

Thursday, 29 July 2021]

No 101—2021] THIRD SESSION, SIXTH PARLIAMENT

PARLIAMENT

OF THE

REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

THURSDAY, 29 JULY 2021

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ANNOUNCEMENTS

National Assembly and National Council of Provinces

The Speaker and the Chairperson

1. Draft Bills submitted in terms of Joint Rule 159

- (1) **Plant Health (Phytosanitary) Bill**, submitted by the Minister of Agriculture, Land Reform and Rural Development.

Referred to the **Portfolio Committee on Agriculture, Land Reform and Rural Development** and the **Select Committee on Land Reform, Environment, Mineral Resources and Energy**, for information.

National Assembly

The Speaker

1. Introduction of Bills

- (1) **The Minister of Agriculture, Land Reform and Rural Development**

- (a) **Plant Health (Phytosanitary) Bill** [B 14 - 2021] (National Assembly – proposed sec 76) [Explanatory summary of Bill and prior notice of its introduction published in *Government Gazette* No 44604 of 21 May 2021.]

Introduction and referral to the **Portfolio Committee on Agriculture, Land Reform and Rural Development** of the National Assembly, as well as referral to the Joint Tagging Mechanism (JTM) for classification in terms of Joint Rule 160.

In terms of Joint Rule 154 written views on the classification of the Bill may be submitted to the JTM. The Bill may only be classified after the expiry of at least three parliamentary working days since introduction.

2. Referral to Committees of papers tabled

- (1) The following paper is referred to the **Portfolio Committee on Cooperative Governance and Traditional Affairs** for consideration and **Standing Committee on the Auditor-General**:
- (a) Letter from the Auditor-General dated 26 July 2021, to the Speaker of the National Assembly on the delayed completion of the 2020-21 national and provincial government audits.
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TABLINGS

National Assembly

1. Speaker

- (a) Reply by the Minister of Sport, Arts and Culture to the report of the Portfolio Committee on Sport, Arts and Culture on Budget Vote 37: Department of Sport, Arts and Culture, as adopted by the National Assembly on 1 June 2021.

Referred to the **Portfolio Committee on Sport, Arts and Culture**.



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22 July 2021

ATT: Hon, T. Modise: National Assembly
RSA Parliament
P.O. Box 15
CAPE TOWN
800

Dear Honourable Speaker

**REPORT OF PORTFOLIO COMMITTEE ON SPORT, ARTS AND CULTURE ON BUDGET VOTE 37:
DEPARTMENT OF SPORT, ARTS AND CULTURE**

In accordance with the recommendations of the Portfolio Committee report as listed in the ATC attached, which was adopted by the National Assembly on 1 June 2021.

We accordingly wish to provide you with a consolidated report for your further handling.

Kind regards

EN Mthethwa, MP
MINISTER OF SPORT, ARTS AND CULTURE

DATE: 2021-07-26

..\..\..\..\Documents\PARLIAMENT\LETTERS FROM SPEAKER AND TO SPEAKER\ATC-58-2021-05-11- OBSERVATIONS AND RECOMMENDATIONS (latest).PDF

PROGRAMME 1: CORPORATE SERVICES/ADMINISTRATION

PC Recommendations in relation to the DSAC

RECOMMENDATION	DSAC/BRANCH: RESPONSE /ACTION PLAN
<p>8.1.-Consequence management: The Committee notes with appreciation the progress the Department has already made with implementing consequence management within the Department and its entities and requests that this work continues.</p>	<p>Most cases in the latest report were on Irregular, Fruitless and Wasteful Expenditure. All cases handled have been finalized and new cases and consequent management actions implemented, noting some employees had already left the department when consequent management action implementation was due.</p> <p>The Department continues to ensure all cases are investigated and closed in time.</p> <p>The CD: HRM has received a request from the Unauthorized, Irregular and Fruitless and Wasteful Expenditure (UIFW) task team, to implement the recommendations of the report conducted by from Morar Forensic Investigation firm.</p>

RECOMMENDATION

DSAC/BRANCH: RESPONSE /ACTION PLAN

The implementation of the aforesaid report is summarized as follows:

1. Irregular Expenditure Cases.

Total Number of Cases Received	Number of Officials not issued with Warning Letters	Number of Officials issued with Warning Letters	Number of Officials no longer in the DSAC Employment	Status
Twenty-five (25)	Two (2)	Seven (7)	Sixteen (16)	Finalised

2. Fruitless and Wasteful Expenditure

Total Number of Cases Received	Number of Officials not issued with Warning Letters	Number of Officials issued with Warning Letters	Number of Officials no longer in the DSAC Employment	Status
Ten (10)	Two (4)	Seven (4)	Two (2)	Finalised.

