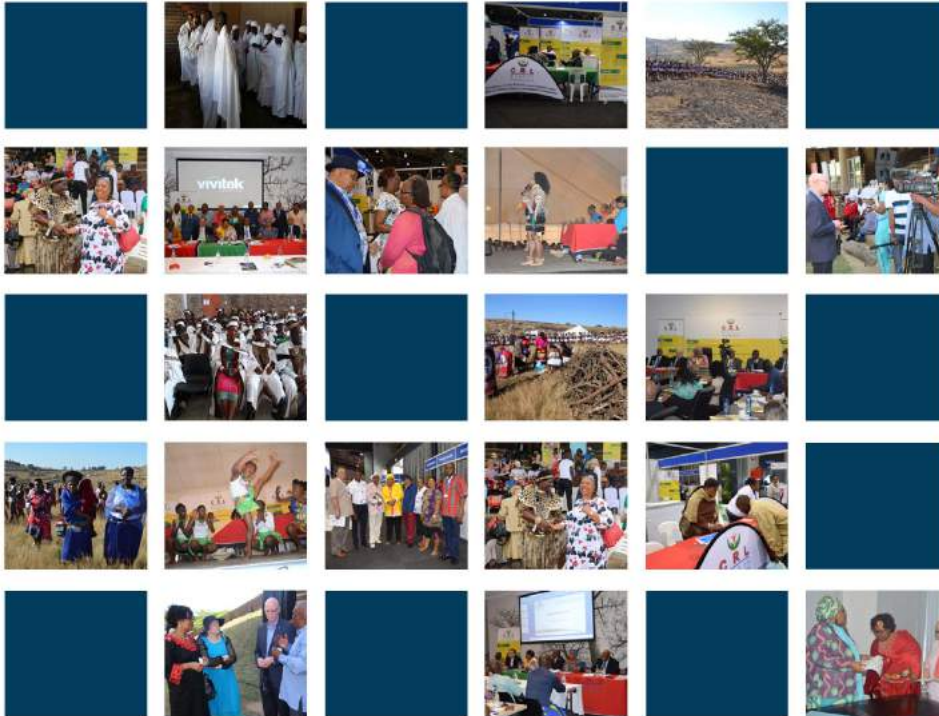


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PART A: General Information



1. COMMISSION'S GENERAL INFORMATION

Full name of the Commission	Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities
Physical Address of Head Office	33 Hoofd Street Forum IV Ground Floor Braampak Braamfontein Johannesburg
Postal Address	Private Bag X90 000 Houghton 2041
Contact Telephone numbers	011 358 9100
E-mail address	info@crlcommission.org.za
Website address	www.crlcommission.org.za
Facebook Address	Like us : CRL Rights Commission
Twitter Handle	Follow us @Crl_Commission

2. List of Abbreviations/acronyms

AC	: Audit Committee
AGSA	: Auditor-General South Africa
CC	: Community Councils
CGE	: Commission for Gender Equality
CoGTA	: Department of Cooperative Governance and Traditional Affairs
CRL	: Cultural, Religious and Linguistic (Rights Commission)
CRLRC	: CRL Rights Commission
EO	: Executive Office
HR	: Human Resources
IT	: Information Technology
LS&CR	: Legal Services and Conflict Resolution
PanSALB	: Pan South African Language Board
PEE	: Public Engagement and Education
PFMA	: Public Finance Management Act
RPD	: Research and Policy development

2. Foreword by the Chairperson



Ms Thoko Mkhwanazi-Xaluva

The mandate of the CRL Commission, as a Chapter Nine Institution, as stated in Section 185 of the Constitution, stipulates that the Commission must promote respect for the rights of cultural, religious, and linguistic communities and promote tolerance among such communities. This entails mutual respect and friendship – concepts required to realize the South African dream of building a nation united in diversity.

In spite of these Constitutional provisions, certain cultural, religious and linguistic communities are, unfortunately, still bombarded with a much more aggressive onslaught that aims to make their rights unattainable. It seems there are cultural wars that aim to make some communities feel less superior than others. There is public conflict based on incompatible world views regarding moral authority. These conflicts can be seen clearly as the nation battles the war of whose culture, religion and language is more superior. The push-and-pull factor of how communities are defined and how their practices and values are viewed, remains a very heated debate. There seems to be some conflict between those values considered traditionalist or conservative and those considered progressive or liberal.

As a nation, we need to understand and appreciate our diversity and to celebrate this as opposed to judging and finding fault with other peoples' practices and beliefs. The voices of all should be heard and all people should be given space to practise their cultures and religions and to speak their languages. The notion that one group can determine whose cultural or religious practices should survive and which ones should be abolished is not going to build the nation and will ensure that the idea of social cohesion becomes an unreachable dream.

Culture, religion and language continues to form the integral part of our society, and the CRL Rights Commission will, at all times, promote and protect these rights to advance and re-build diminished and diminishing heritage of all communities. This will be done to encourage co-existence and nation building to combat the dominance of one community over the other.

Ms Thoko Mkhwanazi-Xaluva
Chairperson
CRL Rights Commission
31 July 2016

4. Deputy Chairperson's Statement



Prof Luka David Mosoma

The Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities (CRL Rights Commission) as one of the Chapter 9 institutions was established by the constitution to strengthen democracy in South Africa. During the year under review and in line with the Act which mandates its existence, the Commission had to address a number of issues in relationship to community rights, especially as it touches on matters of religion, culture and languages.

In view of that, the engagements, consultations and workshops the Commission had with various stakeholders gave hope to various religious, cultural and linguistic communities that their rights as enshrined in the Constitution are being recognised and will continue to be respected, promoted and protected. As a result, there is now a heightened level of optimism created through our interventions and programmes as these endeavour to broaden awareness about the diverse nature of the religious, cultural and linguistic landscape in our country.

For this reason, the Commission established strategic partnerships with several universities, i.e. the University of Johannesburg, University of the Witwatersrand, University of Pretoria, University of South Africa. Some of these partnerships were formalised through signing MOU's, which mandated the Universities to establish CRL Rights chapters. Besides creating research partnerships through these chapters, they also are aimed at creating dialogical platforms enabling professors and students to engage in various matters relating to religious, cultural and linguistic issues, thereby creating an impetus to address these at societal level. Through these partnerships the Commission will greatly assist the Universities to bridge the gap between theory and practice, so that the research is not just at a theoretical level without considering its actual implementation on matters of culture, religion and languages in all their manifestations. Furthermore, these platforms were established to enable young people to freely engage and enrich the discourse on these issues while creating a strategic presence of the Commission at the various institutions of higher learning.

These partnerships are also established to enable the Commission to identify Universities with special expertise on matters of culture, religion and languages with the intention of twinning them up on identified themes, respectively, thereby creating a sufficient body of knowledge that will go a long way to enrich our understanding of these matters in our country and the world over.

Prof Luka David Mosoma
Deputy Chairperson
CRL Rights Commission

5. Overview of the Accounting Officer



Mr TE Mafadza
Acting Chief Executive Officer

The establishment of the Commission for the Promotion and Protection of Cultural, Religious and Linguistic Communities (CRL Rights Commission) through an Act of Parliament (Act No 19 of 2002) was a timely institutional intervention to get South Africa talking and acting on cultural, religious and linguistic diversity. The mandate of the CRL Rights Commission is clearly articulated in the act and summarized as follows:

- promote respect for and further the protection of the rights of cultural, religious and linguistic communities;
- promote and develop peace, friendship, humanity, tolerance and national unity among and within cultural, religious and linguistic communities, on the basis of equality, non-discrimination and free association;
- foster mutual respect among cultural, religious and linguistic communities;
- to promote the right of communities to develop their historically diminished heritage; and
- to recommend the establishment or recognition of community councils

Highlights of Performance information-2015/16 Financial Year

Comparatively speaking, the commission has made in-roads in terms of increasing its visibility and raising awareness about its core mandate to local communities and broader South African nation. The complaints received by the Commission in the year under review increased, more research projects were done and recommendations forwarded to the relevant stakeholders including Parliament for implementation. In 2015/2016 financial year, the institution's oversight work was enhanced. The Commission was more of an outward looking organization, which contributed to a large number of people appreciating its work. Furthermore, different communities requested the Commission to assist them in resolving cultural, religious and linguistic challenges experienced in their locality. The following are highlights of some of the projects covered in the year under review.

Commercialization of religion and abuse of people's belief system

The recent controversial articles in the media have led some members of the society to start questioning whether religion has become a commercial institution or commodity. Some communities have also started asking whether government should leave the developments as they are or something should be done about the perceived commercialisation of religion.

In response to this and related complaints received, the Commission decided to undertake an investigative study in 2015/16 financial year. This formed the basis and rationale for an investigative study by the Commission on the “commercialisation of religion and the abuse of people’s belief systems”. This project has brought sights and insights both for the Commission and the religious sector as a whole, as it assisted the nation to understand the state of religion in the country, a difficult terrain into which to delve. In line with the CRL Rights Commission’s mandate, we proactively sought ways through this project to better protect the religious rights of communities, separating such rights from the religious abuse of people. Thus, eliminating any practices that bring religion into disrepute, as such practice threatens the very existence of the religion we seek to protect.

The increase of received cases

There was an increased demand for the services of the CRL Rights Commission, in that complaints increased and communities needed research on certain issues. Demand for research by the Commission became more important as in the case of the research on the abuse of peoples’ belief systems. Similar projects are also needed in respect of cultural and linguistic matters to foster co-existence and nation building. The increased demands need to be met, with an increase in human capacity to conduct research and investigate complaints to deal with the backlog.

The launch of people living with Albinism campaigns

The Commission noted with concern the challenges faced by people living with albinism in the country. This community faces discrimination of all sorts across the continent of Africa. The extent of all this varies from discrimination, bullying, inaccurate reports in movies as well as heinous attacks and violence. Of note is that some of these attacks are influenced by erroneous beliefs and myths. Such behavioural patterns and beliefs in our society have led to ritual attacks, death, amputation and trading of body organs as well as trafficking of people living with albinism. Therefore, it is critical for the Commission to continue to conscientize our cultural, religious and linguistic communities to understand that people living with albinism are part of our society. Hence, we started rigorous campaigns against hunting people living with albinism for multi purposes in the 2015/16 financial year.

Communication and marketing

The Commission managed to participate in different exhibitions and shows to enhance its visibility to local communities. Many people were reached through this programme and more information about cultural, religious and linguistic rights of communities was disseminated to the intended stakeholders. The Commission also managed to participate in business fares and breakfast shows to share its mandate and strategies on how the communities can be assisted by the Commission. This was the work done through the linkages committee of the organisation.

Cultivating organisational efficiency

The Commission, in this financial year, has improved tremendously in terms of institutionalizing internal controls. In the year under review, the Commission managed to install a system that helps our employees to report at work and knock off with ease. This Biometric system was critical in assisting the organisation in managing the times for production with ease. In addition, the organisation managed to cut telephone costs by a large margin as a way of addressing an audit finding of high telephone expenditure. A programme that monitors each employee’s telephone use was installed and statements are printed monthly. Although the savings derived from telephones are minimal, this monitoring tool has helped the Commission to channel such money towards operations. Furthermore, the Commission also managed to address many audit findings and anticipates that it will be able to obtain a clean audit in the future, which would be a milestone in the overall performance of the organisation in attaining its strategic objectives.

In conclusion, I would like to thank all employees of the CRL Rights Commission for their tireless efforts to make sure that the organisation achieves its targets for 2015/16 financial year. The organisation has a team that needs to be nurtured to maintain the standard of service delivery set in the year under review. The team of Commissioners, who provide oversight to the work of the Commission, was instrumental in the good results obtained by the organisation during this financial year. My view is that the CRL Rights Commission indeed is becoming the point of entry on issues of culture, religion and language in our country.



Mr TE Mafadza
Acting Chief Executive Officer
CRL Rights Commission

6. STRATEGIC OVERVIEW

6.1 Vision

Mutual respect amongst diverse cultural, religious and linguistic communities

6.2 Mission

To foster rights of communities to freely observe and practise their culture, religion and language.

6.3 Values

The commission subscribes to the following organisational values in the execution of its mandate:

- Integrity
- Transparency
- Accountability
- Professionalism
- Impartiality
- Responsiveness
- Respect

7. LEGISLATIVE AND OTHER MANDATES

7.1 CONSTITUTIONAL MANDATE

The Commission for the Promotion and Protection of the rights of Cultural, Religious and Linguistic Communities (CRL Rights Commission) is a constitutional institution established in terms of Section 181((1)(c) of the Constitution of the Republic of South Africa, 1996 to strengthen constitutional democracy. The CRL Rights Commission was established in order to protect and promote the rights of cultural, religious and linguistic communities. Its mandate is achievable through both proactive and reactive approach.

In terms of sec 185 (1) the CRL Rights Commission must:

- Promote and develop peace, friendship, humanity, tolerance and national unity among cultural, religious and linguistic communities, on the basis of equality, non-discrimination and free association;
- Promote respect for and further the protection of the rights of cultural, religious and linguistic communities; and
- To recommend the establishment or recognition of community councils in accordance with national legislation of cultural or other council/councils for community/ Communities in South Africa

7.2 LEGISLATIVE MANDATE

The duties and functions of the CRL Rights Commission are defined in section 5 of the CRL Rights Act.

These include:

- Conduct information and education programmes to promote public understanding of the objects, role and activities of the Commission;
- Conduct programmes to promote respect for and further the protection of the rights of cultural, religious and linguistic communities;
- assist in the development of strategies that facilitate the full and active participation of cultural, religious and linguistic communities in the nation building in South Africa;
- promote awareness among the youth of South Africa of the diversity of cultural, religious and linguistic communities and their rights;
- monitor, investigate and research any issue concerning the rights of cultural, religious and linguistic communities;
- Facilitate the resolution of conflict between and within cultural, religious and linguistic communities or between any such community and an organ of state where the cultural, religious or linguistic rights of a community are affected;
- Make recommendations to the appropriate organs of state regarding legislation that impacts, or may impact, on cultural, religious and linguistic rights of communities.
- Establish and maintain a database of cultural, religious and linguistic community organisations and institutions and experts on these communities;
- Educate, lobby, advise and report any issue concerning the rights of cultural, religious and linguistic communities
- Receive and deal with request related to the rights of cultural, religious and linguistic communities; and
- Bring any relevant matter to the attention of appropriate authority or organ of state, and, where appropriate, make recommendations to such authority or organ of state in dealing with such a matter

7.3 POLICY MANDATE

The CRL Rights Commission aims to pursue its mandate informed by the following policies:

National Development Plan Chapter 15 provides that South Africa should;

- Foster a feeling of belonging, with accountability and responsible behavior.
- Ensure different cultures are respected and equal citizenship for all is guaranteed, thus reversing the apartheid legacy of devaluing and erasing the heritage of black South Africans. Build trust, which is associated with stronger economic performance.
- Craft and implement a social compact based on mutual benefit and mutual sacrifice. Societal division impedes forming a consensus to develop, change or even implement policy.
- Create a society with a shared South African identity, without detracting from our diverse multiple identities.

National Heritage & Cultural Tourism Strategy:

Section 1 of the National Heritage and Cultural Tourism Strategy of March 2012 provides;

The guiding principles and values of sustainable tourism, sustainable development, social cohesion, public participation and public private partnership acknowledge;

- Communities' rights to be consulted and to participate in the management of their cultural, religious and language heritage.

Cultural Charter for Africa:

Article 1 of the CULTURAL CHARTER FOR AFRICA aims to:

- liberate the African peoples from socio-cultural conditions which impede their development in order to recreate and maintain the sense and will for progress, the sense and will for development;
- the rehabilitation, restoration, preservation and promotion of the African cultural heritage;
- the assertion of the dignity of the African and of the popular foundations of his culture;
- the combating and elimination of all forms of alienation and cultural suppression and oppression everywhere in Africa, especially in countries still under colonial and racist domination including apartheid;
- the encouragement of cultural co-operation among the States with a view to the strengthening of African unity;
- the encouragement of international cultural co-operation for a better understanding among peoples within which Africa will make its original and appropriate contribution to human culture;
- promotion in each country of popular knowledge of science and technology; a necessary condition for the control of nature;
- development of all dynamic values in the African cultural heritage and rejection of any element which is an impediment to progress

The South African Charter of Religious Rights and Freedoms (SACRRF) October 2010:

Stipulates the following;

- Every person has the right to believe according to their own convictions and to make choices regarding their convictions and religious affiliation (art 1).
- No person may be forced in any way in respect of their religion or convictions, or to act against their convictions (art 2).
- Every person has the right to the impartiality and protection of the state in respect of religion (art 3).
- Every person has the right to the private or public, and the individual or joint, observance or exercise of their convictions (art 4).
- Every person has the right to freedom of expression in respect of religion (art 6).

8. SITUATIONAL ANALYSIS

8.1 Performance Environment

The Commission has reasonably managed to perform its functions due to the above strengths which set out a framework within which the Commission operates. The existing human capacity has allowed the Commission to perform its functions in a professional manner and with relevant stakeholders.

The Commission has also identified opportunities which justify its continuing existence. Notwithstanding the identified strengths and opportunities, the Commission has also identified various weaknesses and threats which have a potential to impede the achievement of its mandate. Proper controls need to be put in place to mitigate the above weaknesses. Engagement at leadership level also needs to take place to alleviate the identified threats.

8.2 Organisational Environment

Both general and specific risks associated with its organizational environment have been identified by the management. As in every organizational environment, specific risks relate to the culture of resistance where introduction of innovative change management becomes difficult due to bureaucratic abuse and reactionary attitudes. On the other hand, general risks associated with the Commission relate to low desire and ability of staff to move beyond their current mind set and realities.

The management is engaged in trying to introduce change management which is based on performance management principles, however the Commission does not have enough resources to discharge its mandate. In some instances programmes have funds to spend while others do not have funds or the programmes need to cut down on their expenditure.

