**NATIONAL ASSEMBLY**

**QUESTION NO. 1618-2021**

**WRITTEN REPLY**

**INTERNAL QUESTION PAPER NO. 15–2021, DATE OF PUBLICATION 28 MAY 2021:**

**Mr T W Mhlongo (DA) to ask the Minister of Sport, Arts and Culture:**

Whether, with regard to the National Arts Council Act, Act 56 of 1997, which requires public participation in the appointment of members to the governing council of the National Arts Council (NAC), and in light of the fact that his department did not publicise the names of the four new members appointed to the NAC and call for public comment which is irregular, he will follow the proper process and advertise the names of the persons for public comment, as the four new members may not operate as council members without their names having been published and a public participation process having unfolded; if not, why not; if so, on what date will he advertise? **NW1824E**

**REPLY**:

The members referred to were appointed to fill the vacancies that were created when other Council members resigned. The four Council members who were appointed to replace those that resigned were part of the process which was presided over by an independent panel. These members were interviewed in public, their names were published for public to comment, and no objections were received against them.

The names of Council members who replaced those that resigned are Ms Linda Mvanana, Ms Layla Swart, and Ms Marion Mbina-Mthembu. There is no additional legal requirement that these members’ names be published for public comments. The appointment of these members was made in terms of section 4 of the National Arts Council Act, as amended, and as such, they are not precluded from operating as Council members.

Due to the challenges of the National Arts Council and the fact that it is currently facing legal challenges, the Minister decided to appoint one additional Council member (Advocate Steve Kekana) who has legal expertise to join the Council of the National Arts Council to boost the legal capacity of Council.