The Officials who were not issued with warning letters, their responses to the *audi alteram partem* letter, were found to be substantiated. The other Officials were no longer with the Department, already on Pension, resigned when the report was released. The implementation report was signed by the DG and subsequently forwarded to the Office of the Acting CFO for her to engage on the processes of condonation

RECOMMENDATION	DSAC/BRANCH: RESPONSE /ACTION PLAN
	Entities submit reports on disciplinary cases on quarterly basis to the Department
<p>8.4. Merging of the two departments: The Department should keep the Committee abreast of the developments on this front</p>	<p>The Department of Sport, Arts and Culture (DSAC) is in the process of reviewing its organizational structure in order to reposition / transform itself into an organization that is responsive to the client needs and best aligned to its role, as central coordination point for all entities under its management. The organizational review process of DSAC will grant the organization an opportunity to create an organizational structure that is fit for purpose, and delivers on the organisational mandate.</p> <p>In line with the transformation process that the department intends to undertake, there is a need to develop an Integrated Service Delivery Model that will assist the organization to understand the current, and future state of operating environment to align the future organizational structure to the processes, workflows and delivery targets and be able to determine best fit organizational design for DSAC; develop/review job content of job profiles and descriptions to ensure alignment to functions and business processes; and re-design the revised/proposed functional organisational structure, depicting manageable spans of control, ratios and norms.</p> <p>It is against this background that the Department will source the services of a service provider to assist in the envisaged process. The tender process has commenced and the tender will be advertised in July 2021. Terms of reference and a submission have been finalized.</p>
<p>8.5. Organisational stability and human resources: The Department to provide the Committee with regular updates on the filling of vacancies to ensure that service</p>	<p>The Covid-19 pandemic had a serious impact on the overall performance of the public service, including the recruitment processes. As the easing of the various lockdown levels were phased</p>

RECOMMENDATION	DSAC/BRANCH: RESPONSE /ACTION PLAN						
	<p>in, it brought a certain level of normality that allowed departments to start operating again.</p> <p>August 2020 recruitment drive: 25 positions were advertised and below is the progress made:</p> <table border="1" data-bbox="1012 397 1728 548"> <tr> <td>Number of positions filled</td> <td>17</td> </tr> <tr> <td>Number of positions to be re-advertised</td> <td>4</td> </tr> <tr> <td>Number of positions in process of being filled Pending appointment letters</td> <td>4</td> </tr> </table> <p>A total of 21 positions (17 filled and 4 pending appointment letters) will be finalized of the 25 advertised.</p> <p>March 2021 recruitment drive: 32 positions were advertised with a closing date of 8th April 2021. Response handling is finalized the process of shortlisting and interviewing is underway with the plan to finalise the process by end July 2021.</p> <p>In March 2021, the Department managed to recruit and place 30 Interns as part of its initiative to enhance available resources and job creation initiative.</p> <p>Furthermore, the Department is in the process of placing an advert on the DPSA bulletin for 26 positions by the 15 July 2021</p>	Number of positions filled	17	Number of positions to be re-advertised	4	Number of positions in process of being filled Pending appointment letters	4
Number of positions filled	17						
Number of positions to be re-advertised	4						
Number of positions in process of being filled Pending appointment letters	4						
<p>8.6 Governance of entities: The Department should look into the matter of consequence management for board members who are not bringing value...</p>	<p>The Department will conduct Board Assessments, which will assist in tracking individual performance of Board members. Some of the legislations governing entities have a provision to deal with members' misconduct and/or performance. These provisions will be enforced when required.</p>						