Certain key factors that should be present in an organizational environment with respect to meeting objectives include the following:

- Leadership qualities
- Improved productivity
- Transformed workplace
- Employee contribution
- Designed and developed organizational environment

8.3 DESCRIPTION OF THE STRATEGIC PLANNING PROCESS

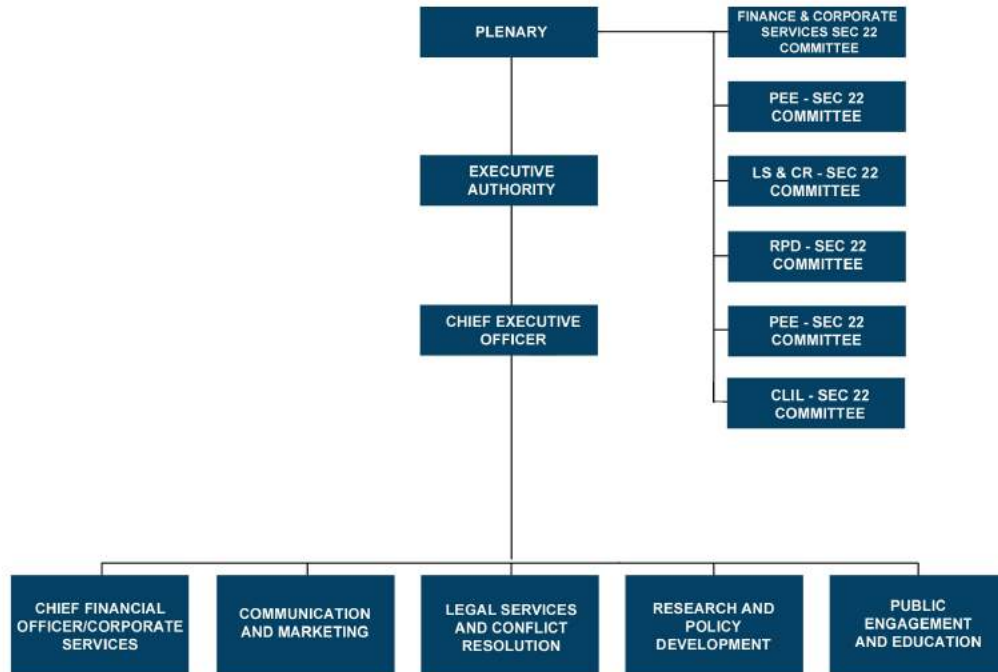
The CRL Rights Commission is able to carry out an assessment of the external environment by identifying and assessing strengths and weaknesses, opportunities and threats in both external environment and internal component (SWOT). Planning is a critical component of good management and governance and the CRL Rights Commission and through the strategic planning effort, the CRL was able to identify questions and issues to be addressed.

The Commission was able to define or review its organizational values, vision and strategies whilst including the identification of goals and outcomes. The CRL Rights Commission was further able to develop a series of goals which describe the organization in five (5) years. Strategies have been agreed upon in order to reach goals and those strategies need to be measured against the environmental factors. This will include the development of a broad strategic direction with respect to current and new programmes, advocacy, collaborations and other approaches.

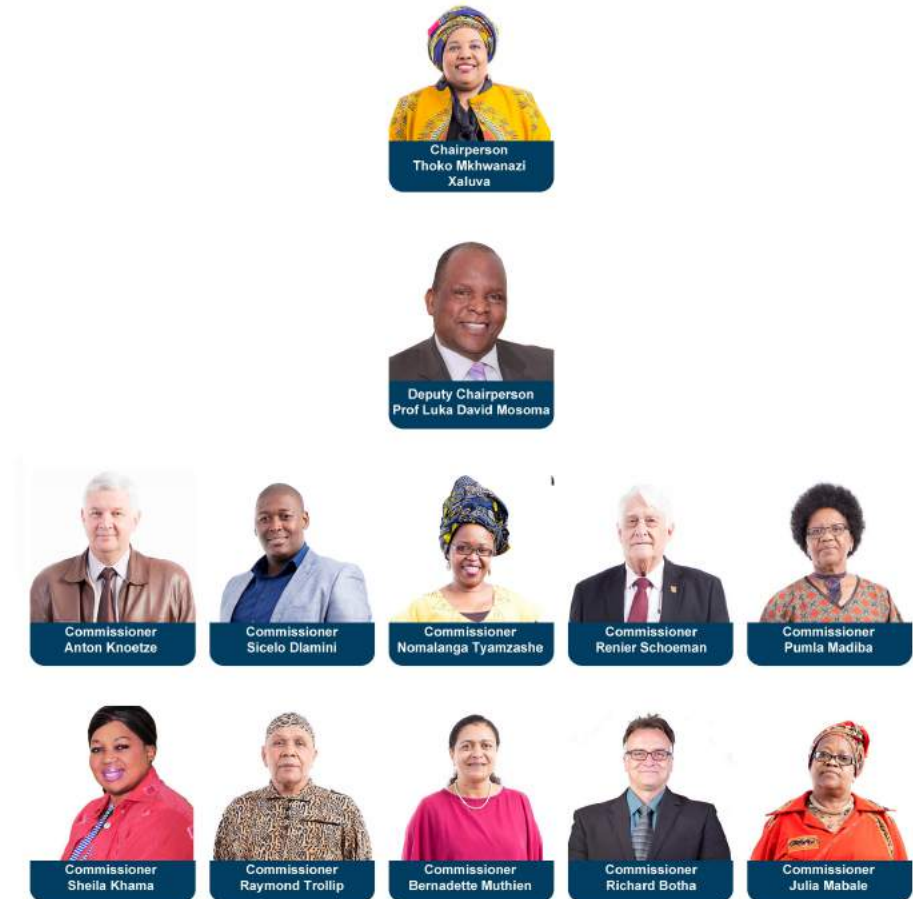
Goals, specific objectives and business plans are being developed on an annual basis. The development of objectives and annual work plans required both Commissioners and staff input, with staff taking major responsibilities for program-related goals. A finalised written strategic plan with outputs of each major action was formalised.

Monitoring and evaluation are the last two phases of the implementation of an agreed strategic plan that can be measured against the external environment of the Commission.

10. ORGANISATIONAL STRUCTURE



11. COMMISSIONERS



SECTION 7 (Act 19 of 2002)

The Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Rights Communities (CRL Rights Commission) undertook an investigative study into the commercialisation of religion and the abuse of people’s belief systems as announced on August 20, 2015.

This, we decided after observing what was happening in the country around religion and the traditional healing sectors, and also after receiving several complaints from communities in the religious and cultural sectors.

One of the complainants was the South African Council of Churches, SACC, (whose complaint was referred to us by the South African Human Rights Commission). The SACC complaint was specifically against Pastor Lesego Daniels of Raboni Ministries and Pastor Penuel Mnguni, both from Pretoria.

The CRL Rights Commission decided to summon a range of pastors, prophets, priests, religious leaders, including, Jewish, Hindu, Muslims, African Traditional Religion, Rastafari, Bahai, etc., whom we felt could add value to our investigative study, even though there were no specific complaints against them. This in no way insinuates or suggests any wrong doing on their part.

The Commission used a system of summoning the people who were to submit and lead evidence as per the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Rights Communities Act 19 of 2002. Section 7 of the CRL Rights Act outlines how the Commission should conduct investigations, including summoning a person to appear before the Commission.

The Commission decided to set up a Section 7 Committee and then issued summons to ensure that witnesses were to appear before the Committee of the Commission and that they also brought all documents along, as outlined in the summons. The summons were to ensure that we use the powers of the CRL Act as outlined in Section 41, which states that it is an offence to fail to appear before an investigation committee (at the time and place specified in the summons), to answer any questions or to produce a document specified in the summons. Section 41 further states that any persons convicted of one or more of these offences are liable to a fine or to imprisonment for a period not exceeding one year.

Furthermore, the CRL Rights Commission, during its hearings, stated that no one was to be prejudged in the process of these hearings. However, each leader or organisation was given an opportunity to state and/or respond to questions which the committee of the CRL Commission presented to them. Thus, all the responses were considered when the Commission compiled the final report, which will be presented to the National Assembly with an intention of proposing a possible legislative framework. Members of the Section 7 Committee are indicated in the diagram on the next page:



11. SECRETARIAT



T E Mafadza
Acting CEO



K A Sedupane
Senior Manager
Legal Services



B Makeketa
Senior Manager
Research/Policy Dev



Mpiyakhe Mkhoho
Acting Senior
Manager



Crnelius Smuts
Chief Financial
Officer



Obed M Semono
Acting Senior
Manager



Chairperson
Thoko Mkhwanazi Xalava
Finance & Corporate Services



Chairperson
LS & CR Sec 22
Sheila Khama



Chairperson
PEE Sec22
Pumla Madiba



Chairperson
CM Sec 22
Julia Mabale



Chairperson
CLIL Sec 22
Renier Schooman



Chairperson
RPD Sec 22
Bernadette Muthien

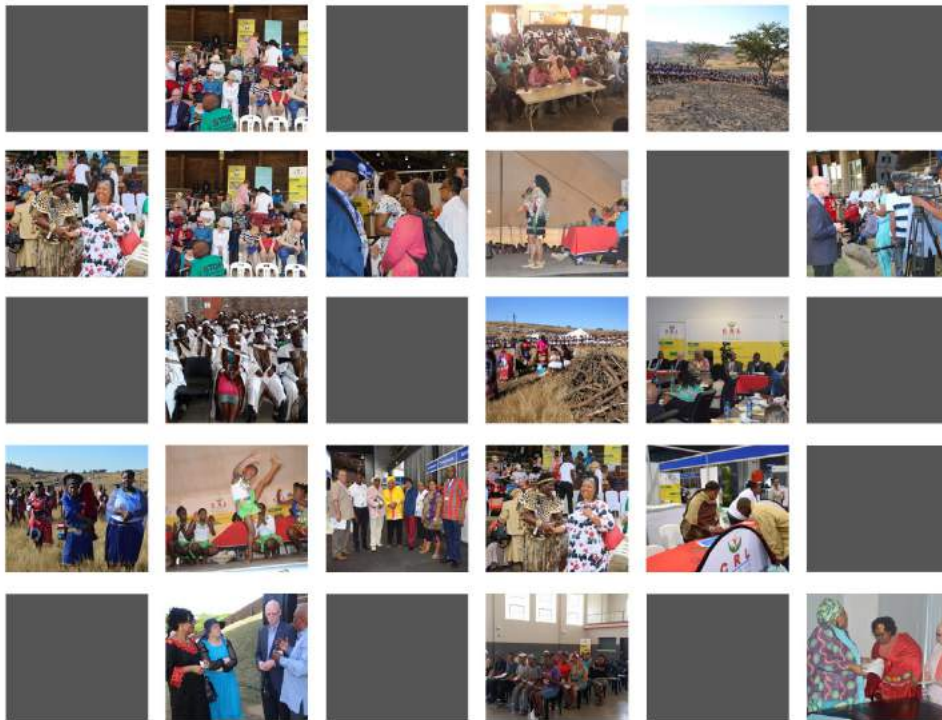
SECTION 22 COMMITTEES

Oversight by Section 22 Committees

The CRL Rights Commission made a decision in the year under review that Commissioners should have constant oversight to the work of the Commission. This is to create a platform for Commissioners to focus on the work as it happens on the ground. The Commission then established and enhanced the work of Section 22 Committees viz.: Communications and Marketing, Research and Policy Development, Public Engagement and Education, Legal Services and Conflict Resolution, Finance and Human Resources as well as Linkages and corporate liaison.

The decision that was made in 2014, allowing Commissioners to participate in all programmes in the field, in line with various programmes, has helped the Commission to increase its ability to deliver on its core mandate. In the diagram below, various Chairpersons of different Section 22 Committees within the Commission are reflected.

PART B: Performance information



PART B: PERFORMANCE INFORMATION

1. Strategic Outcome-Oriented Goals

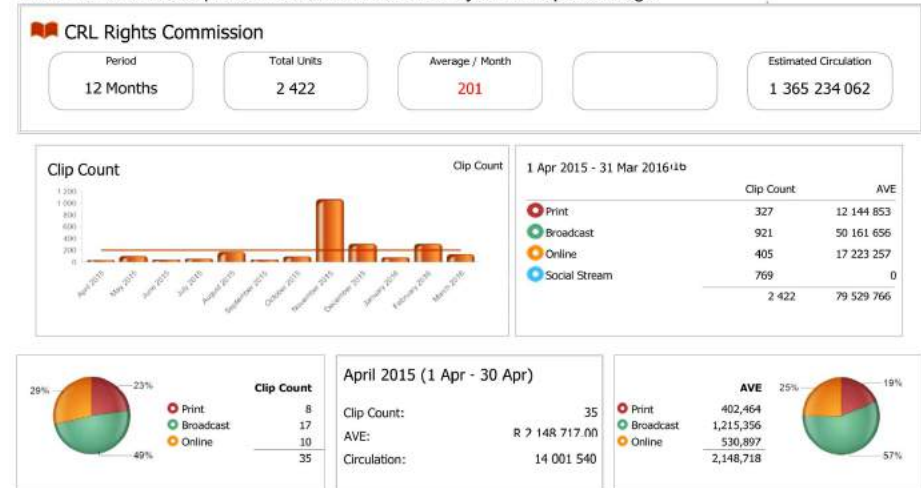
Table 1: The commission's strategic outcome-oriented goals

Strategic Outcome 1:	Strengthened equality amongst cultural, religious and linguistic communities in SA.
Strategic Outcome 2:	Advanced realisation of rights of previously disadvantaged Cultural, Religious and Linguistic communities.
Strategic Outcome 3:	Preserved diverse identities and heritage of Cultural, Religious and Linguistic Communities.
Strategic Outcome 4:	Mutual respect and coexistence of Cultural, Religious and Linguistic communities.

2. 2015/2016 Financial Year – Impact Analysis

This report reflects the impact which the commission has had during the year under review. During this period, the commission received about 2, 422 mentions in broadcast, print, online and social media and this has had a cumulative reach value of 1 365 234 062.

Monthly period report reflected in a 12 month trend graph from a single source. Each individual month shows the Clip volumes & AVE volumes by service percentage





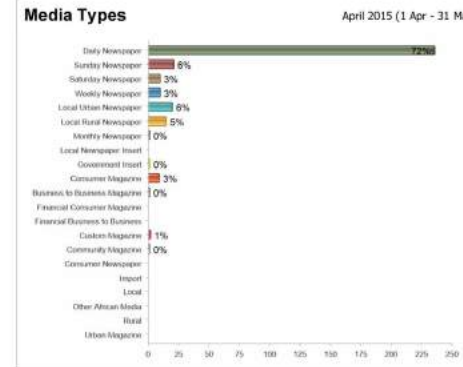
Period Analysis Report 1 Apr 2015 - 31 Mar 2016 (366 days)



Overview:

Overall, clip count for CRL Rights Commission went up in 1 Apr 2015 - 31 Mar 2016 compared to 31 Mar 2014 - 31 Mar 2015 by 278 monitoring units, or as a 567% difference

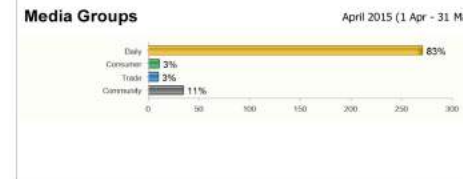
Media Types



Media Types:

Daily Newspaper contributed to 72% of 1 Apr 2015 - 31 Mar 2016's print media, then Sunday Newspaper with 6%

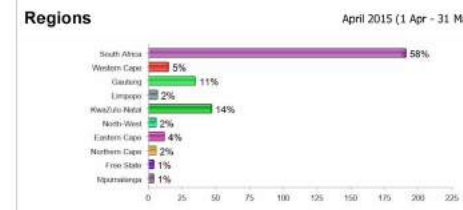
Media Groups



Media Groups:

Daily contributed to 83% of 1 Apr 2015 - 31 Mar 2016's print media, then Community with 11%

Regions



Regions:

South Africa contributed to 58% of 1 Apr 2015 - 31 Mar 2016's print media, then KwaZulu-Natal with 14%

Period Analysis Report 1 Apr 2015 - 31 Mar 2016 (366 days)

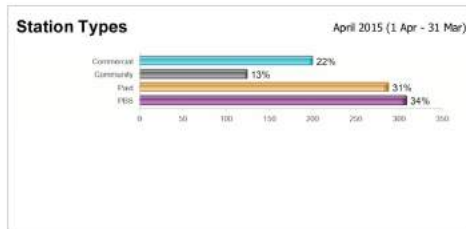
Period Analysis Report 1 Apr 2015 - 31 Mar 2016 (366 days)



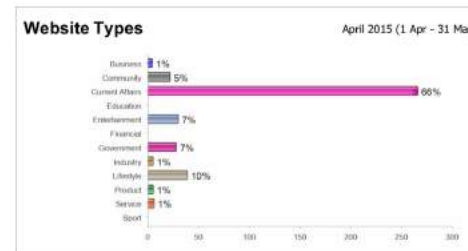
Overview:
Overall, clip count for CRL Rights Commission went up in 1 Apr 2015 - 31 Mar 2016 compared to 31 Mar 2014 - 31 Mar 2015 by 817 monitoring units, or as a 786% difference



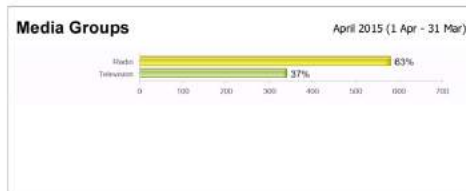
Overview:
Overall, clip count for CRL Rights Commission went up in 1 Apr 2015 - 31 Mar 2016 compared to 31 Mar 2014 - 31 Mar 2015 by 330 monitoring units, or as a 440% difference



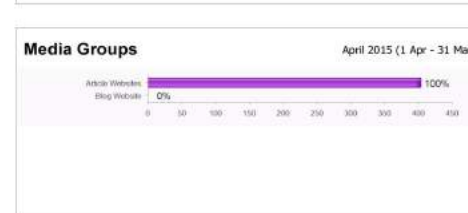
Station Types:
PBS contributed to 34% of 1 Apr 2015 - 31 Mar 2016's broadcast media, then Paid with 31%



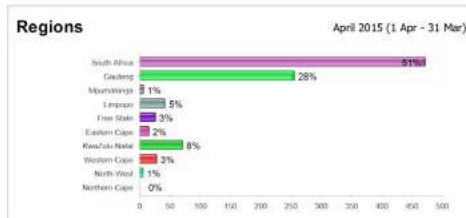
Website Types:
Current Affairs contributed to 66% of 1 Apr 2015 - 31 Mar 2016's online media, then Lifestyle with 10%



