



2021/2022

ANNUAL REPORT

Commission for the Promotion and
Protection of the Rights of Cultural,
Religious and Linguistic Communities





ANNUAL REPORT 2021/2022

COMMISSION FOR THE PROMOTION AND PROTECTION OF THE
RIGHTS OF CULTURAL, RELIGIOUS AND LINGUISTIC COMMUNITIES

ANNUAL REPORT 2021/2022

RP229/2022

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List of abbreviations

AO	: Accounting Officer
ATM	: African Traditional Medicine
ATR	: African Traditional Religion
AGSA	: Auditor General of South Africa
CEO	: Chief Executive Officer
CRLRC	: Cultural, Religious and Linguistic (Rights Commission)
COGTA	: Department of Cooperative Governance and Traditional Affairs
EO	: Executive Office
CC	: Community Council
CMIL	: Communication, Marketing, IT and Linkages
IHL	: Institutions of Higher Learning
IT	: Information Technology
ICT	: Information and Communication Technology
HR	: Human Resources
PEE	: Public Engagement and Education
LSCR	: Legal Services and Conflict Resolution
RPD	: Research and Policy Development
PAA	: Public Audit Act
ARC	: Audit and Risk Committee
PFMA	: Public Finance Management Act
PanSALB	: Pan South African Language Board
NT	: National Treasury
SALGA	: South African Local Government Association
SCM	: Supply Chain Management
TR	: Treasury Regulations

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PART A: GENERAL INFORMATION

COMMISSION'S GENERAL INFORMATION

Full name of the Commission	: Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities
Physical Address	: 33 Hoofd Street, Forum IV Ground Floor Braampark Office Park, Braamfontein, Johannesburg
Postal Address	: Private Bag X90 000, Houghton 2041
Telephone numbers	: 011 358 9100
Fax numbers	: 011 403 2098
Email	: info@crlcommission.org.za
Website	: www.crlcommission.org.za
Facebook address	: Like us at CRL rights Commission
Twitter handle	: Follow us @Crl_commission

LETTER TO THE SPEAKER

Hon. Nosiviwe Mapisa-Nqakula
Speaker of the National Assembly
Parliament of the Republic of South Africa
PO Box 15
CAPE TOWN
8000

Dear Honorable Speaker

Tabling of the Annual Report of the Commission for the promotion and protection of rights of cultural, religious and linguistic communities for the year ended 31 March 2022 (the CRL Rights Commission)

It is an absolute pleasure for me to present to you (the 2021/2022 Annual Report of the CRL Rights Commission) in terms of section 181 (5) of the Constitution of the Republic of South Africa, Act 108 of 2006.

This Annual Report covers all the financial and performance activities of the CRL Rights Commission for the period from 1 April 2021 to 31 March 2022.

In accordance with the above provision, I hereby table the CRL Rights Commission Annual Report 2021/2022 to give account of how the Commission fared in implementing its constitutional and legislative mandate in the year under review.

It will also be appreciated if this report could be referred to the National Assembly 's Standing Committee on Cooperative Governance and Traditional Affairs for formal parliamentary scrutiny.

Yours sincerely



Prof. Luka David Mosoma

Chairperson

CRL Rights Commission

Date: 31 July 2022

FOREWORD BY THE CHAIRPERSON



I have the honour to present the Commission for the promotion and protection of the rights of cultural, religious and linguistic communities' 2021/2022 (CRL Rights Commission) Annual Report. The report is presented against the backdrop of the country emerging out of the strong grip of the COVID-19 pandemic, including the prevalence of religious and cultural abuses in the country. The Commission has already adapted to working through and under the restrictions demanded by the pandemic. However, the impact of the work of the Commission was constrained under the weight of the challenges posed by the devastating and deadly pandemic. Consequently, the first and second quarters were impacted greatly because some of the outreach programmes could not be conducted, however, performance started picking up in the third and fourth quarters.

In the year under review the Commission continued to live up to its mandate of monitoring, educating, researching, investigating and continuing to implement the five-year Strategic Plan. The following pillars listed below emanating from the CRL Act 19 of 2002 inform the policy position and the strategic outcomes of the Commission and are furthermore translated into the annual plans of the Commission.

