



**Western Cape
CULTURAL
COMMISSION**

ANNUAL REPORT

2004/05



WESTERN CAPE KULTUURKOMMISSIE
WESTERN CAPE CULTURAL COMMISSION
KOMMISSION FÜR KULTUR UND ERBESCHAFTUNG

VISION

A new, dynamic environment that creates opportunities for promotion and enrichment of arts and culture, reflecting the cultural diversity of the province and the country.

MISSION

To preserve, promote and develop culture in the Western Cape through the following:

- Registration and de-registration of cultural councils and financial assistance to registered councils;
- control, management, development and maintenance of moveable and/or immoveable property placed under its supervision by the Provincial Minister;
- performance of other functions and tasks assigned by the Provincial Minister; and advising the Minister on policy.

CONTENTS

1	GENERAL INFORMATION	3
1.1	SUBMISSION OF THE ANNUAL REPORT TO THE EXECUTIVE AUTHORITY	3
1.2	APPLICABLE ACTS AND OTHER INFORMATION	4
1.3	INTRODUCTION BY THE CHAIRPERSON	5
1.4	STATEMENT OF RESPONSIBILITY	6
2	PROGRAMME PERFORMANCE	7
2.1	CONTROL, MANAGEMENT, DEVELOPMENT AND MAINTENANCE OF FACILITIES	8
2.1.1	Occupation of cultural facilities	9
2.1.2	Transfer of facilities from national to provincial government in terms of constitutional provisions	10
2.1.3	Accessibility	10
2.1.4	Tariffs for renting out the facilities	10
2.2	GEOGRAPHICAL NAMES COMMITTEE	10
2.3	THE PRESERVATION, PROMOTION AND DEVELOPMENT OF CULTURE IN THE WESTERN CAPE	12
2.3.1	Annual recurrent expenditure grants	12
2.3.2	Registration and de-registration of cultural councils	13
2.3.3	Assistance to registered cultural councils	13
2.3.4	Professional arts organisations	14
2.3.5	The utilisation of the RDP community multi-purpose arts and culture centres	15
2.3.6	Other projects related to the performing, visual and literary arts, human and natural sciences, cultural-historical fields and the youth's cultural awareness and involvement	16
2.4	DONOR FUNDING RECEIVED FOR THE RESTORATION OF GENADENDAL	17
3	REPORT OF THE AUDIT COMMITTEE	19
4	ANNUAL FINANCIAL STATEMENTS	20
4.1	THE ACCOUNTING OFFICER'S REPORT	20
4.2	CORPORATE GOVERNANCE	23
4.3	REPORT OF THE AUDITOR-GENERAL	24
4.4	INCOME STATEMENT	25
4.5	BALANCE SHEET	25
4.6	STATEMENT OF CHANGES IN EQUITY	26
4.7	CASH-FLOW STATEMENT	26
4.8	NOTES TO THE ANNUAL FINANCIAL STATEMENTS	27
5	HUMAN RESOURCE FRAMEWORK	33
5.1	ORGANISATIONAL STRUCTURE FOR 2004 / 2005	33
5.2	MEETINGS OF THE CULTURAL COMMISSION AND ITS COMMITTEES	33
5.3	EXECUTION OF WORK	33

PART 1 | GENERAL INFORMATION |

1.1 | SUBMISSION OF THE ANNUAL REPORT TO THE EXECUTIVE AUTHORITY

Mr Phillip Mziwonke Jacobs
MEC OF CULTURAL AFFAIRS, SPORT AND RECREATION

In accordance with section 55(1)(d) of the Public Finance Management Act, 1999 (Act 1 of 1999), and in accordance with section 28.2 of the National Treasury Regulations, I hereby submit the annual report on the activities of the Western Cape Cultural Commission and the audited financial statements for the 2004/2005 financial year.

Please note that in terms of section 65(1)(a) of the Public Finance Management Act, 1999, you are required to table the report in the Western Cape Provincial Parliament by 31 August 2005. In the event that you are unable to table an annual report, audited annual financial statements and an auditor's report within six months from the end of the relevant financial year, i.e. by 30 September 2005, you are, in terms of section 65(2)(a) of the Public Finance Management Act, 1999, required to submit a written explanation to the Western Cape Provincial Parliament.