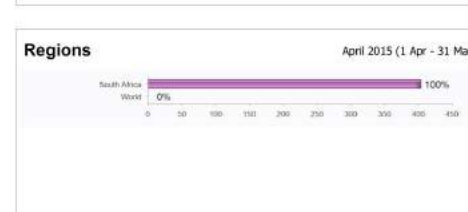
Media Groups:
Radio contributed to 63% of 1 Apr 2015 - 31 Mar 2016's broadcast media, then Television with 37%



Media Groups:
Article Websites contributed to 100% of 1 Apr 2015 - 31 Mar 2016's online media, then Blog Website with 0%



Regions:
South Africa contributed to 51% of 1 Apr 2015 - 31 Mar 2016's broadcast media, then Gauteng with 28%



Regions:
South Africa contributed to 100% of 1 Apr 2015 - 31 Mar 2016's online media, then World with 0%

CRL Rights Commission

31 Mar 2014 - 31 Mar 2015 ↑ 1 Apr 2015 - 31 Mar 2016

49
327

Bylines 1 Apr 2015 - 31 Mar 2016

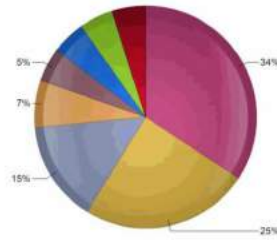
Sibongile Mashaba	35	1,585,416	34%
Vicky Abraham	25	529,168	25%
Kebotlhale Motseothata	15	449,719	15%
Lillian Selapisa	7	250,942	7%
Reports By Sibongile Mashaba	5	241,264	5%
Montsho Matlala	5	116,491	5%
Mthokozisi Dube	5	110,158	5%
Sphelele Ngubane	5	102,375	5%
Total	102	3,385,532	

* Not all clippings comply with the analysis criteria

✓ Analysed	102	4%
✓ Allocations	102	
✓ Multiple Allocations	0	
✗ Non-compliant	2,320	96%

		AVE
Sibongile Mashaba	35	1 585 416
Sowetan (KZN)	2 DAI	23,473
Sowetan (Late Final)	32 DAI	1,544,961
Sowetan (Western Cape)	1 DAI	16,981
Vicky Abraham	25	529 168
Saturday Citizen (Country Edition)	1 SAT	11,353
The Citizen (Country Edition)	13 DAI	271,155
The Citizen (Johannesburg Edition)	8 DAI	179,220
The Citizen (KZN)	3 DAI	67,440
Kebotlhale Motseothata	15	449 719
The New Age	13 DAI	428,198
The New Age (Bokone Bophirima)	1 DAI	11,878
The New Age (Northern Cape)	1 DAI	9,643
Lillian Selapisa	7	250 942
The New Age	1 DAI	46,242
The New Age (Bokone Bophirima)	1 DAI	6,821
The New Age (Free State)	1 DAI	45,360
The New Age (KwaZulu-Natal)	2 DAI	60,791
The New Age (Northern Cape)	1 DAI	46,872
The New Age (Western Cape)	1 DAI	44,856
Reports By Sibongile Mashaba	5	241 264
Sowetan (Late Final)	5 DAI	241,264
Montsho Matlala	5	116 491
The New Age	5 DAI	116,491

Overview:
 Overall, clip count for CRL Rights Commission went up in 1 Apr 2015 - 31 Mar 2016 compared to 31 Mar 2014 - 31 Mar 2015 by 278 monitoring units, or as a 567% difference



- Sibongile Mashaba
- Vicky Abraham
- Kebotlhale Motseothata
- Lillian Selapisa
- Reports By Sibongile Mashaba
- Montsho Matlala

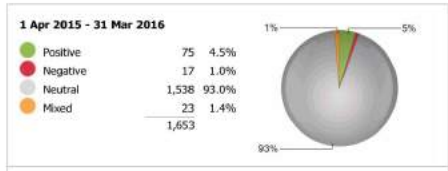
		AVE
Mthokozisi Dube	5	110 158
The New Age	3 DAI	94,634
The New Age (Bokone Bophirima)	1 DAI	7,997
The New Age (Northern Cape)	1 DAI	7,526
Sphelele Ngubane	5	102 375
Mercury (First Edition)	3 DAI	54,175
Pretoria News	1 DAI	6,660
The Star	1 DAI	41,540
Total	102	3 385 532

- Mthokozisi Dube
- Sphelele Ngubane

Polity.org.za - Polity 9 292,421



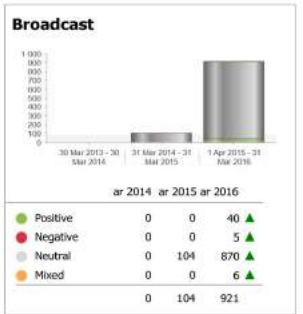
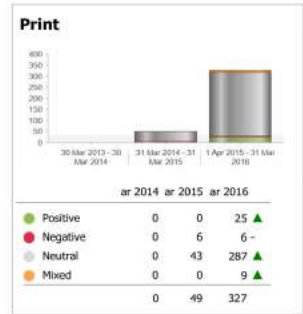
Overview:
Overall, clip count for CRL Rights Commission went up in 1 Apr 2015 - 31 Mar 2016 compared to 31 Mar 2014 - 31 Mar 2015 by 1425 monitoring units, or as a 625% difference



Favourability Movement
1 Apr 2015 - 31 Mar 2016's results shows that positive has increased by 73 (3650%) clippings to 75, negative is up by 5 (42%) to 17, neutral is up by 1 324 (619%) to 1 538, and mixed increased by 23 (100%) to 23.

* Not all clippings comply with the analysis criteria

✓ Analysed	1,653	68%
✓ Allocations	1,653	
✓ Multiple Allocations	0	
✗ Non-compliant	769	32%



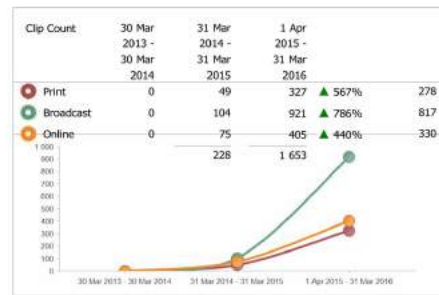
Print by Favourability
This custom, positive sentiment increased to 25 clips and negative, with 6 units, remained static.

Broadcast by Favourability
This custom, positive sentiment increased to 40 clips and negative, with 5 units, increased.

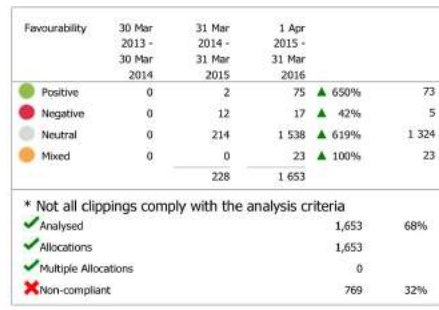
Online by Favourability
This custom, positive sentiment increased to 10 clips and negative, with 6 units, remained static.



Overview:
Overall, clip count for CRL Rights Commission went up in 1 Apr 2015 - 31 Mar 2016 compared to 31 Mar 2014 - 31 Mar 2015 by 1425 monitoring units, or as a 625% difference



Clip Count
1 Apr 2015 - 31 Mar 2016's individual service result shows that print has increased by 278 (567%) clippings to 327, broadcast is up by 817 (786%) to 921, and online increased by 330 (440%) to 405 - The total combined clip count for 1 Apr 2015 - 31 Mar 2016 was 1 653, up on the previous month of 228.



Favourability Movement
1 Apr 2015 - 31 Mar 2016's results shows that positive has increased by 73 (3650%) clippings to 75, negative is up by 5 (42%) to 17, neutral is up by 1 324 (619%) to 1 538, and mixed increased by 23 (100%) to 23.

Print

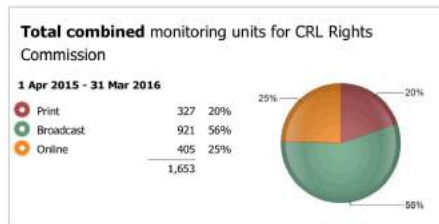
Clip Count: 327
AVE: 12 144 853
Publication: Sowetan (Late Final) (70)
Media Type: Daily Newspaper (236)
Media Group: Daily (271)
Region: South Africa (191)
Byline: Sibongile Mashaba (35)

Broadcast

Clip Count: 921
AVE: 50 161 656
Media Type: PBS (309)
TV Station: ANN7 (144)
Radio Station: Talk Radio 702/Cape Talk Simulcast (60)
Region: South Africa (472)

Online

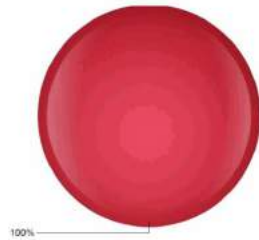
Clip Count: 405
AVE: 17 223 257
Website: Sowetanlive.co.za - Sowetan Live (37)
Byline: No Byline (203)



31 Mar 2014 - 31 Mar 2015 **49**  1 Apr 2015 - 31 Mar 2016 **327**

Overview:
Overall, clip count for Print went up in 1 Apr 2015 - 31 Mar 2016 compared to 31 Mar 2014 - 31 Mar 2015 by 278 monitoring units, or as a 567% difference

NegativeVsOthers		1 Apr 2015 - 31 Mar 2016			
● Negative	100%	6	93,625	252,746	
● Not Negative	0%	0	0	0	
		6	93,625	252,746	



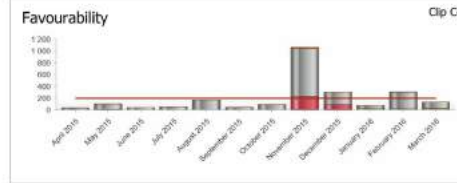
* Not all clippings comply with the analysis criteria

✓ Analysed	6	%
✓ Allocations	6	
✓ Multiple Allocations	0	
✗ Non-compliant	2,416	100%

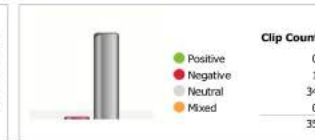
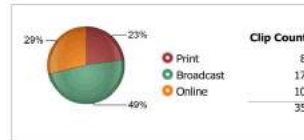
Category	Count	Value	Circulation
● Print	6	1,227	R 93,626
● Negative	6	1,227	R93,626
♻️ The Citizen (Johannesburg Edition)	21 Mar 16	Council bites back at Pretoria 'snake pastop.4	DAI 114 R7,378 51 700
Council bites back at Pretoria 'snake pastor' isissusississississississ David Matsena Two controversial Pretoria pastors could be forced to stop practising as men of the cloth if an investigation by the National Interfaith Council of South Afr			
♻️ The Citizen (Johannesburg Edition)	23 Mar 16	Clergymen cooperate	p.7 DAI 594 R38,445 51 700
POLICE: CHAIRPERSON'S COMPLAINT AGAINST 'PROPHET' STILL BEING INVESTGATED Despite it being four months since the chairperson of the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Rights Communities (C			
♻️ Herald (Morning Final)	01 Mar 16	Religious leaders 'offended'	p.5 DAI 54 R2,915 19 673
A COMMISSION tasked with investigating the commercialisation of religion and the abuse of people's beliefs will hold a hearing in Port Elizabeth today. The Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguisti			
♻️ Herald (Morning Final)	03 Mar 16	State should not meddle in church, leader.p.3	DAI 154 R8,313 19 673
RELIGIOUS leaders in Nelson Mandela Bay yesterday expressed mixed feelings about the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Rights Communities (CRL). The CRL held a hearing in Port Elizabeth on			
♻️ The New Age	10 Dec 15	I did not bribe Indunas Mboro	p.5 DAI 210 R24,696 100 000
KEBOTLHALE MOTSEOTHATA CONTROVERSIAL pastor Paseka "Mboro" Motsoeneng of Incredible Happenings Ministries says he did not offer any form of payment to gain the support of Indunas. The pastor said his relationship with Indunas is a result of his ally			
♻️ The New Age (Bokone Bophirima)	25 Nov 15	McCauley nothing to hide	p.1 DAI 101 R11,878 10 000
KEBOTLHALE MOTSEOTHATA IL V RHEMA Bible Church head pastor Ray McCauley says his church is financially clean and has nothing to hide. This emerged during his appearance before the Commission for the Promotion and Protection of the rights of Cultural,			

CRL Rights Commission

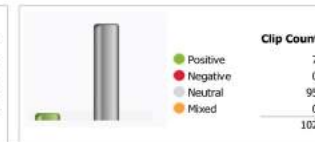
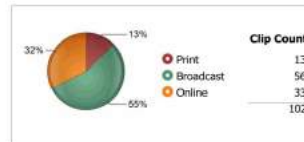
Period	Total Units	Average / Month	Total AVE	Estimated Circulation
12 Months	2 422	201	R 79 529 767.00	1 365 234 062



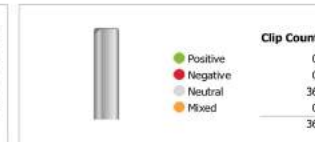
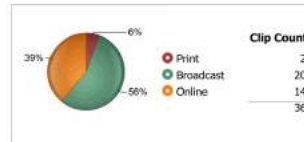
1 Apr 2015 - 31 Mar 2016	Clip Count	AVE
● Print	327	12 144 853
● Broadcast	921	50 161 656
● Online	405	17 223 257
● Social Stream	769	0
	2 422	79 529 766



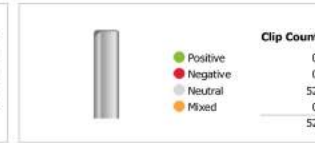
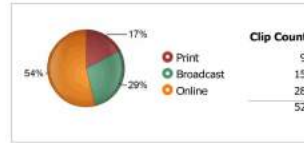
Clip Count:	35
AVE:	R 2 148 717.00
Circulation:	14 001 540



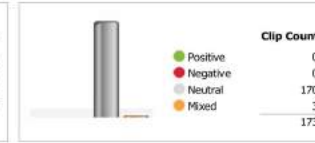
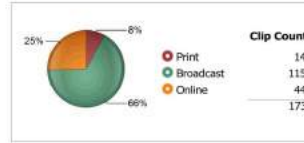
Clip Count:	102
AVE:	R 3 977 467.00
Circulation:	86 990 768



Clip Count:	36
AVE:	R 975 136.00
Circulation:	53 060 937



Clip Count:	52
AVE:	R 1 443 144.00
Circulation:	57 858 692



Clip Count:	173
AVE:	R 8 707 417.00
Circulation:	168 655 054



3. PERFORMANCE INFORMATION BY PROGRAMME

3.1 Communication and Marketing

This programme has been responsible to ensure an effective communication and marketing function. During the year under review this programme managed to keep the internal and external stakeholders informed about the work of the Commission. Via the programme, we significantly managed to set the national agenda through broadcast, print and social media platforms with respect to cultural, religious and linguistic matters.

This enhanced stakeholder communication programme was confirmed through the media monitoring services which the Commission has put in place to monitor what the print, broadcast and social media is saying in relationship to the Commission's mandate and activities.

These media monitoring and analysis services continue to help the Commission to follow up on various issues that impact or relate to the mandate of the Commission. Notably, the Commission has established a good working relationship with various media houses and platforms which continue to critique our work as well as tell the stories of culture, religion and languages in relationship to the CRL Right Commission to execute its mandate.

The unit achieved all these by developing integrated communication and marketing strategy.

Table 2: Strategic Objective linked to the programme.

Strategic objective	Approved integrated communication and marketing strategy and approved (IT) framework and strategy
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Table 3: Strategic objectives, performance indicators, planned targets and actual achievements

Programme: Communication and Marketing						
Measurable Objectives	Outcomes	Performance Indicators	Baseline Target 13/14	Actual Performance		Reason for Variance
				Annual Target	Activity	
1 Approved integrated communication and marketing strategy and approved IT Framework and Strategy	Integrated communication and marketing strategy	1 approved integrated communication and marketing strategy per annum	1 approved strategy	1 review and implement an integrated communications and marketing strategy per annum	Review and implement an integrated communications and marketing strategy	1 reviewed and implemented Communication and Marketing Strategy Target met
	Approved IT framework and IT strategy	1 approved IT framework and One IT strategy	1 approved IT framework and strategy	1 reviewed and implemented IT framework and strategy	Review and implement IT framework and strategy	1 reviewed and implemented IT framework and strategy Target met
	Quarterly checklist of implemented Communication and Marketing Strategy	4 checklists per annum	4 quarterly checklists	4 updated quarterly checklists per annum	Update quarterly checklist	100% implemented Communication and Marketing Strategy Target met
	Quarterly checklist of implemented IT Framework and strategy	4 checklists per annum	4 quarterly checklists	4 updated quarterly checklists per annum	Update quarterly checklist	100% implemented IT framework and strategy Target met

3.2 LEGAL SERVICES AND CONFLICT RESOLUTION

COMPLAINTS HANDLING

During the financial year 2015/16, the Legal Services and Conflict Resolution Unit received a total number of 211 complaints, 108 of which were about cultural rights, 96 religious rights and sevenlinguistic rights. Twenty-four other cases were carried over from 2014/15 financial year. Accordingly, the LSCR Unit handled 235 cases.

At the end of the financial year, 106 cases were finalised and closed. 66 of the closed cases concerned cultural rights, 32 religious rights and eight linguistic rights. A copious number of cases is about the alleged denial of access to information right of congregants by church leadership, allegations of maladministration in church, etc. These complaints are largely about governance in churches. These cases will be handled in group format in the new financial year.

The category and succinct content of the cases is outlined below. Some of the cases are clustered on account of their similar nature or incidental issues.

CATEGORY OF CASES

1. Cultural right

The Unit handled a copious number of cases about the destructions and/or disturbance of graves. These cases are very complex and involve dire emotions, which if not handled with care and the necessary compassion, can produce atrocious consequences. In many respects, these cases drag for a long time owing to their divergent complexity.

Examples of these cases include but are not limited to:

Destruction of graves during the construction of the Medupi power station in Lephalale, Limpopo. The rigorous investigation into this matter resulted in the production of a report with recommendations for implementation by Eskom. Eskom Chairperson received the recommendations and started with its implementation. Affected families were allowed, at Eskom's expense, to perform rituals in terms of their respective cultural and religious beliefs and practices. However, it must be emphasised that the Chairperson of Eskom apologised for the anguish caused to the families.

