

APPEAL BOARD OF SAFETY AT SPORTS AND RECREATIONAL EVENTS ACT, 2010 (ACT NO. 2 OF 2010)



sport & recreation

Department:
Sport and Recreation South Africa
REPUBLIC OF SOUTH AFRICA

PRESENTED TO THE

**PORTFOLIO COMMITTEE ON SPORT AND
RECREATION ON**

.....**2017**



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LEGISLATION GUIDING OPERATIONS OF APPEAL BOARD OF SAFETY AT SPORTS AND RECREATIONAL EVENTS ACT, 2010 (ACT NO. 2 OF 2010) (“SASREA”)

The SASREA provides, amongst others, for measures to safeguard the physical well-being and safety of persons and property at sport, recreational, religious, cultural, exhibitional, organisational or similar events held at stadiums, venues or along a route; provides for the accountability of event role-players; provides for certain prohibitions; provides for the risk categorisation of events; provides for the establishment of measures to deal with the safety and security at events; provides for the accreditation of role players at events; provides for event ticketing; provides for the control of access of spectators and vehicles at events; provides for the issuing of safety certificates for planned or existing stadiums or venues; **provides for the establishment of an Appeal Board and for appeals;** provides for public liability insurance for events; provides for payment of fees; provides for offences and penalties; provides for matters connected herewith.

Key responsibility placed on SRSA as a result of this Act: To ensure that the safety and security of all spectators and sports participants at events at stadiums or other venues in South Africa are adequately nurtured, protected, administered and governed.

SASREA APPEAL BOARD: INTRODUCTION

The SASREA provides, amongst others, that the Minister of Sport and Recreation must in terms of section 26 appoint an independent board known as the Appeal Board consisting of **at least 7 members** to hear and decide upon appeals against decisions made in terms of this Act.

Subsequently the Minister has, with the assistance of the Portfolio Committee (e.g. conducting of interviews and making recommendations, etc.) appointed 8 members to constitute the SASREA Appeal Board.

On 16 September 2016 the SASREA Appeal Board had an induction meeting where various issues that affect the Board from an operational perspective and otherwise were deliberated. In addition, an official of the National Treasury was also invited to the meeting to explain all processes relative to the National Treasury and its Regulations that need to be complied with by SRSA insofar as the remuneration of the Board members, its structure, etc. are concerned.

SASREA APPEAL BOARD: NATIONAL TREASURY PROCESSES

SRSA is currently in the process of drafting a submission to our DG whereby a duly completed Treasury questionnaire as signed off by the Chairperson of the SASREA Appeal Board and our DG which, amongst others, -

- (a) deals with the remuneration scales of the SASREA Appeal Board members; and
- (b) needs to be forwarded to the Central Evaluation Committee of the National Treasury for its consideration and recommendations. The outcome of the evaluation and the recommendation process will be based on the legislative mandate of the SASREA Appeal Board.

In order for the Minister of Sport and Recreation to make the determination, he needs to be advised. To assist in this process, the Central Evaluation Committee (based in National Treasury and consisting of reps from National Treasury, the Department of Public Service and Administration and SRSA) evaluates the contents of a completed questionnaire and makes a recommendation to SRSA.

Moreover SRSA will then have to be make a recommendation to the Minister (based on the Central Evaluation Committee's recommendations) who will subsequently have to make a determination in consultation with the Minister of Finance before its implementation.

SASREA APPEAL BOARD: DOCUMENTS TO BE DRAFTED

In addition, the following documents must still be drafted in terms of the SASREA and its Regulations:

- (a) a procedural document which must determine the procedure to be followed by the Board and appellant once an appeal has been lodged;
- (b) an annual report on the activities of the SASREA Appeal Board to be submitted to the Minister and tabled in Parliament;
- (c) a disclosure of financial interest document which must be completed and signed by all members of the Board on each occasion when an appeal is considered;
- (d) a draft presentation on the implications of the SASREA regulations from an appeal perspective which has been promulgated on 3 March 2017; and
- (e) a remuneration policy for tabling, adoption and approval by the Board (e.g. traveling time to be compensated depending on the distance radius, compensation for unavoidable staying over period if traveling from Cape Town for instance, etc.) **once both the Ministers of Finance and Sport and Recreation have concurred and approved the remuneration scales** of the chairperson, deputy chairperson and members as referred to earlier above.

SASREA APPEAL BOARD: PROMOTION OF ITS ESTABLISHMENT

As suggested at the induction meeting of the SASREA Appeal Board, the establishment of the BOARD should be promoted as follows:

- (a) Its chairperson should from time to time address TV and other broadcasters, media, etc. to pronounce on the role, responsibilities and functions of the SASREA Appeal Board;
- (b) In addition, media statements by Minister must also be issued to this effect; and
- (c) Communications must be sent to SASCOC, all national federations, the Provincial Departments responsible for Sport and Recreation and other Government Departments affected by the SASREA (e.g. SAPS, Provincial and Local Government, etc.), amongst others, whereby they are –
 - informed of the establishment of the Board;
 - informed of the role, responsibilities and functions of the Board;
 - requested to advise all their members, clubs, institutions, public entities, etc. of the above-mentioned role, responsibilities and functions of the SASREA Appeal Board and request them to echo same to all role players, stakeholders and clients of theirs affected by the provisions of the SASREA; and
 - requested to advise SRSA pertinently of the manner in which they will ensure that the establishment, role, responsibilities and functions of the Board are sufficiently and effectively brought to the attention of all role players, stakeholders and clients of theirs.



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THANK YOU