**NATIONAL ASSEMBLY**

**QUESTION No. 970-2019**

**FOR WRITTEN REPLY**

**INTERNAL QUESTION PAPER No.16-2019: DATE OF PUBLICATION - 13 September 2019: “Ms V van Dyk (DA) to ask the Minister of Sports, Arts and Culture”**

Whether he has identified any governance issues at the National Arts Council (a) in each of the past three financial years and/or (b) since 1 April 2019; if so, what (i) are the relevant details and (ii) steps have been taken to address the governance issues? **NW2124E**

**REPLY:**

(a). I appointed the Council of the National Arts Council (NAC) on 2 October 2015. The initial term of office of the Council was expected to expire on 31 August 2019. Subsequent to the appointment of the Council of the National Arts Council, the Department received complaints from the members of the Arts sector pertaining to the process followed in appointing the Council. The concerns of the sector related to the two steps of the appointment process that were not followed namely:

* publishing of the names of the nominated candidates to allow the members of the public comment with regards to the names of the potential Board members of the NAC.
* publishing of the date (s) of the interviews to enable members of the public participate in the appointment process as provided for in the National Arts Council Act, 1997 (Act No. 56 of 1997).

Subsequent to the concerns raised, I issued an instruction that the process of appointing the Council of the NAC be started afresh. Consequently, indicated my intentions to dissolve the Council of the NAC on 27 May 2016 to give way for the process to appoint a new Council.

To avoid governance vacuum at the National Arts Council, I applied section 49(1) of the Public Finance Management Act (PFMA). In terms of section 49(1), if the public entity does not have a controlling body, the CEO is the Accounting Authority for that public entity. Consequently, the CEO of the National Arts Council is the Accounting Authority of the entity until a new Board is appointed.

In December 2017, a new Council was appointed, the new Council is appointed until November 2021.

(b)(i).Since 1 April 2019, the Department has delegated Departmental senior officials to all the entities to provide support to the entities to strengthen governance.

(ii). The Department developed a governance framework which will provide guidance and standardise some of the governance principles for the entities.

The Department has started implementing some of the elements of the governance principles including the induction workshops of all the newly appointed Councils. Further, the Department forged a partnership with the Institute of Directors of South Africa (IODSA) as part of the efforts to professionalise membership to Councils or Boards. This partnership will ensure that all the DAC Council or Board members formally register as Directors of Boards in line with best practice on good governance.