Destruction of a grave at Ga-Malahlela village in Polokwane, Limpopo during the construction of the water reservoir by the Polokwane Local Municipality. This case was very sensitive in that the affected family evinced that during the construction of the reservoir the remains of their deceased family member were left lying around. The family had to collect and bury these in a shallow grave. The Commission received warm and responsive cooperation from the South African Police Service Provincial Commissioner in handling this case. In the end, the Unit reached a settlement agreement between the family and the municipality. The family managed to rebury the remains and perform their rituals with the expenses incurred by the municipality. The municipality did indeed apologise for the agony caused to the family.

Access to graves and erection of a tombstone on a farm in Acornhoek, Mpumalanga. Strides have been made regarding this matter. Plenty of work went into this including the walk-around search for the grave in a stretch-out lying farm. The search was done by the Unit and the Commissioners directly linked to the Unit. Subsequent visits took place in search of the graves guided by the family members who used landmarks such as trees to identify the side, of the farm, on which they used to stay and where they had buried their beloved departed family members. Even after identifying the side of the farm on which the graves supposedly are located, the family could still not figure out where the grave exactly is situated. Given these challenges, the Unit has earmarked this case as one of those requiring the use of a ground graves scanner.

Allegations of destruction of graves in Aliwal North, Eastern Cape. The Dukathole community in Aliwal North alleged that the Department of Sport, Arts and Culture and the Maletswai Local Municipality destroyed the graves of departed members of families in Dukathole. The destruction was said to have been caused when a memorial site of unknown victims of the Anglo Boer was built on top of the graves of the departed members of Dukathole families. This is also one of the cases involving intense emotions. The affected families are concerned with the protracted finalisation of their case. They are alarmed by the current departure of other family members who possess knowledge about their allegations. The delay was caused by the investigation that the Unit had to conduct regarding the use of a graves scanner to test the veracity of the averments. In February 2016, the Unit already started engaging with the University of Pretoria to provide the services of using the graves scanner, which is yet to be used.

Another interesting case is that of the allegations by a family of having been denied access to graves of their parents, grandparents and great-grandparents for many years. The graves are located in Hamersdale, KwaZulu-Natal. The refusal of the right to access was said to be perpetrated by a church of which those who have departed were the founding members. Upon investigation, the Unit discovered that the graves are enclosed in the new building of the church. The Unit managed to bring the affected family and the church together for mediation. The church leaders erected tombstones on those graves without the aggrieved knowing.

These church leaders continued to deny the family access to the graves, until the Unit facilitated a conflict resolution in assisting the family access to the grave for the first time in November 2015. Other meetings were held and a settlement agreement drafted for the parties to find each other on the reasonable conditions that have to be set for access to the graves. Access to graves on farms in Lephalale. These cases are still pending. The Unit will deal with them in the 2016/17 financial year by engaging farm owners as a group. In some of these cases, the complainants confuse issues by wanting to use the graves to claim the land on which the graves are located.

2. Religious right

Dismissal of a learner for attending a religious ceremony at Cornerstone college, Pretoria school; violation of religious rights of a Rastafarian learner at Tembisa High School; denial of access to graves located in the church yard; suspension of a church member from her church duties; and violation of religious rights of an inmate at Brits Correctional Services to receive ZCC religious teas and coffees in prison. The Commission also received complaints relating to commercialisation of religion and abuse of the belief system. The complaints include in-fights in churches about issues of governance, accountability and transparency. The complainants allege that church leaders, including priests and church committees, abuse their powers by taking unilateral decisions, spend church money without accounting on how this was spent, and refuse to give church members financial statements for transparency and accountability purposes.

During this financial year, the Unit also partook in the commercialisation of religion and abuse of the belief system hearings that were conducted in all the provinces. The Unit was responsible for giving legal opinion and for preparing preliminary reports to give members of the Commission, who did not form part of the investigative committee, to have a foretaste of the discussions during the hearings. The Commission also received complaints as well as Halaal Certification on food products in mostly large well-known food retailers in South Africa. The reasons for complaints are based, inter alia, on alleged violation of: religious rights; consumer rights; freedom of association and freedom of trade of the people who do not subscribe to the said religion.

3. Linguistic right

Voortrekker – request for accreditation of Afrikaans courses by Seta; FW De Klerk Foundation – complaint against the Minister of Higher Education and Training for criticising single medium institutions; termination and substitution of the Sepedi language with Tsonga language in Nyamazane High School; complaint against the appointment of Prof Mashige as the Chairperson of the ALLM; and complaint against termination of Afrikaans news on SABC channel 404.

INDIGENISATION OF THE LAW-MAKING PROCESS

The Unit produced a rough draft document outlining guidelines for the indigenisation of the law-making process. The Unit used desktop research to draw up the document. This is an overwhelming piece of work which requires consultation with the indigenous communities. A consultative workshop, with indigenous communities is set as a target for the Unit in the 2016/17 financial year.

REPORT ON BILLS TABLED IN PARLIAMENT

The Unit went through a number of Bills before Parliament to ascertain if they have a bearing on the mandate of the Commission and, thus, prepare comments/submissions for the Commission to present or send to the relevant Portfolio Committee. The Unit made productive opinions on the Bills, such as the Traditional and Khoi-San Leadership Bill.

LEGAL OPINIONS/DRAFT

The Unit produced forty one legal opinions.

REPORT ON ANIMAL SLAUGHTERING BY-LAWS IN METROPOLITAN MUNICIPALITIES

The Unit analysed By-Laws of Metropolitan Municipalities on animal slaughtering. The aim was to ascertain if the By-Laws negatively impact communities' rights to practise their culture, enjoy their religion and use their languages. By-laws on slaughtering were found to be distinct per province. Realising that the issues of animal slaughtering cuts across all metropolitan municipalities, it is imperative that a law of general application be established so as to ensure that standard procedures and processes are established regarding the point in issue.

DRAFT MALE TRADITIONAL INITIATION BILL

The Unit drafted a rough document on Male Initiation. The document will be finalised in the financial year 2016/17 as a Bill-on-Male Initiation.

The programme met its planned target by:

- a) Embarking on indigenisation of law-making process
- b) Proposing legislation and policies in line cultural, religious and language rights
- c) Reviewing legislation and policies to be in line with cultural, religious and language rights
- d) Managing conflict within and among cultural, religious and linguistic communities.
- e) Providing legal advice.

Table 4: Strategic objectives linked to this programme

Strategic objective	Indigenisation of law making process
Strategic objective	Propose legislation and policies in line with CRL rights
Strategic objective	Review legislation and policies in line with CRL rights
Strategic objective	Conflict resolution management
Strategic objective	Provision of legal advice

Table 5: Strategic objectives, performance indicators, planned targets and actual achievements

Programme: Legal Services and Conflict Resolution				Actual Performance			
Measurable Objectives	Outcomes	Performance Indicators	Target	Activity	Performance results 2015/16	Reason for Variance	
1 Indigenisation of law making process	1draft Guideline per annum	Draft guidelines annually	Baseline Target 14/15	Draft the guidelines	1draft Guideline	Target met	
2 Propose legislation, policies in line with CRL Rights	1draft Bill per annum	1draft Bill annually	New target	Draft the Bill, conduct consultation on the draft Bill	1draft Bill	Target met	
3 Review legislation, policies in line with CRL Rights	1report on legislative review per annum	Report on review of national legislation for cultural and religious purposes	New target	Review of national legislation	1report on legislative review	Target met	
4 Review legislation before Parliament, policies in line with CRL Rights	1report on review of the Bills proposed in Parliament per annum	Report on review of the Bills proposed in Parliament	New target	Review of Bills	1report on review of the Bills proposed in Parliament	Target met	
5 Conflict resolution management	Cases handled in line with the Complaints Procedure Manual per annum	85%of cases received – Investigated with the Complaints Procedure Manual per annum	80%	Investigate cases (where relevant or necessary: mediate, subpoena and refer matters to equality court)	100% Cases handled	Target met	
6 Provide legal advice	Legal opinions and/or drafts	100% response to all requests annually	14 legal opinions	Draft response as per request	100% response to all requests	Target met	

3.3 RESEARCH AND POLICY DEVELOPMENT (RPD)

The programme is central to the functioning of the Commission in such that it sets the agenda for other programmes by way of conducting research on issues that are cultural, religious and language rights-related. This was achieved by researching, documenting and publishing diminished and diminishing heritage.

Table 6: Strategic objectives related to the programme

Strategic objective	Documenting and publishing diminished and diminishing heritage
----------------------------	--

The reports that follow below were produced during the year under review.

COMMERCIALISATION OF RELIGION AND THE ABUSE OF THE PEOPLES BELIEF SYSTEMS PROJECT

The Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities (CRL Rights Commission) decided to embark on an investigative study/ hearings on the commercialisation of religion and the abuse of the peoples beliefsystems in the Republic of South Africa during the financial year 2015–2016. The study follows a series of headlines on television, radio and newspapers indicating controversies in the religious sector. The Commission received numerous complaints from the public on this subject matter.

BACKGROUND

In recent years, scores of churches, religious organisations, and traditional healing practices have mushroomed throughout the country, changing the face of the religious communities and practice irreversibly. Streets are marked with signs and advertisements with promises of miracles, ranging from healing to prosperity. When companies place advertisements claiming their products could deliver certain results, they are accountable to the Advertising Standards Authority, and they have to verify and/or justify such claims. One of the questions raised by the investigative study was, why this standard does not apply to religious institutions and traditional healers? If leaders claim they can perform certain miracles and charge people for such activities, surely they are accountable to ensure that they actually deliver on their promises.

What is also important was to understand why the belief systems and food restrictions of some religions were imposed on people, and even sponsored by people who did not belong to such religions. Moreover, there has been a remarkable proliferation and increase of religious activities and acts, such as:

- i. Advertisements of religious activities in public spaces, making fantastic and mythical promises, soliciting gifts/offerings/donations in cash or in kind;
- ii. The organising of and call to mass gatherings for religious ceremonies/rituals/rites;
- iii. The influx of religious organisations/leaders from outside South Africa.

Some of the melodramatic demonstrations were even reported abroad. Herewith examples of reports of such activities and acts:

- i. A South African preacher made his congregation eat grass to 'be closer to God' before stamping on them. Under the instruction of a certain Pastor, dozens of his followers dropped to the floor to eat the grass at his church after being told it will 'bring them closer to God.' These methods have drawn criticism from thousands of people although members of his congregation swear by his method – he is said to have claimed that human beings can eat anything to feed their bodies and survive whatever they choose to eat (Mail Online, Jim Reilly, 10 January 2014).
- ii. Sixty-seven South Africans "Killed in Nigeria building Collapse" (All Africa),
- iii. "Independent churches concerned by the influence of false churches" (29 August 2016 – Caj news Africa (Henry Ifeanyi).
- iv. Over and above these headlines and news reports, there were also complaints lodged with the CRL Rights Commission.

The methods of soliciting religious attention and attendance, mentioned above, form part of what is tantamount to Commercialisation of religion, and manifests among other things the following:

- i. Sale of a miscellaneous range of items, including 'holy water', accessories, and other paraphernalia;
- ii. Charges for burial rights, distinctive clothing, marriage ceremonies, and prayers.
The abuse of people's belief systems includes among other things:
- i. Promises of miraculous cures, divine intervention in various areas of life – (health, education, finance, business, etc.). The proclamation of metaphysical powers and subjecting members to ritual/rites/practices and performances evoked serious questions of human dignity, ethics, and rationality.

Governance practices of religious organisations also became a concern, such as:

- i. A high number of religious organisations and leaders who registered their religious institutions as non-profit organisations (NPOs) did not comply with the legal requirements (see Non-profit Organisations Act No 71 of 1997, Section 17 (1) to (3) and 18 (1) to (5);
- ii. Necessary documentation on governance was absent in many cases and highlighted the need for formal training in the running of such organisations.

Furthermore, it was observed that legal requirements by the Department of Home Affairs, such as visa and permit regulations were not observed and often flouted. A substantial number of foreign religious leaders are already in South Africa and others are travelling in and out of the country for religious purposes.

All persons who appeared before the panel signed an attendance register, stating their identities, religious affiliation, or institutions, which they were representing, and contact details.

The chairperson of the hearing opened the meeting and welcomed everyone present. Introductions of all present were made.

A swearing-in Commissioner administered an oath/solemn affirmation on religious representatives who appeared before the commission to testify, in accordance with Section 7 (2) (c) of the CRL Rights Commission Act.

The representatives had the opportunity to make their presentation, followed by fielding questions from the Commissioners present, as stipulated in advance in the summons. After the presentation, the Commissioners cross-examined the presenters on substantive matters.

INVESTIGATION/RESEARCH QUESTIONS

Representatives who appeared before the Commission were informed in advance of their appearance in the summons, to prepare presentations, which addressed the following questions:

- i. Your religious institution history;
- ii. Training of your religious leaders;
- iii. Your religious institution governance structures and fundraising strategies;
- iv. Soliciting of payments (Funerals, Weddings, Prayers, etc.);
- v. Utilisation of your religious institution's money;
- vi. Transfer of money outside South Africa;
- vii. Employment of foreign pastors;
- viii. Your understanding of Commercialisation and abuse of people's belief systems.

The African Religion and Traditional Healers representatives had to cover the following areas, among other things:

- i. History of African Religion;
- ii. Apparent differences with other organisations;
- iii. Food and dietary regulations;
- iv. Some suggestions, which can help the CRL Rights Commission, study.

Variation was meant to encompass and accommodate variables in the nature and structure of different religious organisations, to avoid preconceived typologies of institutions, for instance, into "mainstream" and "charismatic" religious institutions, etc.

Religious personnel who appeared before the commission were entitled to appear with legal representation and/or a maximum of five (5) members of their religious institutions. The CRL Rights Commission made provision for facilitating subpoena of required witnesses.

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2.3.1. Challenges and obstacles in the process

During the hearings, the Commission faced several challenges and impediments from certain religious persons, who appeared before the Commission. These were manifested in several ways, inter alia:

- i. Attendance of an entourage of members/supporters and in certain cases armed bodyguards;
- ii. Undermining/defying and/or misunderstanding of the statutory objects, powers, and functions of the Commission;
- iii. Refusal to take the prescribed oath;
- iv. Refusal to submit required documents including Financial Statements, AGM Minutes, Constitution/Code of Conduct, Disciplinary Codes, Statement of Faith, Signatories to the Bank Accounts, Deeds or leases of the land they were operating from and Organograms;
- v. Obfuscation and refusal to answer questions posed by the panel;
- vi. Threatening/intimidating behaviour of supporters/members at the premises of the hearing;
- vii. Request for postponement;
- viii. Failure to appear before the Commission on the set date or at all;
- ix. Appearance of legal representatives without summoned persons being present;
- x. Appearance of certain religious representatives/leaders before the Commission without prior preparation;
- xi. Refusal of certain religious leaders to provide physical addresses residence/place of employment/place of business;
- xii. Vilifying of members of the Commission panel, especially the Chairperson of the CRL Rights Commission, by certain religious persons and leaders from the public media.

2.3.2. Some religious leaders who were summoned to the hearings used the hearing venue as the stage for dramatising their objections to the hearings, whereby crowds of effusive supporters/followers and flashy cars were part of the theatre.

2.3.3. CRL Commission "must fall" motif

Herewith an example of the articles which appeared in the public media: Thousands of Christian women ululate and shout "my father, my father, my father," while others call out "my bishop" and men blow vuvuzelas and whistle excitedly as they occupy Queens Road in Parktown, Johannesburg.

A top-of-the-range black Mercedes-Benz S65 had just stopped opposite them, triggering this thrilled reaction from the crowd. They scream "my bishop" to their leader. Two heavily armed guards got out of a particular religious leader's luxury car for a security check.

As the crowd screams more, another black Mercedes-Benz with tinted windows stops opposite the S65. Unarmed guards carry out similar procedures. People in black T-shirts bearing the words "I am who God says I am..." shout "my father, my father" to their leader.

- 2.3.4. Insults and threats were the norms and in a certain instance, the chairperson was even called a devil worshipper.
- 2.3.5. These types of challenges and impediments mentioned above resulted in protracted hearing sessions and even calls for emergency evacuations in a number of instances.
- 2.3.6. However, it has to be noted that while some religious organisations posed challenges and impediments, most of them responded in a positive manner and appeared before the CRL Rights Commission relatively well-organised and prepared for the hearing. These manifested in several ways:
- i. Understanding the statutory objects, powers, and functions of the Commission;
 - ii. Taking the prescribed oath without objection;
 - iii. Submitting the required documents;
 - iv. Explaining the places/regions of operation within South Africa and in some cases outside the South African borders;
 - v. Explaining their beliefs/dogmas/doctrines.
- 2.3.7. There were certain variables which brought to attention the lapses or failure to fully comply with legislation. We shall refer to examples under 'Substantive Issues'.

2.3.8. SUBSTANTIVE ISSUES

A wide spectrum of issues surfaced as leaders/representatives of the religious organisations appeared before the Commission. These can be summed under the following overarching themes:

- i. Serious but not necessarily deliberate organisational and administrative deficiencies. This includes failure to register as NPOs and maintaining financial records;
- ii. Deliberate exploitation of poor and vulnerable people. Mainly because of the commercialisation of religious practices, through the assumption of divine/missionary right to directly or indirectly solicit and receive gifts/offerings/tithes in cash or in kind from their members (e.g. earnings, pension payouts, movable property, immovable property, etc.) without a commitment to responsible financial management and accounting;
- iii. Loopholes in the legislation which is enhanced by lack of enforcement;
- iv. Abuse of media privileges, such as using TV slots as a way to advertise themselves or their products. Advertising products without complying with the ASA legislation;
- v. Exploitation by means of enforcing religious taboos and dietary restrictions on others, in terms of how food is produced (animals slaughtered), packaged and sold, e.g. Islam/Halal, Judaism/Kosher, Hinduism/Lacto vegetarian diet and Rastafarianism/vegetarianism;

- vi. Alleged infiltration of Government structures, such as the South African Police Services;
- vii. Instigating/inviting/inspiring deification and hero-worship of church leaders by members ("personality cult");
- viii. Subjecting members to practices and rituals which evoke questions of human rights and ethics;
- ix. Subjecting members to control by extremists/fundamentalists, such as forbidding children to attend school;
- x. Recommending/prescribing untested diagnosis/prognosis in health matters.