For the five-year period, the Commission crafted the following strategic outcomes from which the yearly annual plans and operational business models emanated. These outcomes and/or imperatives shaped and steered the Commission in the right direction for the achievement of its mandate:

- Good corporate governance, sound financial management, and administrative support, in line with legislation.
- Strengthening conflict resolution and legislation reviews to promote and protect the cultural, religious, and linguistic rights of communities.
- Creating effective, structured, and informed communities to uphold cultural, religious, and linguistic rights matters.
- Making research recommendations to inform evidence-based policies and sustained resuscitation of diminishing and diminished community heritages.
- Intensified communication, marketing, and knowledge management systems.

Due to the monitoring function of the Commission on the impact of cultural activities across the country, it was reported that illegal initiation schools in the country continued to rob young people of their lives. These illegal schools pose a threat to community rights to practice their cultures freely as it is posited in the Constitution that persons belonging to a cultural community may not be denied the right to enjoy that culture with other members of that community to enjoy their culture and that the rights, they enjoy should not be inconsistent with the provisions of the Bill of Rights.

Calls have been made from civil society and the Commission to engage seriously on these matters, to ensure that all young boys and girls who go to the initiation schools (mountains) come back alive. The concerns of civil society have heightened the need to ensure that those who are involved in the deaths of the initiates are brought to book. Indications exist that the interventions by the law enforcement agencies in this regard go a long way towards restoring the integrity, and pristine practice of initiation. The Commission is aware that the operators of illegal initiation schools do not comply with the interventions because of the purported lucrative financial gains.

The Eastern Cape Province remains the leading province in respect of deaths of initiates. It is happening at an alarming rate. This will remain one of the thorny issues that the Commission will not tire of focusing its strategic attention on until it is guaranteed that all initiates will be safe in all initiation schools in the country.

As dictated by its enabling legislation, the Commission in 2021/2022 continued to monitor the Parliamentary and municipal councils' websites for pieces of legislation and by-laws that impact or threaten to impact the rights of cultural communities. This exercise is done to ensure that there is no piece of legislation that is passed that is out of sync with the ethos of the Constitution. This is being done to ensure that the dignity of the people is restored, that the divisions of the past are healed and to promote equality of diverse cultures that makes South African nation a rainbow nation. Various sections of the South African nation are not allowed to practise their cultures freely and those who do so were for a long time prohibited by colonial legislation that badly affected most African cultural practices.

Pursuant to its mandate, the Commission has continued to strive for the development of peace, friendship, tolerance, and national unity within and among cultural, religious, and linguistic communities. Like many other government departments, the commission heeded the call to get their hands dirty during the looting and killing of people in KwaZulu-Natal, the Commission; guided by its enabling legislation to get involved to bring about peace and national unity within different communities; starting with reconciliation of communities for the greater good of the country.

I am pleased to present that the new strategic framework adopted since the start of the new leadership in 2019 has yielded amazing results and the Commission has now two years in succession obtained a clean audit. The special appreciation goes to Mr. Mafadza, the Accounting Officer, the management team, and the rest of the staff of the CRL Commission who translated the Commission's vision and strategic imperatives into the manageable and deliverable operational business model that yielded the desired results. In addition, special appreciation goes to the commissioners who in their committees continued to perform oversight responsibilities by ensuring the maintenance of good corporate governance, prudent financial controls and management.



Prof. Luka David Mosoma

Chairperson

CRL Rights Commission

Date: 31 July 2022

STATEMENT BY THE DEPUTY CHAIRPERSON



The most important lesson we have drawn from the COVID-19 pandemic is the importance of working together on problems that affect the entire human race.

We are much stronger and united than divided. The year 2021/2022 saw South Africa gradually learning to live with the virus and eventually ready to resume the economic, social, and cultural activities that were halted over the previous two years. This period has had a huge impact on the mandate of the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities, to protect and promote the rights of cultural, religious, and linguistic communities. The restrictions on economic activities negatively affected religious and cultural activities, and in most instances, it meant that both religious and cultural communities could not exercise or observe their right to their normal religious and cultural practices.

However, the period under review has demonstrated commendable highlights for the CRL Commission, as various programs and projects achieved were in line with their respective legislative mandate. Our commitment to our obligation led us to a reduction of bogus churches and their leaders. Many cases of abuses in bogus churches and among their leaders were referred to organs of state and they were successfully prosecuted. Other cases are still pending in the courts. The Commission has exposed the occultic nature of some churches, where abuses and violation of human dignity and rights were reported. The investigative hearings conducted by the Commission provided much more successful awareness of violations, abuses, and commercialization of religion perpetrated by various churches. The successful collaboration with other institutions and organs of state has played a pivotal role in protecting and promoting the rights of cultural communities. Many initiates were rescued from abduction by bogus and illegal initiation schools and traditional healing schools. Open discussions and interactions on customary initiation with different role players such as traditional leaders and government structures have proved beneficial in finding solutions to lessen the number of initiation deaths.