RECOMMENDATION	DSAC/BRANCH: RESPONSE /ACTION PLAN
<p>8.8. Costs related to governance of entities: The Department to provide the Committee with a report on the costs of litigation stemming from board politics.</p>	 APPLICANT OR PLAINTIF.docx
<p>8.9. Outstanding legislation: The Department to provide a list of all outstanding legislation that it has prioritised.</p>	<p>National Sport and Recreation amendment Bill 2020.</p> <p>Amendment of the South African Institute for Drug-Free Sport Act.</p> <p>Amendment of the South African Geographical Names Council Act.</p>
<p>8.15. Reduced ability to generate revenue: The RIM should look creatively at generating revenue through alternate means through specifically focusing on marketing to promote the Island.</p>	<p>A workshop termed “Development of a Business Model” is planned for the month of August 2021. This workshop will focus on re-imagining the institution to ensure that it diversifies its offerings to reduce reliance on tours, which have been affected by the effects of the COVID-19 pandemic. RIM will find alternate means of generating revenue.</p>
<p>8.16. Business rationalisation: While in the last financial year, additional resources have been allocated to retain staff, the Department and the entity should work together on a viable solution to stave off possible retrenchments.</p>	<p>The Department has intervened and assisted the Robben Island Museum by approving reprioritization of funds to avoid the loss of jobs at the entity.</p> <p>RIM had to raise funds to temporarily stop the shedding of jobs and cutting salaries. In this vein funding of R 21 533 448 was re-prioritised from the Capital Works Budget towards specific operational costs, while they find alternate means of generating revenue.</p>
<p>8.17. Internal/external audit function: The Department should assist the entity to ensure that all audit functions are carried out to reduce the risk of an unfavourable audit outcome.</p>	<p>This function is monitored to ensure that the Internal Audit remains functional. The Auditor-General of SA performs the entity’s external audit.</p>
<p>8.18. Investigation in alleged corruption and mismanagement:</p>	<p>The Council of Robben Island Museum, after a legal advice, decided to withdraw disciplinary proceedings against the two officials (CEO and CFO).</p>

RECOMMENDATION	DSAC/BRANCH: RESPONSE /ACTION PLAN
<p>The Department should keep the Committee updated on the progress made in respect of the consequent management that has been initiated and currently underway.</p>	
<p>8.19. Sanctioning fees: The accounting authority must implement consequence management and there must be an action plan to deal with investigations for 158 28 cases of irregular, fruitless and wasteful expenditures to ensure that matters of discipline, financial misconduct and recovery are dealt with.</p>	<p>Sanctioning fees: The current collection model is deemed outdated. This matter will be addressed by the Amendment of the Boxing SA Regulations, which are currently underway.</p> <p>Irregular, fruitless and wasteful expenditure: Entities were requested to submit their plans of dealing with cases of irregular, fruitless and wasteful expenditure. See the attached document</p> <div style="text-align: center;">  QUESTION 1063 FROM ENTITIES.docx </div>

PROGRAMME 2: RECREATION SPORT DEVELOPMENT AND PLANNING

PC Recommendations in relation to the DSAC

RECOMMENDATION	DSAC/BRANCH: RESPONSE /ACTION PLAN
<p>8.12. Support for Caster Semenya: The case of Caster Semenya should be fully supported by the Department at the European Court for Human Rights.</p>	<p>The Department has continued to provide support through Athletics South Africa, which enabled the submissions to the European Court for Human Rights. Additional to the financial support provided, the Department, through the Minister of Sport, Arts and Culture met with the multi-stakeholder Forum consisting of, inter alia, Commission for Gender Equality, Lawyers representing Ms. Semenya and Department of International Relations and Corporation (DIRCO) to establish possible areas of collaboration.</p>

	<p>Subsequent to this meeting, the Department has since been an integral part of this Forum to assist with efforts to mobilise international support through engagements with various sport bodies in the continent and the world. The Department is working with the all like-minded partners and remains committed to providing support to see the campaign to its logical conclusion.</p>
<p>8.13. CSA and SASCOC: The Minister should continue to monitor the work of Cricket South Africa (CSA) and the South African Sports Confederation and Olympic Committee SASCOC given the challenges the organisations have been Facing;</p>	<p>The process of reviving effective governance with the Cricket SA culminated in the submission of the final report by the Interim Board to the Minister.</p> <p>The key and critical milestone has been the election of the new Cricket SA Board of Directors with the majority being independent and comprising of the following members:</p> <p><u>Independent Members</u></p> <ul style="list-style-type: none"> • Lawson Naidoo. (Chairperson of the Board of Directors of Cricket South Africa (CSA) • Steven Budlender • Andrew Hudson • Dugmore Lushaba • Andisa Ntsubane • Mark Rayner • Muditambi Ravele • Norman Arendse. <p><u>Non-independent members</u></p> <ul style="list-style-type: none"> • Daniel Govender • John Mogodi • Craig Nel • Tebogo Siko