The cases which were presented, ranged from what can be described as "descending from the sublime to the ridiculous." We would like to provide five examples of substantive issues, to give the National Assembly some of the minutiae of points of contestation involved:

1. Upset with the investigation: In Gauteng, one representative of a particular church asked to read a statement before making a presentation. The statement objected to the procedure, which the Commission followed: "We received the summons which was originally sent to our president who can't be here because of other prior commitments. As a point of departure, we want to put the matter of the subpoena threatening us with arrest and jail sentence on the table. We are of the opinion that there is no clear complaint against our church. The subpoena, therefore, is in our mind irregular, legally irrational. As a religious community, this is a clear violation of the rights afforded to us in Section 15 Section 30 and Section 31 of the South African Constitution. In the light of these facts, we want to put on record that your actions have violated our rights as enshrined in the Constitution of the Republic of South Africa."

2. Extremists: As an example, we refer to a particular ministry that is based in the Eastern Cape. They explained their roles as of divine intervention on earthly matters and comprise seven representatives. They refused to take the prescribed oath, reluctantly opted for a solemn affirmation, but refused to repeat the words of the solemn affirmation after being sworn-in. In fielding the opening questions, they stated that the summons was not relevant to them. Their leader argued his case thus:

"We have not brought along our documents [...] When I looked at the invitation I found that in that invitation there is nowhere where I fit in [...] Our mission is to return the world to Jehovah, God [...] We have not registered anything in this world [...] We do not have any of the documents which were required of us [...] we do not have them [bank statements] [...]"

He continued in [isi]Xhosa through an interpreter:

"The seven of us here are angels from the heavens [...] We came from Jehovah [...] On our way we created for ourselves a father, Mancoba [...] Sipiwo Mancoba [...] Here on earth he was the founder of the Angel Ministry [...] In heaven we created a father and a mother [...] her name is Noluvo Mancoba ... on his way we gave our father instructions to declare and pronounce the name of God on earth [...] We informed him that we would come through him on earth in the form of flesh [...] some were born, but this seven was given birth through the flesh. Mancoba started the Angel Ministry in 1986 [...] Lucifer came to this world and breathed on the South African Constitution and schools ... he took schools for himself [...] took the constitution for himself

God gave us an instruction that our time has come [...] we healed people [...] here we are saying that education is wrong [...] because Satan has taken over the schools ... he was allowed by Nelson Mandela, Roli-hlahla [...] I am not a pastor, [...] I am an angel from heaven [...] I sit at the right hand of the father ... we say children should not go to school as the devil has infiltrated schools [...] and we say people should not listen to the constitution because it is driven by Satan [...] that is why we say people must stop working [...] Mandela was forced to sacrifice his grandchild so that during the games [2010] there should not be disruptions [...] We are not ministers, [but] we are angels [...]"

3. Foreign religious leaders: We were presented with an example of a foreign-based church operating in South Africa. This church is registered in the country, with their headquarters based in the Federal Republic of Nigeria. In South Africa, almost all the pastors are Nigerians. The leader/head, a Nigerian citizen, is reputed to be one of the richest people on the African continent. The head of the church designation is "General Overseer." There are different branches in seven countries in Southern Africa, and together they constitute the Regional Office.

When testifying on financial matters, the representative made the following points, inter alia, that: The organisation received tithes and offerings from members, which were channeled to the Regional Office. The organisation owns a TV Channel, the Television Ministries, and broadcasts across the world from studios in South Africa. The channel paid R400 000.00 (Four hundred thousand rands) monthly for broadcasts and received up to R9 m per year from Nigeria. The Nigerian pastor in charge of the local church did not have a work permit with the church, but had one for another company, viz. MTN. At the time of the hearing, he was no longer working for MTN, but for the religious organisation, despite the fact that he did not have a relevant permit. Salaries of pastors of the local division of the religious organisation were paid from funds received from Nigeria. "If you look at our income and expenditure and financial statements and then you will realise that we are receiving millions of Rands from Nigeria; it's money that comes in for South Africa and [...] That's why we are growing in South Africa [...] We started with nothing [...] You will see in our financial statements that we have a whole lot of properties. Most of them, they are fully paid [...] So, we try to encourage our people so that they know the Lord but also give because it is when you give when you receive [...]"

4. Fear: An example is drawn from a particular religious community and the fears they expressed. The representatives cooperated with the Commission in all respects, i.e., appeared on the set date, took the oath and did a presentation as required. However, with regard to submission of financial statements and the summons, at the conclusion of their presentation, the Chairman of the Community raised the following concerns

"I have a concern with the procedure that was used to bring me here [...] it was unnecessary to bring me here by way of summons. I believe that it would suffice just to be invited to attend the hearing.

I have a problem with our community being connected today in the press, with an investigation into effectively religious malpractice. In the public perception, [...] we are now connected with this malpractice. I have brought the documentation that you have asked me for. However, I also wish to voice some concerns here. The first instance is, the Commission is entitled to request someone to bring documents, but there is also in [sic] Section 7-a clause, which says that the commission is only entitled to hold those documents as long is[sic] reasonable. There are, in particular, two documents, which I consider to be privileged. Firstly, one's bank statements; as a legal practitioner I'm fully aware I cannot walk into a bank and ask for somebody's bank statements [...] I believe that we have a constitutional right to privacy and what is discussed at an AGM is something which is private to those who have been invited to attend. I have the documentation you are looking for [...] Otherwise, I have got the other documentation."

5. Undesirable behaviour: Leaders of some religious organisations displayed undesirable behaviour, and serious disrespect for the Commissioners. They also instigated some of their followers/members, who gathered outside the premises of the hearing. An audio-visual recording of one of the sessions, which took place at the premises of the CRL Rights Commission, portrayed the following incidents:

One religious leader is seen walking and talking to his fellow church members... (The gathering sings "Sibatshelile, wema [...] uyeza uJesu wethu [...] Ha,ba rebolaye man! Ha,ba rekwalle. They will never stop us. 'Never' [We told them [...] our Jesus is coming [...] Let them kill us, man! Let them lock us up. They will never stop us. 'Never'].

Religious leaders: Ke matla ntho ena. Matla 'Matla' [This thing is power. Power, Power].

(Stopping to talk with another pastor, who is on his way out.)

Religious leader: Ha kena taba hore na bareng, disatanetsena (he laughs). Re emeleha reqetare ya kwana. Kereke e batla ho re fatjhelete. Satanetsenadieme [...] [Wait for us and when we finish we go there. The church wants to give us money. These devils are standing in our way [...].

Table 7: Strategic objectives, performance indicators, planned targets and actual achievements

Programme: Research and Policy Development					
Performance Measures		Actual Performance		Reason for Variance	
Measurable Objectives	Performance Indicators	Baseline Target 14/15	Annual Target	Performance results 2015/16	
1 Documenting and publishing the diminished and diminishing heritage	2 research reports	Four research reports	2 research reports	2 research reports	Target met
	Research reports			Data gathering, analysis and report writing	

3.4 Public Engagement and Education

Public Engagement and Education is one of the core functions of the Commission. The aim is to engage, educate communities about their cultural, religious and linguistic rights, and to listen to the public on issues that concern them. In line with its objectives the Commission, through Public Engagement and Education Unit has during the year under review, conducted conflict resolution clinics, conducted cultural, religious and language rights dialogues and awareness campaigns which aimed at engaging and educating the public.

These engagements helped in representing Commission in an array of forums with intention to reach out to places where the Commission never infiltrated before and also unearth possible violations of cultural, religious and linguistic rights of communities.

The unit achieved its core business by:

- a) Conducting conflict resolution clinics with communities
- b) Conducting cultural, religious and languages with communities and public awareness campaigns by way of encouraging communities to participate effectively in nation building projects.

Table 8: Strategic objectives linked to the programme

Strategic objective	Conduct conflict resolution clinics
Strategic objective	Facilitate active participation of communities in nation building

Conflict Resolution Clinics

During the year under review, the Unit hosted the following Conflict Resolution Clinics with the aim of promoting and developing peace, friendship, humanity, tolerance and national unity among and within cultural, religious and linguistic communities

Conflict Resolution Clinics were conducted in Gauteng, with the Roodepoort Community, where there was a conflict between community members and the Department of Education. A black principal was appointed at a school in a coloured community. The aim was to educate the community on alternative means of conflict resolution rather than resorting to violence means. Other clinics were conducted in places such as Mhlanga in Mpumalanga, Khutsong/Carletonville in Gauteng and Ficksburg in the Free State with the purpose of educating and capacitating communities on alternative means of resolving conflict.

Awareness Campaigns

The overall objectives of awareness campaigns conducted countrywide were as follows;

- Educate and raise awareness on the constitutional and legislative mandate of the CRL Rights Commission
- Raise awareness on the objects and role of the CRL Rights Commission
- Communicate and share information on the work that the CRL Rights Commission had undertaken.
- Educate and raise awareness of the communities and the youth about their cultural, religious and linguistic rights
- Disseminate branded material of the CRL Rights Commission to the participants.
- Encourage the youth to formulate and lead programmes that are aligned to the mandate and objects of the Commission.
- Educate communities about the work of the Commission.

The Unit conducted education and awareness campaigns nationwide as part of its strategy. The Campaigns were conducted in all nine provinces, with the aim of conducting information and education programmes to promote public understanding of the objects, role and activities of the Commission. Some of the activities conducted regarding information and education programmes were concerned with the Commercialisation of religion and abuse of people's belief systems. The Unit met with religious leaders in Mahikeng and Brakpan to give clarity to the research project as communities were under the impression that certain churches were targeted, especially the charismatic and Pentecostal churches.

Other awareness campaigns included awareness on access to graves and publicizing the Re-use of Graves report produced by the Research and Policy Development Unit of the Commission. This came after the Commission received complaints from communities in eThekweni Municipality in KwaZulu-Natal province that graves are being recycled because of scarcity of burial land. Graves in African Traditional Religion are sacred sites and if two unrelated people are buried in the same grave, it makes it difficult for families to perform rituals to the relevant ancestors.

Regarding access to graves, the Unit registered two cases; one in Malelane wherein a family was denied access to their ancestral graves, which happened to be in the game farm near the Kruger National Park in Mpumalanga. The other case relates to Mr Tshabalala from Winterton in KwaZulu-Natal. The Tshabalala family registered a complaint with the CRL Rights Commission's Legal Services and Conflict Resolution Unit for handling and processing. These cases were picked up through engagement with the communities.

These public education and awareness campaigns were further aimed at engaging the youth and the broader community on the issues of cultural, religious and language rights, tolerance, mutual respect. A particular focus of these rights aimed at the youth, was primarily because this age cohort, in terms of national official statistics, constitutes a large percentage of the entire population. Additionally, these rights affect young people in many areas of their lives, such as the learning institutions, employment environment, cultural and other social institutions. For example, initiation schools, institutions of learning and specifically their admission policies and the use of language, dress code in schools and religious symbols are some of the thorny examples within the context of the South African cultural, religious and linguistic rights discourse that were touched on during the campaigns.

The Unit also conducted public awareness campaigns and dialogues in Namaqualand. In our engagement with the Khoi and the San communities, the people noted that not much has been done with regard to the development of the Nama languages. Communities indicated that there are less than six schools that are offering Nama as a subject and Nama as language of teaching in the entire Northern Cape province. In their engagement with the Commission, the Communities in Steinkopf appealed that a delegation should be sent to Namibia to get even more educational materials for the relevant department to develop the Nama language further. As enshrined in the Founding Provisions of the Constitution, a Pan South African Language Board must create conditions for the development and use of all official languages including the Khoi, Nama and San languages.

The Unit further engaged in Albinism Awareness Campaigns wherein it made the nation aware of the plight of people living with Albinism. The Commission embarked on this campaign after a pastor was found with Thandazile Mpunzi's body parts. Reports elsewhere from African countries also indicated people living with Albinism, were being hunted down, butchered and their body parts are harvested at an alarming rate. This myth has found its way from those African countries to South Africa.

Dialogues with Communities

The Unit conducted numerous cultural, religious and language dialogues with established community councils and youth formations. The purpose of these dialogues was to ascertain the needs of the people of South African. In the Northern Cape, we met with the Khoi and San communities and understood that they want their languages to be developed. We gathered that there are about six schools in the Province offering Nama as language and they would like to see this happen at all the schools in the Province as an alternative for other languages offered in the schools.

For the Nama language to be developed, a proposal was made to suggest that the Namibian Government should be engaged to enter into some bilateral agreement with the South African education department. This should help language developers in South Africa to get even more material to develop the Nama language to a level where it can be offered in schools and used in media and in commerce.

Table 9: Strategic objectives, performance indicators, planned targets and actual achievements

Programme: Public Engagement and Education							
Performance Measures		Actual Performance			Reason for Variance		
Measurable Objectives	Outcomes	Performance Indicators	Baseline Target 14/15	Target	Activity	Performance Results 2015/16	
1	Conflict resolution and training	Reports on conflict resolution clinics	New indicator	7 conflict resolution clinics conducted per annum	Conduct conflict resolution clinics	8 conflict resolution clinics were conducted	Target Exceeded Additional requests were made for additional clinics
2	Facilitate active participation of Communities in nation building	Reports on cultural dialogues	New indicator	4 cultural dialogues per annum	Organise and facilitate cultural dialogues	4 cultural dialogues were conducted	Target met
3	Facilitate active participation of Communities in nation building	Report on religious dialogues	New indicator	4 religious dialogues per annum	Organise and facilitate religious dialogues	4 religious dialogues were conducted	Target met
4	Facilitate active participation of Communities in nation building	Report on language dialogues	New indicator	4 language dialogues per annum	Organise and facilitate language dialogues	4 language dialogues were conducted	Target met
5	Facilitate active participation of Communities in nation building	Reports on CRL campaigns	9 campaigns on CRL rights	11 CRL campaigns per annum	Organise and conduct educational campaigns on CRL rights	12 educational dialogues were conducted	Target exceeded Additional request was made for additional engagements

2.5 FINANCE AND CORPORATE SERVICES

The programme is responsible for human resources management, staff development and training needs of the Commission. Furthermore, it is responsible for facilities management as well as development of new policies and performance management to effectively and efficiently support the functioning of the Commission by:

- a) Identifying critical financial processes to deliver value proposition to stakeholders
- b) Mobilising of resources in cash and in kind
- c) Developing of resource allocation plan
- d) Developing aligned and focused structure and increased capacity
- e) Developing incentive policies
- f) Developing plans to evaluation of departments, positions and workload capacity
- g) Developing skill competencies and motivation to enhance performances

Table 10: Strategic objectives linked to this programme

Strategic Objective	Identify critical financial processes to deliver value proposition to stakeholders
Strategic Objective	Mobilisation of resources in cash and in kind
Strategic Objective	Development of resource allocation plan
Strategic Objective	Develop aligned and focused structure and increased capacity
Strategic Objective	Development of incentive policies
Strategic Objective	Development of plan and evaluation of departments, positions and workload capacity
Strategic Objective	Development of skill competencies and motivation to enhance performances

Table 11: Strategic objectives, performance indicators, planned targets and actual achievements

Programme: Finance and Corporate Services		Performance measurement			Actual Performance			Reason for Variance
Measurable Objectives	Outputs	Performance Indicators	Baseline Target 14/15	Target	Activity	Performance results 2015/16		
1 Identify critical financial processes to deliver value-added proposition to the stakeholders	Annual, quarterly and monthly financial reports	Timely, reliable and accurate reports to management, plenary and external stakeholders which comply to all regulatory frameworks viz. Treasury regulations and Guidelines, generally recognised accounting practice (GRAP) standards, ISA, etc.	Annual financial statements	1 set of annual statements per annum	Prepare and complete annual, quarterly and monthly financial statements	1 set of annual financial statements per annum	Target met	
Identify critical financial processes to deliver value-added proposition to the stakeholders	Financial records	Accurate financial records compliant with GRAP standards	Updated financial records	12 creditors' age analysis performed end of each month	Update financial records	12 creditors' age analysis performed end of each month	Target met	
Identify critical financial processes to deliver value-added proposition to the stakeholders	Financial records	Accurate financial records compliant with GRAP standards	12 creditors reconciliation	12 creditors' reconciliation performed on each month	Compile creditors reconciliation	12 creditors' reconciliation performed on each month	Target met	
Mobilisation of resources in cash and in kind	Risk management report	Risk management in compliance with standards set for risk management	1 workshop per annum	1 workshop per annum	Conduct risk workshops	1 workshop per annum	Target met	
			1 updated risk register per annum	1 updated risk register per annum	Provide updated risk register	1 updated risk register per annum	Target met	
			1 approved risk management policy per annum	1 approved risk management policy per annum	Approved risk management policy	1 approved risk management policy per annum	Target met	

Identify critical financial processes to deliver value-added proposition to the stakeholders	Expenditure reports produced	Monitor spending in accordance with the allocation and strategic plans, as revised from time to time – expenditure reports	12 monthly expenditure report	12 monthly expenditure reports compiled by the 11 th of the next month	Compile expenditure reports	12 expenditure reports compiled	Target met
Identify critical financial processes to deliver value-added proposition to the stakeholders	Development of policies	Departmental accounting policies, procedures and processes that are continuously streamlined to improve procedures	New target	Approved accounting policies and procedures per annum	Draft new policies on demand and revise policies by 31 March 2016	4 approved accounting policies	Target met
Development of resource allocation	Approved budget	Approved annual budget in accordance with strategic prioritise	Approved budget for 2015/16	Approved budget for 2016/17 by 31 March 2016	Draft budget and submit for approval After receipt of final allocation letter	Budget approved by set date	Target met
			Submission of budget proposal to National Treasury at the set dates by National Treasury	1 budget proposal to National Treasury	Prepare budget proposal to the National Treasury	1 budget proposal to national treasury	Target met

Identify critical financial processes to deliver value-added proposition to the stakeholders	Reports on UJFW to National Treasury	Reports on unauthorised, irregular, fruitless and wasteful expenditure or losses resulting from criminal activity	12 Reports to National Treasury on unauthorised, irregular, fruitless and wasteful expenditure per annum by the end of each month	12 Reports to National Treasury on unauthorised, irregular, fruitless and wasteful expenditure per annum by the end of each month	No unauthorised, irregular, fruitless and wasteful expenditure was incurred for the period under review and therefore no report compiled	Target met
Identify critical financial processes to deliver value-added proposition to the stakeholders	Report on internal procurement processes	Provide advice on request and process submissions within 48 hours from the time of the request	100% of requests and submissions were processed within 48 hours from receipt	100% of requests and submissions were processed within 48 hours from receipt	100% of all request and submissions were processed	Target met
Identify critical financial value-added proposition to the stakeholders	Updated contract register	Maintain contract register in compliance with procurement standards	1 maintained contract register in compliance with procurement standards per annum	1 maintained contract register in compliance with procurement standards per annum	1 contract register was maintained	Target met
Identify critical financial value-added proposition to the stakeholders	Maintained supplier database	Maintenance of supplier database	Register new suppliers within 5 days from receipt of registration	1 supplier database maintained per annum	1 Supplier database was maintained	Target met

Identify critical financial value-added proposition to the stakeholders	Report on internal procurement processes	Issue purchase orders in compliance with procurement legislation and policies	100% of purchase orders in compliance with procurement legislation and policies	100% of purchase orders in compliance with procurement legislation and policies	100% of purchase orders was issued	Target met
Identify critical financial value-added proposition to the stakeholders	Updated audit findings register and resolved queries	Resolve audit queries raised by external and internal auditors	All audit queries resolved	100% of all audit queries resolved per annum	100% of audit resolved	Target met
Identify critical financial value-added proposition to the stakeholders	Report on asset reconciliation, verification and assessment	Sound asset management function in compliance with legislation	Monthly asset reconciliations by the 5 th of every month	Compile 12 monthly asset reconciliations by the 5 th of the next month	12 asset reconciliations were compiled	Target met
Develop aligned and focused structure and increased capacity	Approved organisational structure	Approved organisational structure	Perform asset verification procedure quarterly by the end of each quarter	1 asset verification procedure quarterly	1 asset verification procedure done	Target met
			Perform assessment of useful lives of assets annually 28 February 2016	1 assessment of useful lives of asset annually	1 asset useful live procedure was done	Target met
			Approved structure in accordance with revised	1 approved organisational structure per annum	1 approved organisational structure	Target met
			Approved structure in accordance with revised	1 approved organisational structure per annum	1 approved organisational structure	Target met

3.6 Programme: Office of the Chairperson

This Programme is responsible for Commissioners programmes providing strategic direction for and oversight in terms of Sec 22 of the CRL rights Act, 19 of 2002. The Office of the Chairperson creates a platform for the fulfilment of the mandate of the Commission, which is to promote and protect the rights of cultural, religious and linguistic communities. The Programme positions the Commission as entry point for cultural, religious and linguistic debates and discourse.

