**NATIONAL ASSEMBLY**

**QUESTION No. 2091-2021**

**FOR WRITTEN REPLY**

**INTERNAL QUESTION PAPER NO.21-2021 dated 03 September 2021:**

**“Mrs.V van Dyk (DA) to ask the Minister of Sport, Arts and Culture:**

(1). (a). What is the time frame for the Chairperson of the Performing Arts Centre of the Free State (PACOFS) Audit and Risk Committee and (b) how long has the current chairperson been in the position;

(2). whether the specified position has been advertised every three years; if not, why not; if so, (a)(i) where and on (ii) what dates, (b) what was the total number of applications .and (c) who did the interviews;

(3) whether he has found it good governance practice for a chairperson to serve for three consecutive terms in one institution; if not, what is the position in this regard; if so, what are the relevant details;

(4). whether the current chairperson (name furnished) is a government employee at Treasury Northern Cape and being remunerated for it; if not, what is the position in this regard; if so, does the policy permit for this;

(5). (a) has the institution ever received a clean audit under the watch of the specified chairperson and (b) what was the role of the Chairperson of the PACOFS Audit and Risk Committee with regard the implementation of the recommendations of the Morar forensic investigation report which was completed in 2018? **NW2372E**

**REPLY**

1. (a) The time frame for the Chairperson of the Audit and Risk Committee is 3 years, which can be renewable for another 3-year term as provided for in the Audit and Risk Committee.

(b)The Chairperson of the Audit and Risk Committee has served for a period of 5 years, and he is serving his second and final term.

(c) He was re-appointed unanimously by Council in its meeting held on 14 June 2019, after his effectiveness, independence and objectivity was evaluated by the Chairperson of Council.

1. There is no legal requirement to advertise the position every three years. The Charter states the term of office (3 years) and indicates that the Accounting Authority may renew the contract once, which is to a maximum of 6 years. In exceptional circumstance where a member has resigned, died or automatically terminated, the position may then be advertised only if there is no prospective substitute member.
2. As stated above, the Chairperson of the Audit and Risk Committee is serving his second and final term. It is not good governance for a Chairperson of any Institution to serve over the prescribed term of office and the Charter does not allow for such. PACOFS applies the principles of KING IV to advance effective and excellent corporate leadership.
3. The current Chairperson is not a government employee at Treasury Northern Cape. He is compensated for being a Chairperson of Audit and Risk Committee according to rates determined by the National Treasury and approved PACOFS remuneration policy.
4. No, the institution has not received a clean audit under the leadership of the current Audit & Risk Committee Chairperson. Noteworthy is that the current Chairperson joined PACOFS in 2016 after it received a disclaimer of opinion in the financial period 2015/16. Under his leadership and active oversight role, he has since steered the institution to obtain an unqualified audit opinion in the period 2020/2021, a significant improvement worth noting since the past three financial period.

(b) The Chairperson of the Audit and Risk Committee has no role to play in the implementation of the recommendations of the Morar Investigation report, as it is Council’s responsibility to implement the recommendations of the report.