	<ul style="list-style-type: none"> • Simphiwe Ndzundzu
<p>8.14. Soccer Indaba: The Department must ensure that this Indaba is hosted as a matter of urgency.</p>	<p>The Department continues to work with the South African Football Association (SAFA) in preparing for the Indaba. The scheduling of the National Indaba would be dictated upon by the International and National Calendar for football. This is to ensure maximum participation of all the critical role-players.</p> <p>SAFA would be recommending the dates in this regard. The Plan is to convene Provincial Izindaba culminating into the National Indaba. Depending on the changes in the COVID-19 situation, a physical session and virtual or hybrid approach is being explored.</p>
<p>8.19. Sanctioning fees: The accounting authority must implement consequence management and there must be an action plan to deal with investigations for cases of irregular, fruitless and wasteful expenditures to ensure that matters of discipline, financial misconduct and recovery are dealt with.</p>	<p>Boxing SA has in the last 12 months intensified its efforts to collect outstanding sanctioning fees owed by Promoters. Promoters have been encouraged to enter into payment arrangements to assist in settling historic debts. Measures to prevent Promoters increasing this debt have been put in place such as not sanctioning a tournament application until commitments have been met.</p> <p>About matters of irregular, fruitless and wasteful expenditures, Boxing SA has recently filled key vacancies, which are closely linked to the functions, i.e., SCM Officer and Internal Audit Manager.</p> <p>Previously the challenge has been the absence of capacity to oversee those proper processes are followed in procurement as well as deviation management and auditing. With the appointment of the Internal Audit function, it will be easy for investigations to be undertaken with recommendations put forward and consequence management implemented where necessary.</p>
<p>8.20. Development of boxing nationally: The Committee would like to see the roll out of boxing development and tournaments throughout the country, especially in rural areas, as boxing is currently concentrated in one province.</p>	<p>Boxing tournaments take place in various provinces with Gauteng, Eastern Cape and Kwazulu-Natal often leading in the number of tournaments staged each year. These tournaments are also not always staged in urban areas but also in the rural parts of each province. In KZN, the provincial</p>

	<p>department of sport encourages hosting of tournaments in places such as Kwa-Nongoma amongst other places. Similarly, in Eastern Cape, areas like Nqadu enjoy boxing activities.</p> <p>It is acknowledged however that more can be done in other provinces and Promoters must be encouraged and incentivized for focusing on rural boxing development.</p>
<p>8.21. Collaboration and partnerships: BSA should strengthen and maintain good working relationships with SANABO.</p>	<p>Work is underway to sign a MoU with SANABO that will see the two bodies formalizing their collaboration and mapping a clearer and more beneficial working relationship.</p>
<p>8.22. Planning: BSA should stay on course with the strategic plan set out at the Boxing familiarise itself with the Framework for Managing Strategic Plans and Annual; Performance Plan (FSAPP) and Framework for Managing Programme Performance Information (FMPPi). BSA should make sure that their performance indicators and targets are clearly defined, measurable, and specific</p>	<p>Boxing SA has implemented over 90% of the resolutions that were taken at the 2013 session. The outstanding resolutions are those that are highly dependent on third party agreements and / or participation, i.e., boxing broadcasting, broadcasting rights, sponsorship.</p> <p>The Boxing SA Board has developed a working team that will focus mainly on the outstanding resolutions especially those that speak to boxing development and an action plan has been developed to ensure that these resolutions are tracked for progress.</p>
<p>8.23. Women's boxing: BSA should put more effort into the development of women's boxing, especially in cases where tournaments receive State funding.</p>	<p>A proposal for support and increased women participation in boxing was presented to the Department and supported. In this regard, the inclusion of two female bouts as a prerequisite to all Government funding for boxing and for Provincial Department to set aside a minimum of R350, 000 for women development programs has been agreed upon for incorporation in the Business Plans of the Provinces.</p>
<p>8.24. Popularity of the sporting code: The Committee calls for BSA to speed up the process of acquiring a licence with the SABC in order for live professional boxing matches to be broadcasted on the National Broadcaster.</p>	<p>There have been various engagements with SABC and other broadcasters to increase live coverage of boxing. These discussions have unfortunately yielded very little progress or results.</p>