The Programme ensures organisational efficiency and stable governance within the Commission by implementing performance, monitoring and evaluations systems and by calling quarterly governance and policy discussion meetings.

Table 12: Strategic objectives linked to this programme

Strategic objective	Implementation of performance, monitoring and evaluations systems
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Table 12: Strategic objectives linked to this programme

Strategic objective	Implementation of performance, monitoring and evaluations systems
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Table 13: Strategic objectives, performance indicators, planned targets and actual achievements

Programme: Office of the Chairperson							
Measurable Objectives	Outputs	Performance Indicators	Baseline Target 15/16	Target	Actual Performance	Reason for Variance	
Implementation of performance, monitoring and evaluation systems	Enhanced and stable governance systems	Good governance through effective internal governance	4 plenary and Section 22 Committee meeting minutes	4 plenary meetings	Activity Conduct Plenary 4 plenary meetings	Performance results 2015/16 4 plenary meetings	Target met
				4 Section 22 Committee meetings	Conduct Section 22 Committee meeting and compile reports	4 Section 22 Committee meetings	Target met

3.6. Programme: Office of the Chief Executive Officer

This Programme includes providing operational support for all other programmes and is responsible for general management and internal audit by:

- Implementing performance, monitoring and evaluation systems.
- Developing planning processes to ensure integrated organisational operation.
- Developing a plan to assess competitive environment and impact of the programmes

Table 14: Strategic objectives linked to this programme

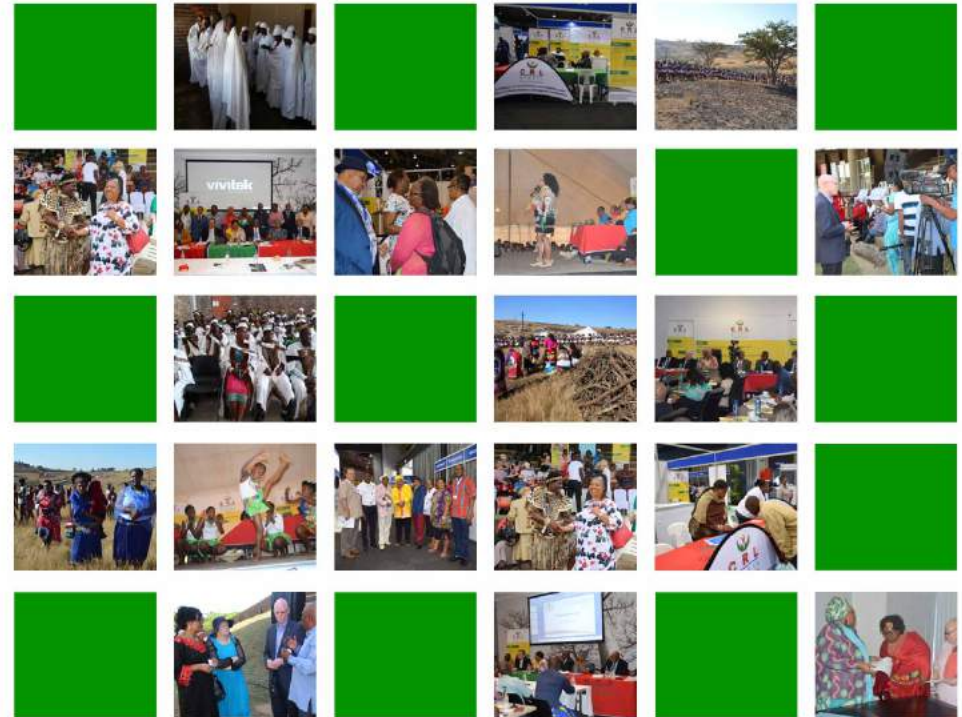
Strategic Objective	Implementation of performance, monitoring and evaluation systems.
Strategic Objective	To develop planning processes to ensure integrated organisational operation.
Strategic Objective	Develop a plan to assess competitive environment and impact of the programmes

Table 15: Strategic Objectives, performance indicators, planned targets and actual achievements

Programme: Office of the Chief Executive Officer									
Measurable Objectives	Outputs	Performance Indicators	Baseline Target 14/15	Actual Performance			Reason for Variance		
				Target	Activity	Performance results 2015/16			
1 Implementation of performance, monitoring and evaluation systems	Business evaluation report	Approved quarterly reports submitted to CoGTA and National Treasury	4 Business report per annum	Approved quarterly reports submitted to National Treasury	Consolidate quarterly performance report	4 Business report per annum	Target met		
Implementation of performance, monitoring and evaluation systems	Business evaluation report	Consolidated Annual Report submitted to Parliament	1 Annual Report	1 Annual Report consolidated and submitted to Parliament	Prepare and consolidate annual report	1 Annual Report consolidated and submitted to Parliament	Target met		
Implementation of performance, monitoring and evaluation systems	Business evaluation report	Performance Information Report to Auditor General	1 Annual Performance Information Report	1 Annual Performance Information report signed off	Prepare and consolidate Annual Performance Information	Annual Performance information report compiled and signed off	Target met		
To develop planning processes to ensure integrated organisational operation	Approved strategic plan	Approved strategic plan submitted to Parliament and National Treasury per annum	Prepare strategic plan for the Commission	1 Strategic Plan per annum	Prepare strategic plan for the Commission	1 Strategic Planning document approved	Target met		
To develop planning processes to ensure integrated organisational operation	Approved Annual Performance Plan	Approved Annual Performance Plan	1 Annual Performance Plan	1 Annual Performance Plan for the Commission	Prepare Annual Performance Plan for the Commission	1 Annual Performance Plan	Target met		

To develop planning processes to ensure integrated organisational operation	Approved three-year rolling plan and internal audit plan	Approved three-year rolling plan and internal audit plan	1 Three year rolling plan	1 Three-year rolling plan and internal audit plan	1 Three-year rolling plan and internal audit plan	Target met
To develop planning processes to ensure integrated organisational operation	1 Approved operational strategy by 30 September 2015	Operational strategy.	New target	Developed operational strategy	1 Operational strategy developed	Target met
Develop a plan to assess competitive environment and impact of the programmes	Management Performance Assessment Tool Improvement Plan developed and % implementation annually	Approved impact assessment tool	New target	Draft an impact assessment tool	1 impact assessment tool drafted	Target met

PART C: Governance



EXECUTIVE AUTHORITY

The Commission for the promotion and protection of the rights of cultural, religious and linguistic communities is established in terms of CRL Act, Act 19 of 2002. Members of the Commission are appointed for a term of five years. The present members of the Commission are shown below.

Table 16: Members of the Commission

Name	Date of Appointment
Ms TN Mkhwanazi-Xaluva	01 April 2014
Prof LD Mosoma	01 April 2014
Ms HL Mabale	01 April 2009
Mr S Dlamini	01 April 2014
Ms N Tyamzashe	01 April 2014
Ms B Muthien	01 April 2014
Mr R Schoeman	01 April 2014
Dr A Knoetze	01 April 2009
Ms PP Madiba	01 April 2014
Ms S Khama	01 April 2014
Mr R Botha	01 April 2014
Mr R Trollip	01 April 2014

Risk Management

The Commission is committed to maintaining an effective, efficient and transparent system of risk management as enshrined in its Risk Management Plan. The plan is guided by a strategy that ensures the risk register is updated and monitored. The owners are encouraged to monitor risks and assess its impact on the smooth running of the Commission. The Risk Management Committee has been appointed and is headed by an external person who reports directly to the Audit Committee.

Fraud and Corruption

The CRL Rights Commission remains committed to fighting fraud and corruption so as to deliver quality service at all times and all costs. Efforts are intensified to combat fraud and corruption in its operations and to ensure that perpetrators of such deeds are brought to book. The Commission has embarked on making staff aware of the Corruption Hotline, which is placed on notice boards in its office and on its Intranet website.

Minimising Conflict of Interest

The Commission ensures that all employees declare their business interests so as to safeguard that employees do not do business with the state. Furthermore, management is registered with Companies and Intellectual Property Commission (CIPC) to track that no supplier employed by the state does business with the state.

Code of Conduct

The Commission subscribes to good Code of Conduct and all employees are work-shopped on all new policies to familiarise them with the content.

Internal Audit and Audit Committees

The Audit Committee which is made up of external members and one member of the Commission operates with an approved Audit Committee Charter in line with prescripts of the Public Finance Management Act (PFMA) and Treasury Regulations. The function of the Committee is to monitor the Commission's compliance with relevant legislation and other governance processes, and continuously assesses the performance and finances of the organisation. The Audit Committee reviews and considers reports from internal audit and external auditors. The audit committee further ensures that management take remedial action in respect of audit findings.

External audit is done by the Auditor General. The Auditor-General South Africa (AGSA) appoints an external service provider without input from the CRL. The external service provider operates under the guidance and control of the AGSA. The AGSA maintains high standard of quality control.

Internal audit functions within an approved Internal Audit Charter in line with prescripts of the PFMA, Treasury Regulations and the Standards for the Professional Practice of Internal Auditors issued by the Institute of Internal Auditors. Internal Audit provides objective assurance to the Commission regarding effective management, control and governance processes to assist the organisation to achieve its objectives. Internal Audit reports directly to the Audit Committee.

Table 17: Section 22 Committee: Oversight Committee

Communication and Marketing Committee	Helen Mabale - Chairperson Sicelo Dlamini Nomalanga Tyamzashe Senior Manager
Public Engagement and Education Committee	Pumla Madiba - Chairperson Raymond Trollip Senior Manager
Legal Services and Conflict Resolution Committee	Sheila Khama - Chairperson Richard Botha Sheila Khama Senior Manager
Finance and Corporate Services Committee	Thoko Mkhwanazi-Xaluva Luka Mosoma CFO ACEO
Community Liaison and International Linkages	Renier Schoeman Anton Knoetze
Research and Policy Development Committee	Benedette Muthien Senior Manager

Table 18: Audit Committee

MM Madliwa	Chairperson
HG Hlomane	Member
NTBaloyi	Member
LD Mosoma	Member
TE Mafadza	Acting CEO
CM Smuts	CFO

Table 19: Risk Committee

Moshabi Potu	Independent Chairperson
Kgositsoi Sedupane	Senior Manager – LS&CR
Brian Makeketa	Senior Manager – RPD
Cornelius Smuts	CFO
Obed Semono	Acting Senior Manager: PEE & Secretary of Committee

Table 20: Management Committee

TE Mafadza	ACEO (Chairperson)
Cornelius Smuts	CFO
Brian Makeketa	Senior Manager: RPD
Kgositsoi Sedupane	Senior Manager: LS&CR
Mpiyakhe Mkhoho	Acting Senior Manager: C&M
Obed Semono	Acting Senior Manager: PEE & Secretary

Audit Committee Report

We are pleased to present our report for the financial year ending 31 March 2016.

Audit Committee Members and Attendance:

The Audit Committee consists of the members listed below and should meet at least four times per annum as per the approved terms of reference. During the 2015/2016 financial year, six (6) meetings were held.

Audit Committee Member	Number of Meetings Attended
Mr. B. Madliwa (Chairperson Appointed 1 January 2014)	6 of 6
Mr. T. Baloyi (Appointed 1 January 2014)	6 of 6
Mr. H. Hlomane (appointed 1 January 2014)	6 of 6
Prof. L.D. Mosoma (Appointed 1 March 2014)	6 of 6

Audit Committee Responsibility:

We report that we have operated and performed our oversight responsibilities independently and objectively and adopted appropriate formal terms of reference in our charter in line with the requirements of Section 38(1) (a) of the PFMA, No. 1 of 1999 and Treasury regulation 3.1. We further report that we conducted our affairs in compliance with the charter.

The Effectiveness of Internal Controls:

In line with the PFMA and the King III Report on Corporate Governance requirements, Internal Audit provides the Audit Committee and management with assurance that the internal controls are appropriate and effective. This is achieved by means of the risk management process as well as the identification of corrective actions and suggested enhancements to the controls and processes.

The Audit Committee would like to report that the systems of internal controls implemented by management were assessed to be adequate to mitigate the risks identified. However, in some reviews conducted, the controls were found to be ineffective in mitigating the risks identified by management because of a lack of commitment from management in implementing those controls and ensuring that these were working as intended.

Despite some of these controls being ineffective, the Audit Committee is of the view that the system of internal controls will be effectively addressed by concerted effort and hard work from management and officials.

Internal Audit:

The internal audit activity is outsourced. This is helpful because the service provider provides all skills needed to conduct an internal audit function. Based on the reports presented by the internal auditor, we are of the opinion that the internal audit function is satisfactory.

Risk Management:

The CRL's risk management committee has been appointed and has conducted a few meetings to look at the factors that might pose a risk to the operations of the Commission. The Audit Committee believes that management is committed to ensuring that the process is mature and that it is prioritised in management meetings and Plenary Meetings of the Commission. An external person who reports directly to the Audit Committee chairs the Risk Management Committee.

The Quality of In-year Management Quarterly Reports Submitted in Terms of the PFMA:

The Audit Committee is not satisfied with the content and quality of some of the quarterly reports prepared and issued by the Accounting Officer of the Commission during the year under review. The content and quality of performance information matters and financial disclosures require further attention.

Evaluation of Financial Statements:

The Audit Committee has reviewed:

- the audited annual financial statements to be included in the annual report;
- the AGSA's management letter and its responses;
- and discussed with management the performance information of the entity;
- the Commission's compliance with legal and regulatory provisions;
- changes in accounting policies and practices;
- significant adjustments resulting from the audit.

The Audit Committee concurs and accepts the AGSA's conclusions on the annual financial statements, and is of the opinion that the audited annual financial statements be accepted and read together with the report of the AGSA.

Meeting with Auditor-General South Africa:

The Audit Committee has met with the AGSA to ensure that there are no unresolved issues.

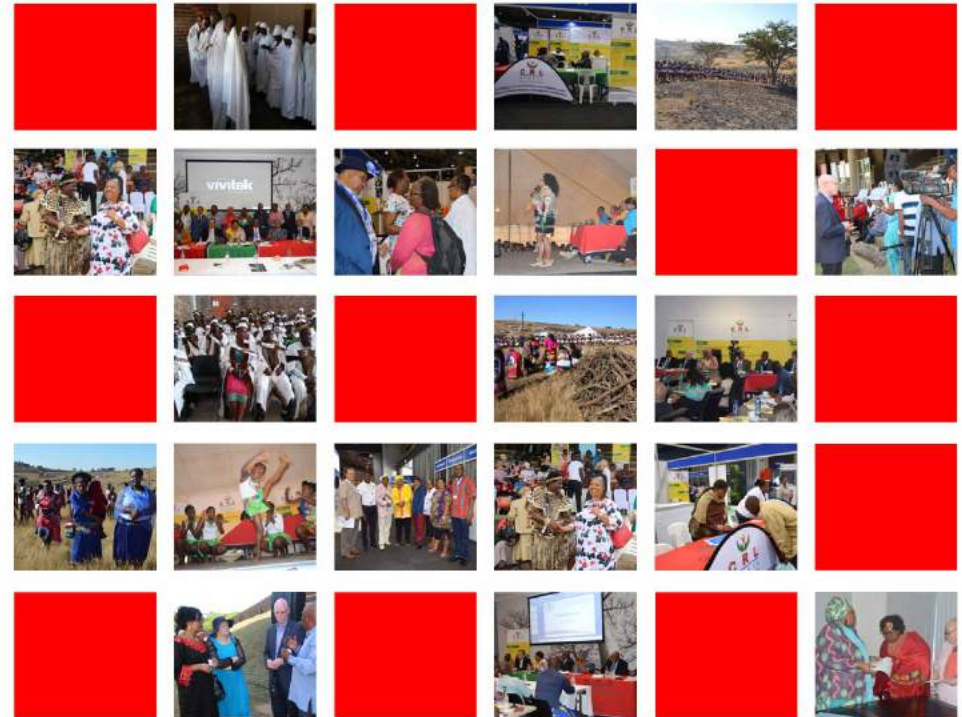


BMM Madliwa

Chairperson of the Audit Committee

Date:

PART D: Human Resources Management



Human Resources Oversight Statistics

Staff Complement

The Commission has a low vacancy rate. The CRL Rights Commission reduced its staff component from 43 to 33 posts because of monetary challenges since 2014. Positions that had become vacant could not be filled. Savings generated from vacancies are utilised to accelerate service delivery. This trend impacts negatively on the performance of the Commission, as there is no capacity to deal with backlogs or to reach all communities.

