

PeArts & culture
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Department:
Arts and Culture
REPUBLIC OF SOUTH AFRICA

UPDATE ON PROGRESS WITH REGARD TO THE IMPLEMENTATION OF THE SETTLEMENT AGREEMENT BETWEEN THE DEPARTMENT OF ARTS AND CULTURE AND THE SOUTH AFRICAN ROADIES ASSOCIATION

10 October 2016

1. Summary report on progress to date

ACTIVITY	ACTION BY	STATUS	TIMEFRAMES
PROPOSAL: LIVE EVENTS TECHNICAL AND PRODUCTION SERVICES (LETPC) FOR 2016/17/18.	DAC	<p>Payments:</p> <p>The final payment for the 1st year 2016/17 has been made. The next transaction is the first payment for the 2nd year 2017/18.</p> <p>Note: Other activity related.</p> <p>The sector practitioners attending the LETPC 2016 called for a skills audit to be conducted in the sector. In response to the latter, the Department committed to conduct a feasibility study into the "Human Capital Development" programme of the Events Technical and Production Services sector strategy. This process has been included as part of the feasibility study for a dedicated live events & technical services training institution.</p>	<p>N/A</p> <p>31 March 2017</p>

ACTIVITY	ACTION BY	STATUS	TIMEFRAMES
INTERNATIONAL INTERACTION PROGRAMME for 2016/17 Activities	SARA	First Payment for 3rd Year programme: The 1 st payment for the final 2016/17 cycle of the International Interactions Programme was transferred.	2nd Payment Due at end of Financial year as per MOA.
NATIONAL ARTS COUNCIL (NAC) Investigation into allegations.	DAC	Ongoing: The investigation has been completed and the report is going through the necessary approval processes in order to communicate the outcome to SARA and the NAC.	Ongoing.
RENOVATIONS FOR SARA BUILDING			
Funding allocation for Building Renovations Proposal.	DAC	Ring-fenced funds: <ul style="list-style-type: none"> The Department confirmed an amount of R15 million allocated towards funding the SARA building renovations proposal in formal correspondence to SARA. 	Funds set aside for implementation in 2016/17
Implementation of Building Renovations Proposal.	DAC & SARA	Ongoing The two parties reached an impasse on the approach of implementing the building renovations. In this case the DAC proposed to transfer the allocated funds to SARA to coordinate and appoint Project Manager supported by a professional team of relevant expertise in the built environment.	No firm commitment can be made.

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		<p>SARA declined the proposal and a protracted exchange of letters and discussions ensued, Subsequently a meeting was called by the Portfolio Committee which was held on the 3rd May 2016 whereby the DAC and SARA made presentations.</p> <p>The Honourable members asked on what basis did DAC agreed to fund SARA on those agreed items?</p> <p>The meeting resolved that the two parties should find ways of working together and find common ground. It was also queried on what basis DAC agreed to fund SARA. As such the DAC was required to provide a Legal Opinion to respond to the latter.</p> <p>Presentation of Legal Opinion to the PC: Completed:</p> <p>The DAC followed up on the request for DAC to provide the Portfolio Committee with a Legal Opinion in relation to the DAC's funding of SARA's Building Renovations and the Settlement Agreement, between DAC and SARA.</p>	

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		<p>In this regard the DAC consulted with the Office Of The State Attorney which has since submitted a report on the matter. A copy has been provided to the Portfolio Committee attached to correspondence signed by the Acting DG on 10 August 2016.</p> <p>The legal opinion report provides numerous issues around whether or not is the DAC obliged to embark on acquisition of third party immovable property.</p>	
Backstage Academy Proposal	SARA	<p>Feasibility study:</p> <p>A public tender for a study on human capital needs and the feasibility of establishing a dedicated training institution for the live events and technical production sector has been advertised.</p>	31 March 2017
Relations between SARA and DAC	DAC and SARA	<p>Ongoing:</p> <p>Relations between the parties remain strained and the DAC has on two occasions cautioned SARA with regard to its means, methods and tone of communication given the stipulations in the Settlement Agreement.</p>	Ongoing