	In the planned joint strategic session between Boxing SA and Minister Mthethwa, it is planned that SABC in particular form part of the discussions so as to better understand any challenges that may be in place and possibly develop a working plan going forward
<p>8.25. Doping in school sports: With the assistance from the Department through school sport and community sport programmes, SAIDS must consider reaching out to townships and rural areas to implement the anti-doping education projects specific to youth sports and this point was raised in the previous financial years.</p> <p>8.26. Drug testing at schools: Through engagements with the Department, SAIDS needs to look at drafting legislation that will address drug testing at school sport level to avoid resistance from coaches and parents.</p>	<p>Response to recommendation 8.25 and 8.26</p> <p>The issue of drug testing in schools is temporarily being addressed through the SAIDS revised 2021 Clean Sports Policy. SAIDS indicated that they would be submitting the Policy to DSAC before the end of July 2021.</p> <p>A long-term solution to testing in schools will be addressed through the envisaged revised / amended anti-doping / clean sport legislation. The Department of Basic Education would be engaged as one of the key stakeholders</p>
<p>8.27. Irregular expenditure: SAIDS needs to update its Supply Chain Management (SCM) and Procurement Policy to include the requirements for local production and content, and continue with the strict compliance practices currently in place.</p>	The South African Institute for Drug-Free Sport (SAIDS) has indicated that the Audit finding has been addressed. In addition, SAIDS is considering the recommendations for incorporation into its plans and activities.

PROGRAMME 3: ARTS AND CULTURE PROMOTION AND DEVELOPMENT

PC Recommendations in relation to the DSAC

RECOMMENDATION	DSAC/BRANCH: RESPONSE /ACTION PLAN
<p>8.3. CCIFSA: As the Department noted that CCIFSA is a work in progress, the Department should provide the Committee with</p>	Several interventions have been implemented by the Department in an attempt to organize the sector. This includes the National Conference that was held in 2015 where-after a CCIFSA Executive Committee was formed;

<p>CCIFSA's current status and keep the Committee informed on further developments</p>	<p>and another National Elective Conference that was held in August 2019; wherein the current National Executive Committee was elected made up of 6 members from different provinces; and 7 Sector National Representatives; covering the Cultural and Natural Heritage Sector; the Indigenous Wisdom; the Visual Arts and Crafts; the Design and Creative; Arts, Culture and Heritage Technical Support; the Performance and Celebration and the Language and Publishing sectors.</p> <p>Following the appointment of the current CCIFSA Board the Department allocated R2 500 000 in the 2020/21 financial year as interim funding to enable the organisation to plan for induction, policy conference, communication and general logistics. Of this amount, only R1 500 000 was transferred to CCIFSA and the Department is working with the National Executive Committee to finalise the issue regarding submission of the Reports by CCIFSA; and measures to be put in place to ensure accountability; and to ensure that all required controls are in place for effective and efficient handling of budget received from the Department. The Department will also be having a Strategic Planning Session with the CCIFSA Executive Committee to draw up and agree on key programs for the industry's support and sustainability. This is planned for the 2nd quarter of this financial year.</p>
<p>8. 10. Support for sector practitioners in light of the COVID-19 pandemic: The Department should look into providing more capacity building opportunities for artists.</p>	<p>2020 presented unprecedented conditions for the sport, arts and culture sector with the onset of lockdown restrictions due to the Covid-19 pandemic. The livelihoods of practitioners who mostly depend on venue-based activities was severely impacted and most were rendered helpless and in crisis as they struggled to maintain even the most basic of needs.</p> <p>Minister Mthethwa facilitated a dialogue that sought to find means for the Department of Sports, Arts & Culture and the cultural and creative sector to work together in an effort to alleviate the negative impact of Covid-19</p> <p>The solutions had to ensure immediate to medium to longer-term outcomes. The immediate to medium was to alleviate Covid-19 impacts whilst the medium to longer term was to look at resuscitating the sector in the context of the country's overall Economic Recovery and Reconstruction Plan</p>

