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arts & culture

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

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.</p> <p>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 activated</p>	N/A

ACTIVITY	ACTION BY	STATUS	TIMEFRAMES
		and will be reported under the Backstage Academy Proposal report.	
INTERNATIONAL INTERACTION PROGRAMME for 2016/17 Activities	SARA	First Payment for 3 rd Year programme: The 1 st payment for the final 2016/17 cycle of the International Interactions Programme was transferred.	2 nd Payment Due at end of Financial year as per MOA.
NATIONAL ARTS COUNCIL	DAC	Ongoing: [REDACTED]	[REDACTED]
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

ACTIVITY	ACTION BY	STATUS	TIMELINES
Implementation of Building Renovations Proposal.	DAC & SARA	<p>Ongoing</p> <p>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.</p> <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>	To matter should be settled 2016/17 Financial year.

ACTIVITY	ACTION BY	STATUS	TIMEFRAMES
		<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> <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 Tender for a Feasibility study to be conducted on Human Capital Development has been advertised and the process is at an advanced stage. Proposals are anticipated from the stakeholders. With the study the Department intends to establish informed interventions and responses to proposals related to skills development in the sector..</p>	Ongoing 2016/17

ACTIVITY	ACTION BY	STATUS	TIMEFRAMES
			Study to be completed by the end of the financial year.
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



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

7 November 2016

1. Summary report on progress to date

ACTIVITY	ACTION BY	STATUS	TIMEFRAAMES
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 related activity:</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. The tender has closed and administration and evaluation processes are underway.</p>	N/A
			31 March 2017

ACTIVITY	ACTION BY	STATUS	TIME-frames
INTERNATIONAL INTERACTION PROGRAMME for 2016/17 Activities	SARA	First Payment for 3 rd 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 has been circulated SARA and the NAC. The report found no wrong doing on the part of the NAC, however recommendations were made to strengthen some policy instruments at the NAC (See Annex A). SARA is disputing the findings.	Finalised.
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

ACTIVITY	ACTION BY	STATUS	TIMEFRAMES
Implementation of Building Renovations Proposal.	DAC & SARA	<p data-bbox="1265 931 1297 1048">Ongoing</p> <p data-bbox="978 931 1201 1809">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.</p> <p data-bbox="547 931 914 1809">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. 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 data-bbox="443 931 483 1630">Presentation of Legal Opinion to the PC: Completed:</p> <p data-bbox="252 931 435 1809">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>	<p data-bbox="1066 1832 1201 2045">No firm commitment can be made.</p>

ACTIVITY	ACTION BY	STATUS	TIMEFRAMES
		<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. An allocation has not been made for 2017/18 given the lack of progress in finalising the contractual relations.</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 and closed on the 4th November 2016. (See above)</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. The DAC referred the matter of SARA's tone and manner of communication, especially on social media to the South African Human Rights Commission for consideration.</p>	Ongoing

ACTIVITY	ACTION BY	STATUS	TIMEFRAMES
		<p>At the request of the Deputy Public Protector's Office, an updated report on the implementation of the Settlement Agreement was provided on 14 October 2016.</p>	

OUTLINE OF DELIVERABLES FOR THE FEASIBILITY STUDY FOR THE HUMAN CAPITAL DEVELOPMENT PROGRAMME OF THE EVENNITS TECHNICAL PRODUCTION SECTOR.

To be used as a work plan for the SLA with service provide subject to review as and when necessary.

Proposed Work Plan for the Appointment of Service Provider to conduct a Study on Human Capital Development for Events, Technical and Production Services Sector				
Phase	Activities	Date	Costs	Output
1	Initiation Phase	21-Apr-17	R250 000.00	Inception report
	Initial meetings with the client (ensuring common understanding)			
	Agree on stakeholders (list) to be consulted			
	Compilation of the database of stakeholders (Work in Progress)			
	Draft and print letters for the introduction of the Service Provider			
	Desktop research (review relevant documentation)			
	Status quo analysis			
	Design questionnaires and submit for approval			
2	Interviews/ Surveys	02-Jun-17	R 250 000.00	Completed questionnaires and a brief report explaining methodology followed as well as challenges experienced
	Conduct key stakeholder interviews			
3	Data capturing and Analysis	30-Jun-17	R 200 000.00	Progress report
	Data capturing			

[illegible]