Driven by its mandate to promote peace, friendship, humanity, tolerance, and national unity among cultural, religious and linguistic communities, based on equality, non-discrimination and free association, the CRL Commission investigated the cause of the unrest in Phoenix, Kwazulu-Natal. The racial animosity between Indians and Africans threatens their peace, friendship and tolerance that is sorely needed for nation building in our young democracy. Suitable findings and recommendations were referred to organs of state on measures to be taken in redress for such wrongs. The CRL Commission is grateful to many religious and cultural organisations, as well as individuals, who continue to engage and interact with us on matters relating to the legislative mandate of the Commission. The overwhelming support received from the Ministry of Corporative Governance and Traditional Affairs is always highly appreciated.

A handwritten signature in black ink, appearing to be 'M. Pheto'.

Dr. Mmamohapi Pheto

Deputy Chairperson

Date: 31 July 2022

OVERVIEW BY THE CHIEF EXECUTIVE OFFICER



It is an absolute honour and a pleasure to present the Annual Report of the Commission for the Promotion and Protection of the Rights of cultural, religious and linguistic communities (CRL Rights Commission). In the year under review, the Commission continued to maintain the clean audit status which puts us second in the row but third since its inception. The institution's overall performance in the year under review improved by a margin of 81% to 82%.

In the year under review, the Commission carried-on its work, focusing on its strategic direction and mandate of promoting and protecting the cultural, religious and linguistic rights of communities who are charged with the responsibility of the development of peace, friendship, tolerance and resolution of conflict within and among cultural, religious and linguistic communities. Our activities as evinced by the detailed reports of various programmes hereunder, are witnesses to the Commission's efforts to achieve its targets and perform its mandate.

The year under review has been one of the most treacherous and difficult to balance organisational performance and the safety of staff, Commissioners and communities that are key to the work that we do. This was the second year in a row the Commission had to navigate and adapt to operational challenges under the COVID-19 restrictions and lockdown protocols. The organisation continued to implement the strategic plan 2019/20 – 2023/24 during these difficult times and managed to yield positive results.

Management has developed the annual performance and operational plans 2021/2022 informed by the outcomes and outcome indicators in the strategic framework. The outcomes the outcome focus on good corporate governance and sound financial management, which aims to achieve positive audit outcomes and reduce the fruitless, wasteful, and irregular expenditure to zero; and strengthen conflict resolution and legislative reviews for promotion and protection of cultural, religious and linguistic communities; structured and informed community councils and produce research reports with recommendations to improve policy position and legislation.

The CRL Commission revised the 2021/2022 Annual Performance Plan to respond to an audit finding that was raised on the indicator aligned to the percentage of complaints handled per annum. The current complaints and carried over complaints were embodied under one indicator, which made the measurement much easier. The indicator was divided into two targets, one that addressing 80% of new complaints to be handled and another that focuses on handling 80% of carried over complaints.

The Commission continues to monitor legislation and policies in the country that impact on the cultural, religious and linguistic rights of communities. This was done in line with its outcomes that seek to strengthen conflict resolution and review of legislation. In the year under review, the Commission identified and reviewed the Cannabis for Private Purposes Bill and the Witchcraft Suppression Act. The Commission further reviewed 15 by-laws in the cities of Johannesburg, Tshwane, Ekurhuleni, eThekweni, Buffalo City, Nelson Mandela Bay and the City of Cape Town. Special emphasis was placed on examining the processes of slaughtering of animals for cultural and religious purposes and on customary initiation schools.

The Commission traversed the length and breadth of the country educating communities on the objects of the Commission in its quest to foster peace, tolerance, humanity, social cohesion and nation building. In this endeavour, the Commission carried out 27 engagements and 21 awareness campaigns. Some of the activities that stood out were the engagements and campaigns with Khoisan communities on raising awareness on Culture and basic lessons on the use of Khoisan language. A few selected Khoisan language teachers joined the campaign to assist in teaching introductory lessons on the Khoisan language, focusing on words used in greeting salutations and starting a conversation. These campaigns covered almost all the provinces in the country and were a good experience for those who attended. On this note, the Commission would like to thank all Khoisan community coordinators who volunteered to assist us including the Khoisan language teachers, together with our staff members, in making this campaign a success.