The department implemented a number of relief fund interventions as 1st, 2nd and 3rd phase in partnership with DSBD and Solidarity Fund:

- Phase 1 Relief Fund: **R84m** paid out which includes to-date payment for Digital Solutions Proposals. Beneficiaries = **4 925**
- Phase 2 Relief Funding: R4.5m paid out. Beneficiaries = **683**

DSBD/DSAC Partnership: **R17.9m** paid out. Beneficiaries = **847** enterprises

DSCA partnered with the Solidarity Fund to issue food vouchers in the sport and creative industry valued at **R 5.9m**, Beneficiaries = **8 434**

Total Relief Funding based on 1st and 2nd Relief interventions benefited 14 889 beneficiaries (including enterprises) totaling R112.3m

OTHER INITIATIVES

Department has (amongst others):

- Issued an Open Call for the industry to apply for the Mzansi Golden Economy funding; which opened on the 1st June 2021 and closed on the 28th June 2021; allowing opportunity for the creatives in the space of cultural events; touring venture initiatives and public art to apply for funding.
- Continues to partner with BASA in offering the DEBUT Fund program and Target Audience: Emerging artists working in all disciplines, in all provinces; between the ages of 18-35 years old; individuals from rural / peri-urban communities are given first preference. Upskilling young South African artists, in each province, working towards making their creative ventures a reality, and giving them an opportunity to apply for funding (Catalyst Grants) and engage in further training. This is a three-pronged project with a budget of R10 million going on till 2022.

	<ul style="list-style-type: none"> • The Department continues to provide opportunities for Visual artists through the ArtBank; to have their work commissioned and as a result earn a living. R3m has been set aside for this project. • Partnered with SACO to give 800 participating artists skills that allow them to participate in opportunities presented by 41R; and in that way grow their business in line with global trends. This project has just commenced and has been made possible by the PESP Funding amounting to R30 million. • Finalising the Cultural and Creative Industries Master Plan; which is a blueprint document with short, medium and long term interventions aimed at bringing about economic recovery for the industry beyond COVID-19
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PROGRAMME 4: HERITAGE PROMOTION AND PRESERVATION

PC Recommendations in relation to the DSAC

RECOMMENDATION	DSAC/BRANCH: RESPONSE /ACTION PLAN
<p>8.2. Collaboration: The Department should provide Members with a list of schools still requiring flags and provide said flags for Members to deliver to schools within their constituency areas.</p> <p>The DBE will then take responsibility of the hoisting and maintenance of the flags.</p>	<p>The Department has rolled out the Flag in Every School project since 2007. The Department took stock of the work that was done in the schools to identify schools that still needed servicing. To this effect, the youth, under the auspices of the Young Patriot Programme was deployed to audit schools in various provinces to identify various school needs. This process generated the attached list of schools that need flags.</p> <p>It is also important to note that a flag only last for about 18 months and must be replaced; though this is an average lifespan of a flag depending on the area of school, climatic conditions of the area and care of the flag,</p>

	<p>it is uncommon to find flags that remain in good condition beyond two years. This implies that the majority of schools that were serviced more than 2 years ago and beyond will need a new flag. The implications of this is that each member will have schools in their constituency that requires flags.</p> <p>PROPOSED WAY FORWARD</p> <p>The Department will provide each member of the Portfolio Committee on Sport, Arts and Culture with 15 RSA flags for schools in their respective constituencies.</p>
<p>8. 11. Library function: The Department to consider moving this function to become a standalone programme.</p>	<p>The recommendation to separate libraries from archives does not consider the fact that both archives and libraries are separate but interrelated components of the “Information Management Sector” (IMS).</p> <p>These services are distinct but interrelated, with a certain amount of overlap between them. They are distinct in the sense that they manage different processes related to the collection, classification, management, storage, preservation, retrieval and dissemination of different types of information resources and they are interrelated in the sense that together they cover the management of the full spectrum of information resources that provide evidence of the intellectual and cultural development, activities and achievements of society. Therefore, it makes economic sense to have them in one Chief Directorate to ensure alignment of policy and programmes.</p>