KGERESHI P MOKWENA
ACCOUNTING OFFICER

1.2 | APPLICABLE ACTS AND OTHER INFORMATION

Provision for the legislative mandate of the Cultural Commission is made in legislation and policies applicable to culture in the Western Cape, and is approved by the Minister responsible for Cultural Affairs in the Western Cape, as the executive authority. These include:

- The Constitution of the Republic of South Africa, 1996 (Act 108 of 1996);
- The Constitution of the Western Cape, 1997 (Act 1 of 1998);
- The Western Cape Cultural Commission and Cultural Councils Act, 1998 (Act 14 of 1998);
- The Cultural Affairs Act, 1989 (Act 65 of 1989);
- The Culture Promotion Act, 1983 (Act 35 of 1983);
- Regulations R. 38 (Assignment of the Cultural Affairs Act (House of Assembly), 1989, to the Provinces under section 235(8) of the Constitution of the Republic of South Africa, 1993) 1995 of 13 April 1995 and published in the Government Gazette No. 16363 dated 13 April 1995;
- The Western Cape Provincial Languages Act, 1998 (Act 13 of 1998);
- The South African Geographical Names Council Act, 1998 (Act 118 of 1998);
- The Public Finance Management Act, 1999 (Act 1 of 1999);
- National Treasury Regulations, 25 May 2002;
- The Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000);
- The Access to Information Act, 2000 (Act 2 of 2000); and
- The Occupational Health and Safety Act, 1993 (Act 85 of 1993).

In executing its mandate, the Cultural Commission also takes cognisance of national legislative mandates and policies. These include:

- The National Arts Council Act, 1997 (Act 56 of 1997);
- The South African Geographical Names Council Act, 1998 (Act 118 of 1998); and
- The National White Paper on Arts, Culture and Heritage, 1996.

1.3 | INTRODUCTION BY THE CHAIRPERSON

The Western Cape Cultural Commission strives to enhance the quality of life of all the residents of the Western Cape irrespective of gender, race and disabilities.

The primary aim of the Cultural Commission is the creation of capacity within communities and organisations, which will enable the beneficiaries to make use of available opportunities and to participate more fully in the cultural life of our country.

The Cultural Commission has made a sizeable contribution to the funding of culture in the Western Cape. In the 2004/2005 financial year the budget of the Cultural Commission was R 20 590 000. The contribution of the Department of Cultural Affairs and Sport was R 7 920 000, which amounted to roughly one third of the budget. Although the Cultural Commission will be able to make the same contribution in the 2005/2006 financial year, the contribution in the two outer years will drop dramatically, as we will be out of surplus funds. Our own funding obligations are more than R 12 000 000 annually. If the budget of the Department of Cultural Affairs and Sport for transfer payments to the Cultural Commission does not increase by at least R 5 000 000 per year, all our functions would have to be scaled down and quite a few suspended. This would include contributions to the Cape Town Minstrels Carnival and may include the non-funding of the so-called professional performing arts organisations that would result in the closing down of the Cape Philharmonic Orchestra, the Cape Town Opera or the Cape Town City Ballet, or all of them.

We believe that arms-length funding of the arts is important and that we as Commission play an important role in the formulation of cultural policies in the Western Cape. We are determined to continue serving the people of the Western Cape to the best of our abilities.

The Cultural Commission deems its role far more important than that of rubberstamping departmental business. We would prefer to be involved with the different tasks that land on our table from the beginning, or not at all. There are two projects on our table that we feel are not primarily our responsibility, and we advise the MEC herewith that we are not going to take them up as part of our strategic plan or budget in future. These are the Restoration project at Genadendal and the Western Cape Geographical Names Committee. We do not doubt the importance of these two matters, but are of the view that they are departmental affairs and not ours.



M LE ROUX
CHAIRPERSON

1.4 | STATEMENT OF RESPONSIBILITY

The Public Finance Management Act, 1999 (Act 1 of 1999), requires that the Accounting Officer keep full and proper records of the financial affairs of the Western Cape Cultural Commission. The Annual Financial Statements fairly present the state of affairs of the Western Cape Cultural Commission, its business, its financial results, its performance against predetermined objectives and its financial position as at the end of the financial year, and these have been presented in terms of the generally accepted accounting practice (GAAP).

The basis used to prepare the AFS

The basis in the preparation of the Annual Financial Statements of the Western Cape Cultural Commission is set out in the Public Finance Management Act, 1999 (Act 1 of 1999) and the National Treasury Regulations, and the necessary and appropriate internal controls to limit and detect material misstatements and losses are in place to comply with the relevant legislation.