Table 21: Employment and vacancies

2015/2016 Approved posts	2015/2016 Vacancies	Percentage of vacancies
35	7	20%

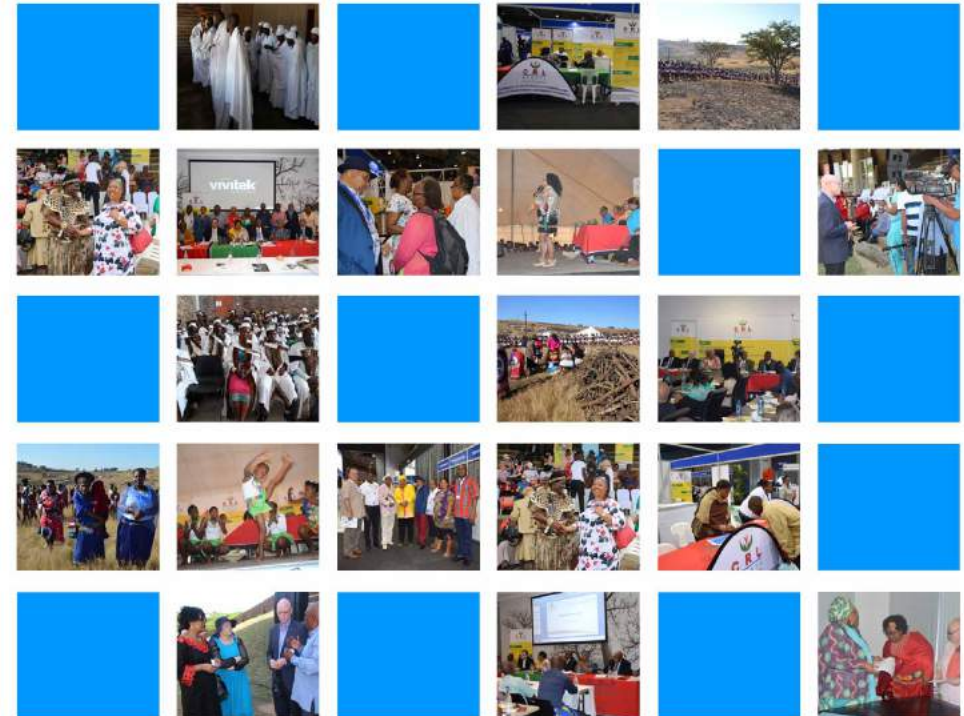
Table 22: Reasons for staff leaving

Reason	Number
Death	-
Resignation	-
Dismissal	1
Retirement	-
Ill health	-
Expiry of contract	-
Other	-

Table 23: Equity target and employment equity status

Level	African		Coloured		Indian		White		Total
	F	M	F	M	F	M	F	M	
Top Management	-	3	-	-	-	-	-	1	4
Middle Management	-	2	-	-	-	-	-	-	2
Skilled	11	4	-	-	1	-	1	-	17
Semi-skilled	1	1	-	-	-	-	-	-	2
Unskilled	2	-	-	-	-	-	-	-	2
Total	14	10	0	0	1	0	1	1	27

PART E: Financial Information



Report of the Auditor General to Parliament on CRL Rights Commission Report on the financial statements

Introduction

1. I have audited the financial statements of the Commission for the Promotion and Protection of the Rights of Cultural Religious and Linguistic Communities set out on pages 84 to 109, which comprise the statement of financial position as at 31 March 2016, the statement of financial performance, statement of changes in net assets and cash flow statement for the year then ended as well as the notes, comprising a summary of significant accounting policies and other explanatory information.

Accounting officer's responsibility for the financial statements

2. The accounting officer is responsible for the preparation and fair presentation of these financial statements in accordance with the South African Standards of Generally Recognised Accounting Practice (SA Standards of GRAP) and the requirements of the PFMA, 1999 (Act No. 1 of 1999), and for such internal control as the accounting officer determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor-general's responsibility

3. My responsibility is to express an opinion on these financial statements based on my audit. I conducted my audit in accordance with International Standards on Auditing. Those standards require that I comply with ethical requirements, and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.
4. An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

5. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Opinion

6. In my opinion, the financial statements present fairly, in all material respects, the financial position of the Commission for the Promotion and Protection of the Rights of Cultural Religious and Linguistic Communities as at 31 March 2016 and its financial performance and cash flows for the year then ended, in accordance with SA Standards of GRAP and the requirements of the PFMA.

Report on other legal and regulatory requirements

7. In accordance with the Public Audit Act of South Africa, 2004 (Act No. 25 of 2004) and the general notice issued in terms thereof, I have a responsibility to report findings on the reported performance information against predetermined objectives for selected programmes presented in the annual performance report, non-compliance with legislation and internal control. The objective of my tests was to identify reportable findings as described under each subheading but not to gather evidence to express assurance on these matters. Accordingly, I do not express an opinion or conclusion on these matters.

Predetermined objectives

8. I performed procedures to obtain evidence about the usefulness and reliability of the reported performance information for the following selected programmes presented in the annual performance report of the constitutional institution for the year ended 31 March 2016:
 - Communication and Marketing on pages 38 to 39
 - Legal Services & Conflict Resolution on pages 40 to 41
 - Research and Policy Development on pages 45 to 55
 - Public Engagement and Education on pages 56 to 58
 - Office of the Chairperson on pages 65 to 66
9. I evaluated the reported performance information against the overall criteria of usefulness and reliability.
10. I evaluated the usefulness of the reported performance information to determine whether it was presented in accordance with the National Treasury's annual reporting principles and whether the reported performance was consistent with the planned programmes. I further performed tests to determine whether indicators and targets were well defined, verifiable, specific, measurable, time bound and relevant, as required by the National Treasury's Framework for managing programme performance information (FMPPI).

11. I assessed the reliability of the reported performance information to determine whether it was valid, accurate and complete.
12. I did not identify any material findings on the usefulness and reliability of the reported performance information for the following programmes:
- Legal Services & Conflict Resolution
 - Public Engagement and Education
 - Communication and Marketing
 - Office of the Chairperson
 - Research and Policy Development

Additional matter

13. Although I identified no material findings on the usefulness and reliability of the reported performance information for the selected programmes, I draw attention to the following matter:

Achievement of planned targets

14. Refer to the annual performance report on pages 38 to 66 for information on the achievement of the planned targets for the year.

Compliance with legislation

15. I performed procedures to obtain evidence that the constitutional institution had complied with applicable legislation regarding financial matters, financial management and other related matters. My finding on material non-compliance with specific matters in key legislation, as set out in the general notice issued in terms of the PAA, is as follows:

Expenditure management

16. Effective steps were not taken to prevent irregular expenditure, amounting to R43 252 as disclosed in note 20 to the annual financial statements, as required by Section 38(1)(c)(ii) of the Public Finance Management Act and Treasury Regulation 9.1.1.

Internal control

17. I considered internal control relevant to my audit of the financial statements, annual performance report and compliance with legislation. The matters reported below are limited to the significant internal control deficiencies that resulted in the finding on non-compliance with legislation included in this report.

Leadership

18. The accounting officer did not exercise adequate oversight responsibility regarding financial reporting and compliance with laws and regulations and related internal controls.

Financial and performance management

19. Management did not in all instances review and monitor compliance with laws and regulations.

Auditor-General

Pretoria
31 July 2016



Report on Financial Statements

Annual Financial Statements for the Year Ended 31 March 2016

Report of the Accounting Officer for the year ended 31 March 2016

I hereby acknowledge that the Annual Financial Statements (AFS) of the Commission for the promotion and protection of the rights of Cultural, Religious and Linguistic communities have been submitted to the National Treasury.

I acknowledge my responsibility for the accuracy of the accounting records and the fair presentation of the AFS and confirm, to the best of my knowledge and belief, the following:

- The AFS has been prepared on the basis of the accounting and relevant guidelines specified/issued by National Treasury;
- The AFS is complete and accurate;
- All amounts appearing on the AFS have been cast and cross-cast;
- The AFS is free from material misstatements, including omissions; and
- Accounting estimates are reasonable under the circumstances.

Yours faithfully



Mr T E Mafadza
Accounting Officer
31 July 2016

Statement of Financial Position as at 31 March 2016

	Notes	2016 R' 000	2015 R' 000
Assets			
Current assets			
Cash and cash equivalents	9	295	826
Trade and other receivables	10	1 420	506
		1 715	1 332
Non - current assets			
Property, plant and equipment	11	1 801	1 978
Intangible assets	12	224	89
Trade and other receivables	10	802	802
		2 827	2 869
Total assets		4 542	4 201
Current liabilities			
Trade and other payables	13	1 676	414
Provisions	14	886	941
Straight-lining operating lease	22	559	321
Total liabilities		3 121	1 676
Total net assets		1 421	2 525
Net assets			
Reserves			
Accumulated surplus	15	1 421	2 525
Total Equity and Liabilities		4 542	4 201

Statement of Financial Performance for the year ended 31 March 2016

	Notes	2016 R' 000	2015 R' 000
Revenue			
Non-Exchange revenue			
Transfers from government entities	2	36 581	34 974
Exchange revenue			
Finance income	3	207	179
Total revenue		36 788	35 153
Expenses			
Administrative expenditure	4	6 973	5 752
Audit fees	5	1 556	1 188
Employee costs	6	17 912	18 042
Other operating expenditure	7	11 013	9 637
Depreciation and amortisation	8	437	434
Total expenses		37 891	35 053
(Deficit)/Surplus for the year		(1 103)	100

Statement of Change in Net Assets for the year ended 31 March 2016

Notes	Accumulated Surplus R' 000	Total R' 000
	2 424	2 424
Balance at 31 March 2014		
Surplus for the year ended March 2015	100	100
Balance as at 31 March 2015	2 524	2 524
Deficit for year ended 31 March 2016	(1 103)	(1 103)
Balance as at 31 March 2016	1 421	1 421

Cash Flow Statement for the year ended 31 March 2016

	Notes	2016 R' 000	2015 R' 000
CASH FLOWS FROM OPERATING ACTIVITIES			
Cash receipt from transfer payments	2	36 581	34 974
Interest received	3	207	179
Cash paid to suppliers		(18 838)	(16 206)
Cash paid to employees		(18 061)	(17 851)
Net cash generated (utilised in) from operating activities	16	(111)	1 096
CASH FLOWS FROM INVESTING ACTIVITIES			
Purchase of property, plant and equipment	11+12	(430)	(1 190)
Proceeds from disposal of assets		10	-
Net cash used in investing activities		(420)	(1 190)
Net decrease in cash and cash equivalents			
		(531)	(94)
Cash and cash equivalents at beginning of the year		826	920
Cash and cash equivalents at end of the year	9	295	826

Accounting Policies for the Financial Statements for the Year Ended 31 March 2016

Accounting policies:

1.1 Basis of preparation

The annual financial statements have been prepared in accordance with GRAP, issued by the Accounting Standards Board in accordance with Section 89 of the PFMA (Act No. 1 of 1999).

Accounting policies for material transactions, events or conditions not covered by the GRAP reporting framework have been developed in accordance with paragraphs 8, 10 and 11 of GRAP 3 and the hierarchy approved in Directive 5 issued by the Accounting Standards Board.

The financial statements have been prepared on an accrual basis of accounting and are in accordance with historical cost convention, except for the cash flow information, which is prepared on a cash basis, and unless specifically stated otherwise.

The principal accounting policies adopted in the preparation of these financial statements are set out below.

Assets, liabilities, revenues and expenses have not been offset except where offsetting is required or permitted by a Standard of GRAP.

The accounting policies are applied consistently with those used to present the previous year's financial statements, unless explicitly stated. The details of any changes in accounting policies are explained in the relevant policy.

1.2 Critical Judgements and Key Sources of Estimation Uncertainty

The entity makes estimates and assumptions that affect the reported amounts of assets and liabilities within the current and subsequent financial years. Estimates and judgments are continually evaluated and are based on historical experience and other factors, including expectations of future events that are believed to be reasonable under the circumstances. There does, however, not appear to be a significant risk that these assumptions will cause significant adjustments to the carrying amounts of assets and liabilities within the subsequent financial years. Significant judgments include:

Accounting Policies for the Financial Statements for the Year Ended 31 March 2016

- Useful lives and residual values

The Commission re-assesses the useful lives and residual values of property, plant and equipment on an annual basis. In reassessing the useful lives and residual values of property, plant and equipment management considers the condition and use of the individual assets, to determine the remaining period over which the asset can and will be used.

1.3 Currency

These financial statements are presented in South African Rand (ZAR) since it is the currency in which the majority of the Commission transactions are denominated. The amounts disclosed in the financial statements had been rounded off to the nearest thousand rand.

1.4 Revenue

- Budget Allocation

Revenue comprises of budget allocations for the activities of the Commission budgeted for by the Department for Cooperative Government and Traditional Affairs as transfer payments. Revenue from non-exchange transactions is generally recognised to the extent that the related receipt or receivable qualifies for recognition as an asset and there is no liability to repay the amount.

- Interest income

Interest income is recognised on an accrual basis, taking into account the principal outstanding using the effective interest rate method.

1.5 Operating leases

Leases of assets where substantially the entire risks and rewards incident to ownership are effectively retained by the lessor are classified as operating leases. Payments made under operating leases are charged to the statement of financial performance on a straight line basis over the period of the lease.

1.6 Property, plant and equipment

Recognition

Property, plant and equipment are recognised in the financial statements if:

- It is probable that the economic benefit associated with the asset will flow to the Commission.
- The cost of an asset or its value can be measured reliably.

Accounting Policies for the Financial Statements for the Year Ended 31 March 2016

Measurement

Initial measurement

Property, plant and equipment are initially measured at cost.

Subsequent measurement

Property, plant and equipment is stated at historical cost less any subsequent accumulated depreciation and adjusted for any impairment.

The estimated useful lives of assets are:

Computer equipment	3 - 10 years
Office furniture and fittings	10 years
Office equipment	5 - 10 years
Motor vehicles	10 years
Leasehold improvement	Period of Lease

Useful lives are assessed on an annual basis.

1.7 Impairment of assets

The Commission assesses all its assets on balance sheet date to determine whether there is any indication that an asset may be impaired. If there is any indication that an asset may be impaired, the recoverable amount is estimated for the individual asset. If it is not possible to estimate the recoverable amount of the individual asset, the recoverable amount of the cash-generating unit to which the asset belongs is determined.

If the recoverable amount of an asset is less than its carrying amount, the carrying amount of the asset is reduced to its recoverable amount. That reduction is an impairment loss. An impairment loss of assets, carried at cost less any accumulated depreciation or amortisation, is recognised immediately in the statement of financial performance.

1.8 Intangible assets

Recognition

Intangible assets are recognised in the financial statements if:

- It is probable that the economic benefit associated with the asset will flow to the Commission.
- The cost of an asset or its value can be measured reliably.

Accounting Policies for the Financial Statements for the Year Ended 31 March 2016

Measurement**Initial measurement**

Intangible assets are initially measured at cost.

Subsequent measurement

Intangible assets are stated at historical cost less any subsequent accumulated amortisation and adjusted for any impairment.

The estimated useful lives are as follows:

- Computer software - 3 to 10 years

The useful lives of intangible assets are assessed on an annual basis.

1.9 Financial instruments

Financial instruments carried on the statement of financial position include cash and cash equivalents, trade and other receivables and trade and other payables.

- **Recognition**

Financial assets and financial liabilities are recognised on the Commission statement of financial position when the Commission becomes a party to the contractual provisions of the instrument.

- **Measurement**

Financial instruments are initially measured at fair value, which includes transaction costs. Subsequent to initial recognition these instruments are measured as set out below:

- **Financial assets**

The Commission's principal financial assets are cash and cash equivalents and trade and other receivables.

Cash and cash equivalents are short-term, highly liquid investments that are held with registered banking institutions with maturities of three months or less and are subject to insignificant interest rate risk.

Accounting Policies for the Financial Statements for the Year Ended 31 March 2016

Cash and cash equivalents are carried at amortised cost and the carrying amount of these assets approximates to their fair value.

Trade and other receivables mainly arise due to deposits paid for the rental of office space. Trade and other receivables are measured at amortised cost and the carrying amount of these assets approximates to their fair value.

- **Financial liabilities**

The Commission's principal financial liabilities are trade and other payables. Trade and other payables do not bear interest and are stated at amortised cost.

1.10 Offsetting

Financial assets and liabilities are offset if there is any intention to realise the asset and settle the liability simultaneously and if a legally enforceable right to set off, exists.

1.11 Provisions

- **Recognition**

The Commission recognises a provision when a present legal or constructive obligation exists as a result of past events and it is probable that an outflow of economic benefits will be required to settle the obligation and a reliable estimate can be made of the amount of the obligation.

- **Measurement**

The amount recognised is the best estimate at the financial position date of expenditure required to settle the obligation.

1.12 Employee benefits

Contributions to the defined contribution pension plan and defined benefit pension plan are charged to the statement of financial performance in the year in which they relate. The Commission has no legal or constructive obligation to pay further contributions once the contributions have been paid, because the defined benefit plan is regulated by the state, while the defined contribution plan is a provident fund.

The cost of short-term employee benefits, such as vacation leave and sick leave, bonuses and non-monetary benefits are recognised in the period in which the service is rendered.

The expected cost of compensated absences is recognised as an expense as the employee renders services that increase their entitlement.

Accounting Policies for the Financial Statements for the Year Ended 31 March 2016

1.13 Comparative figures

Comparative figures have been adjusted where necessary, to conform to changes in presentation for the current year.

1.14 Going concern

The financial statements of the Commission are prepared on the going concern basis.

1.15 Effect of standards of GRAP that have been issued, but not yet effective

- GRAP 20 – Related party disclosures (no effective date has been determined by the Minister of Finance)
- GRAP 32 – Service concession agreements: contractors (no effective date has been determined by the Minister of Finance)
- GRAP 108 – Statutory receivables (no effective date has been determined by the Minister of Finance)
- GRAP 109 – Accounting by principals and agents (no effective date has been determined by the Minister of Finance)

The impact of above standards on the financial results and disclosures is considered to be minimal when the standards are adopted.

1.16 Related parties

Transactions with key management are recognised as related-party transactions. Key management is defined as being individuals with the authority and responsibility for planning, directing and controlling the activities of the Commission. All individuals from the level of Executive Manager and Commissioners are regarded as key management in terms of the definition of the financial reporting standard.

Close family members of key management are considered to be those family members who may be expected to influence, or to be influenced by key management individuals, in their dealings with the entity.

Accounting Policies for the Financial Statements for the Year Ended 31 March 2016

1.17 Fruitless, wasteful and irregular expenditure

Fruitless and wasteful expenditure is expenditure that was made in vain and would have been avoided had reasonable care been exercised. Fruitless and wasteful expenditure is accounted for as expenditure in the Statement of Financial Performance and where recovered, it is subsequently accounted for as revenue in the Statement of Financial Performance.

Irregular expenditure is expenditure that is contrary to the Public Finance Management Act (Act No. 29 of 1999), the State Tender Board Act (Act No. 86 of 1968) or is in contravention of the Commission's supply chain management policy. Irregular expenditure excludes unauthorised expenditure. Irregular expenditure is accounted for as expenditure in the Statement of Financial Performance and where recovered, it is subsequently accounted for as revenue in the Statement of Financial Performance.

1.18 Budget information

Comparison of budget and actual amounts are presented in a note in the financial statement: Statement of Comparison of Budget and Actual Amounts.

The Commission only presents the final budget amounts.

Differences (variances) between the actual and budgeted amounts are presented.

The financial statements and budget are not presented at the same basis as the financial statements which are prepared on an accrual basis and the budget on a cash basis of accounting. A reconciliation between the surplus/(deficit) for the year as per the statement of financial performance and budgeted surplus/(deficit) is included in the Statement of Comparison of Budget and Actual Amounts.

1.19 Borrowing costs

Borrowing costs are recognised and expensed in the period in which they are incurred.

Accounting Policies for the Financial Statements for the Year Ended 31 March 2016

1.20 Contingent Liabilities

Contingent liability is a possible obligation that arises from past events and the existence of which will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events that are beyond the control of the CRL Rights Commission. Alternatively, a contingent liability is a present obligation that arises from past events but is not recognised because of the following:

- It is not probable that an outflow of resources embodying economic benefits of service potential will be required to settle the obligation; or
- The amount of the obligation cannot be measured with sufficient reliability.

Contingent assets and contingent liabilities are not recognised. Contingencies liabilities and assets are disclosed in note 18.

	2016 R' 000	2015 R' 000
2 Revenue		
Transfers received from the Department of Co-operative Government and Traditional Affairs	<u>36 581</u>	<u>34 974</u>
3 Finance income		
Interest from bank accounts	<u>207</u>	<u>179</u>
4 Administrative expenditure		
General and Administrative Expenses		
- Advert recruitment	-	11
- Internal audit	411	369
- Insurance	73	70
- Legal expenses	9	-
- Catering	2 971	1 740
- Stationery and printing	2 240	2 420
- Venues and facilities	541	413
Acquisition of non-capital equipment	7	20
- Bank charges	17	10
- Municipal Improvement Levy	-	2
- Water	57	65
- Municipal charges	10	32
- Common area electricity	495	486
- Plants flowers and decorations	-	12
- Rates and taxes	142	102
	<u>6 973</u>	<u>5 752</u>
5 Audit fees		
Consists of:		
- Fees paid for an independent audit	<u>1 556</u>	<u>1 188</u>

Notes to the Financial Statements for the Year Ended 31 March 2016

	2016 R' 000	2015 R' 000
6 Employee costs		
Salaries	16 588	16 626
- Basic salary	10 517	10 652
- Commissioners remuneration	1 887	1 830
- Other non-pensionable allowances	4 184	4 144
Defined pension contribution plan expense and social contributions (employer contribution)	1 324	1 416
Unemployment insurance fund	57	58
Pension fund	602	603
Provident fund	665	755
Total employee cost	17 912	18 042
Staff compliment	28	32
7 Other Operating Expenditure		
Staff training and development	254	168
Loss on disposal of assets	25	-
Specialised services	2 201	1 708
Pastel system support	146	90
Public address systems	634	-
Other contractors	1 421	1 618
Software licences	29	35
Marketing cost	95	914
National SDL	152	162
Maintenance, Repairs and Running Cost	466	390
- Property and buildings	275	263
- Removal office furniture	-	91
- Machinery and equipment	171	18
- Repairs and running cost vehicles	20	18

Notes to the Financial Statements for the Year Ended 31 March 2016

	2016 R' 000	2015 R' 000
Travel and subsistence	4 660	2 837
- Air transport	1 482	1 255
- Accommodation	1 265	535
- Car rental	1 444	648
- Other	469	399
Courier and delivery services	177	186
Telecommunication cost	433	584
Leases	2 521	2 653
Buildings	2 258	2 558
Parking Head Office	263	95
Total other operating expenditure	11 013	9 637
8 Depreciation and amortization	437	434
9 Cash and cash equivalents		
Cash in demand deposit account	293	51
Cash in call account	1	769
Cash on hand	1	6
Total cash and cash equivalents	295	826
10 Trade and other receivables		
Non-current assets	802	802
Deposits	802	802
Current assets	1 420	506
Prepayments	423	483
Other receivables	997	23
Total trade and other receivables	2 222	1 308

Notes to the Financial Statements for the Year Ended 31 March 2016

11 Property, plant and equipment

Year ended March 2016	Computer Equipment	Office Furniture & Fittings	Office Equipment	Leasehold Improvements	Motor Vehicles	Total
Net carrying amount at the beginning of the year	285	837	429	365	62	1 978
Gross carrying amount at the beginning of the year	1 081	1 659	918	456	204	4 318
Accumulated depreciation at the beginning of the year	(796)	(822)	(489)	(91)	(142)	(2 340)
Movement	107	(116)	(61)	(91)	(16)	(177)
Additions	227	-	45			272
Depreciation charge	(108)	(99)	(100)	(91)	(16)	(414)
Carrying amount of disposals	(12)	(17)	(6)	-	-	(35)
Cost	(426)	(140)	(107)	-	-	(673)
Accumulated depreciation	414	123	101	-	-	638
Net Carrying amount at The of the year	392	721	368	274	46	1 801
Gross carrying amount at the end of the year	882	1 519	856	456	204	3 917
Accumulated depreciation	(490)	(798)	(488)	(182)	(158)	(2 116)

Notes to the Financial Statements for the Year Ended 31 March 2016

Year ended March 2015	Computer Equipment	Office Furniture & Fittings	Office Equipment	Leasehold Improvements	Motor Vehicles	Total
Net carrying amount at the beginning of the year	238	587	387	-	79	1 291
Gross carrying amount at the beginning of the year	952	1 277	775	-	204	3 208
Accumulated depreciation at the beginning of the year	(714)	(690)	(388)	-	(125)	(1 917)
Movement	47	250	42	365	(17)	687
Additions	129	382	143	456	-	1 110
Depreciation charge	(62)	(132)	(101)	(91)	(17)	(423)
Net carrying amount at the end of the year	285	837	429	365	62	1 978
Gross carrying amount at the end of the year	1 081	1 659	918	456	204	4 318
Accumulated depreciation at the end of the year	(796)	(822)	(489)	(91)	(142)	(2 340)

The Commission owns two motor vehicles, which were purchased during 2005/6 financial year, which have not been fully utilised resulting in low mileage. Management estimates that the residual of both vehicles is 20% of its gross carrying value.

Notes to the Financial Statements for the Year Ended 31 March 2016

12 Intangible Assets

Year ended March 2016	Computer Software	Total
Net carrying amount at the beginning of the year	89	89
Gross carrying amount at the beginning of the year	188	188
Accumulated amortisation at the beginning of the year	(99)	(99)
Movement	135	135
Acquisition	158	158
Amortisation charge	(23)	(23)
Carrying amount of disposals	-	-
Disposals	(63)	(63)
Accumulated amortisation	63	63
Net carrying amount at the end of the year	224	224
Gross carrying amount at the end of the year	283	283
Accumulated amortisation at the end of the period	(59)	(59)

Year ended March 2015	Computer Software	Total
Net carrying amount at the beginning of the year	19	19
Gross carrying amount at the beginning of the year	108	108
Accumulated amortisation at the beginning of the year	(89)	(89)
Movement	70	70
Acquisitions	80	80
Amortisation charge	(10)	(10)
Carrying amount at the end of the year	89	89
Gross carrying amount at the end of the year	188	188
Accumulated aromatisation at the end of the year	(99)	(99)

The Commission re-assesses the useful lives of computer software on an annual basis. Management considers the condition and use of each asset to determine the remaining useful life of each asset.

Notes to the Financial Statements for the Year Ended 31 March 2016

	2016 R' 000	2015 R' 000
13 Trade and other payables		
Trade creditors	1 570	217
Sundry Creditors	59	56
Payroll liabilities	47	141
Total	1 676	414
Carrying amount at the beginning of the year	571	555
Amounts used	(571)	(555)
Additional provisions made	519	571
Total	519	571
Carrying amount at the beginning of the year	370	335
Amounts used	(370)	(335)
Additional provisions made	367	370
Total	367	370
Total provisions	886	941
15 Accumulated surplus		
Net (deficit)/surplus for the current year	(1 103)	100
Net accumulated surplus brought forward	2 524	2 424
Totals	1 421	2 524

Notes to the Financial Statements for the Year Ended 31 March 2016

	2016 R' 000	2015 R' 000
16 Notes to the statement of cash flows		
(Deficit)/surplus from operations	(1 103)	100
Depreciation and amortisation expense	437	434
(decrease)/increase in provisions	(55)	52
Loss on disposal of assets	25	-
Straight-lining of leases	238	281
	(458)	867
Working capital changes	347	229
Increase in payables	1 261	340
Increase in receivables	(914)	(111)
Net cash (utilised in)/generated from operating activities	(111)	1 096

17. Gifts and donations

No gifts or donations were received or made during the year under review.

18. Contingent Liabilities

Certain legal proceedings have been instituted against the CRL Rights Commission. The amounts been claimed is estimated to be R 300 000. The Commissions legal advisors indicated that the possibility of loss is minimal. Accordingly, no provision has been made in the financial statements.

19. Remission and ex gratia payments

No remissions or ex gratia payments were made during the year under review.

Notes to the Financial Statements for the Year Ended 31 March 2016

20. Irregular, fruitless and wasteful expenditure

Irregular expenditure	2015/2016 R' 000	2014/2015 R' 000
Opening Balance	6 827	6 827
Incurred during year	43	-
Closing Balance	6 870	6 827

Irregular expenditure to the value of R 43 252 was incurred in the current financial year. The amount relates to the purchase of toner for copier machines on the basis of a service level agreement with the supplier. The service-level agreement does not list all the copier machines, which resulted on the irregular expenditure. The service-level agreement will be amended accordingly. In the investigation of the past reported irregular expenditure by the Commission no disciplinary proceedings had been taken.

Fruitless and wasteful expenditure

	2015/2016 R' 000	2014/2015 R' 000
Opening Balance	763	763
Incurred during year	51	-
Closing Balance	814	763

During the current financial year, a professional evaluator was appointed to revalue all the fixed assets of the CRL Rights Commission. The intention of management was not to change accounting policy from the cost basis to the revaluation method. The report was, therefore, finally not used and nothing relating to it was useful and implemented.

Notes to the Financial Statements for the Year Ended 31 March 2016

21. Related parties

21.1 Non-Executive Management (Commissioners)

	Appointment Date	Basic Salary	Structurable Salary	Provident /Pension funds contribution	Fees	Other Benefits	Total R' 000 2016	Total R000' 2015
TNJ Mkhwanazi-Xaluva (Chairperson)	01/03/2014	675	457	88	-	3	1 223	1 055
DL Mosoma (Deputy Chairperson)	01/03/2014	576	407	-	-	21	1 004	964
A Knoetze	01/03/2014				223	56	279	203
J Mabale	01/03/2014				179	7	186	87
SE Dlamini	01/03/2014				150	84	234	127
RD Botha	01/03/2014				335	19	354	177
B Muthien	01/03/2014				87	1	88	309
RTrollip	01/03/2014				194	2	196	129
NV Tyamzashe	01/03/2014				71	6	77	95
RS Schoeman	01/03/2014				193	44	237	201
FS Khama	01/03/2014				364	-	364	220
PP Madiba	01/03/2014				75	13	88	76
Total		1 251	864	88	1 871	256	4 330	3 643

	Appointment Date	Fees	Other Benefits	Total R' 000 2016	Total R000' 2015
MM Madliwa (Chairpeson)	01/02/2014	44	7	51	47
TN Baloyi	01/02/2014	33	22	55	49
MG Hlomane	01/02/2014	34	5	39	22
Total		111	34	145	118

Notes to the Financial Statements for the Year Ended 31 March 2016

21.3 Senior Management Emoluments

Executive management and directors	Appointment Date Resignation Date	Basic Salary	Structurable Salary	Provident /Pension funds contribution	Other benefits	Total R' 000 2016	Total R' 000 2015
Chief Financial Officer - CM Smuts	01/06/2006	559	347	84	-	990	897
Senior Manager – TE Mafadza (Acting CEO)	01/04/2008	550	463	65	18	1 096	1 028
Senior Manager – T Mabasa	-	-	-	-	-	-	656
Senior Manager – R Mkholo	01/10/2012	546	-	-	-	546	-
Senior Manager - KA Sedupane	01/10/2012	519	348	67	42	976	876
Senior Manager – BR Makeketa	01/12/2012	518	282	78	41	919	860
Total		2 692	1 440	294	101	4 526	4 316

21.4 Department of Cooperative Governance and Traditional Affairs

	2016 R' 000	2015 R' 000
Transfer funds received (R' 000)	36 581	34 974

The CRL Rights Commission as Chapter Nine institution is allocated to the budget vote Department of Cooperative Governance and Traditional Affairs (CoGTA). The budget as approved by Parliament is transferred through the budget vote of CoGTA in four equal tranches.

22. Straight-Lining of Operating Lease

	2016	2015
Buildings	506	291
Parking	53	30
Total	559	321

Notes to the Financial Statements for the Year Ended 31 March 2016

Notes to the Financial Statements for the Year Ended 31 March 2016

23. Operating lease

The CRL Rights Commission rents premises with lease rentals of R 160 137 per month according to a lease agreement that commenced on 1 June 2014, with a lease term of five years. The escalation of the operational lease is set at 8% per annum.

Rental:

SOFP	Within 1 year	Current portion	2 190 630
	2 to 5 years	Non-current portion	5 391 196

Parking:

SOFP	Within 1 year	Current portion	229 640
	2 to 5 years	Non-current portion	565 151

24. Financial Instruments

Financial instruments consist of cash and cash equivalents trade and other receivables and trade and other payables.

	Notes	2016 R' 000	2015 R' 000
Loans and receivables at amortised cost		2 094	1 651
Trade and other receivables		1 799	825
Cash and cash equivalents	9	295	826
Financial liabilities at amortised cost			
Trade and other payables		1 629	273

Credit risk

Trade and other receivables

Trade and other receivables are exposed to a low credit risk and no amounts are overdue.

Cash and cash equivalents

Cash and deposits are held with an AA-rated registered banking institution and are regarded as having insignificant credit risk.

Notes to the Financial Statements for the Year Ended 31 March 2016

Liquidity risk

Trade and other payables

The Commission is only exposed to liquidity risk with regard to the payment of its trade payables. These trade payables are all due within the short-term. The Commission manages its liquidity risk by holding sufficient cash in its bank account, supplemented by cash available in a call account

Notes to the Financial Statements for the Year Ended 31 March 2016

Interest rate risk
Trade and other receivables

Trade and other receivables are exposed to an insignificant amount of interest rate risk.

Cash and cash equivalents

Cash in the call and demand deposits accounts is kept at a maximum in order to maximise interest earned on any cash.

	2016 R' 000	2015 R' 000
Increase in surplus reported for the year		
Effect of a 100 basis point increase in interest rates	3	8
Effect of a 100 basis point decrease in interest rates (Decrease) in surplus reported for the year	(3)	(8)

Notes to the Financial Statements for the Year Ended 31 March 2016

25. Statement of Comparison of budget and Actual Amounts

	Actual R' 000	Budget R' 000	Variance R' 000
Revenue	36 788	36 731	57
Transfer	36 581	36 581	-
Finance income	207	150	57
Less expenses	37 454	36 047	(1 407)
Administrative expenditure (note 1)	6 973	4 081	(2 892)
Audit fees	1 556	1 450	(106)
Staff costs (note 2)	17 912	21 620	3 708
Other operating expenditure (note 3)	11 013	8 896	(2 116)
(Deficit) / surplus before depreciation and amortization	(666)	684	(1 350)
Depreciation and amortization	(437)	(510)	73
Deficit for the year	(1 103)	174	(1 277)

Note 1: The administrative expenditure relates to catering that was procured for public engagement programmes as well as the Section 7 Committee hearings as referred to above.

Note 2: The saving created in respect of staff costs relate to positions that became vacant during the year as well as vacancies that were not filled. The CRL Rights Commission failed to fill the vacancies identified as strategic, owing to the limited adjustment to the baseline allocation. As can be deduced from the Table above, the savings from unfilled vacancies were reallocated to fund operational expenditure.

Note 3: These operations include enhanced community engagements and Section 7 Committee investigations into the abuse of belief systems and possible harmful practices in the religious sector.

Notes to the Financial Statements for the Year Ended 31 March 2016**26. Going Concern**

During the current financial operating period, the CRL Rights Commission received a baseline allocation of R37 m. These financial statements have been prepared on a going concern basis, because the existence of the CRL Rights Commission is protected in the Constitution of the Republic of South Africa. The CRL Rights Commission has an accumulated surplus of R 1,421 m.

27. Events after reporting date

Management of the CRL Rights Commission is not aware of any events or circumstances that occurred since 31 March 2016 that may require any disclosure in the financial statements unless otherwise reported under contingent liabilities.

28. Authorisation of the annual financial statements

The Acting Accounting Officer of the CRL Rights Commission, Mr E Mafadza, authorised the financial statements for issue.