The above engagements were used as a yardstick to assess the level at which Khoisan languages are being used in their communities compared to other languages around them. As articulated from the previous paragraph, the initiative was used to sensitize citizens on the use of such languages but also to raise awareness in those who co-exist within the Khoisan communities who do not necessarily share the same language with the Khoisan people. The details of these engagements form part of the narrative of this report.

The Commission in its endeavour to influence policy and legislative positions has conducted four research projects with recommendations. They are:

- Asking whether African Traditional Religion is equivalent to Traditional Healing or Sangoma's practices.
- Resuscitation of African Values.
- The constitutional rights of unmarried biological fathers within the C-R-L communities rights in a diverse country.
- The use of Official Languages by Organs of State.

In the year under review, the Commission received a R46,032 million parliamentary grant, R14,000 less than that they received in the previous year. The Commission however managed to achieve all its set targets as the reduction was minimal. The Commission had a surplus of R7,560 million compared to the R4,390 million they showed in the previous year. The surplus in the year under review is attributed to 7% under- expenditure in employee costs, due to approved positions not being filled during the first three quarters of the year. The filling of all critical positions awaits the finalisation of a capacity and capability project that seeks to review the organisational structure to align it to the strategy. It is envisaged that this project will be concluded in the third quarter of the current financial year; and it is our view that once the project is completed, the performance of the organisation and its turnaround times in responding to some requests from communities will rapidly improve.

Furthermore, a surplus (39%) was generated because of reduced operating expenses, due to the pandemic and the reversal of a provision of R3 million that did not materialise in respect of retained earnings, as approved by the National Treasury. 24% savings was also realised because of reduced external audit fees on the side of the Commission; resulting from a reduction of scope on the audit of performance information.

I am pleased to report that the Commission incurred no wasteful, fruitless, and irregular expenditure in the year under review.

However, the Commission is working with the National Treasury to clear irregular expenditures incurred in the past and are still reported in the notes to the financial statements. Many of the reported irregular expenditures came in because of non-compliance in respect of tax clearance certificates of service providers or invoices paid after 30 days etc. On many occasions, the Commission did not lose the money as services were received from the service providers. The cases run mainly from the inception of the Commission to 2012 and some sporadic non-compliance from then to 2019. The cases of irregular and wasteful and fruitless expenditure reduced significantly as a result of the controls implemented by management.

The greatest challenge remains a lack of provincial or regional presence of the Commission in the country, where violations of cultural, religious, and linguistic rights are prevalent. It is in such provinces and regional areas that the majority of our people do not have quick responses when they encounter challenges related to our mandate; due to the inaccessibility of our personnel when such activities take place. It is our belief that once the review of the structure is finalised and costed correctly, relevant stakeholders including Parliament, Cogta, Treasury etc. will assist by making resources available.

On that note, I would like to thank the Commissioners, staff members, communities and relevant stakeholders who work with the Commission very closely as articulated by Act 19 of 2002 and the Constitution. It is due to their guidance that the Commission continues to improve its work. A special thanks goes to the management and the staff of the Commission who continued to ensure that the internal controls are adhered to. It is due to their team effort, hard work and dedication that clean audit results are attained, while at the same time, the mandate of the Commission is carried out in the communities.



Mr. TE Mafadza

Chief Executive Officer

Date: 31 July 2022

1. STRATEGIC OVERVIEW

1.1 Vision

Mutual respect amongst the diverse cultural, religious and linguistic communities.

1.2 Mission

To foster the rights of communities to freely observe and practise their cultural, religious and languages.

1.3 Values

Values	Definition
Transparency	Requires being committed in being open, honest and straightforward in my conduct at all times when I embark on organisational operations.
Professionalism	Being committed to upholding a high standard of self-conduct, self-presentation and adherence to workplace policies and procedures.
Responsiveness	I must be committed to understanding the organisational, contextual and my job demands, so I can ensure the provision of appropriate service on time, to uphold our organisational mandate.
Accountability	Being committed to take full responsibility for my decisions, conduct and actions in the workplace and ensuring that I support and assist my colleagues to uphold the same commitments.
Integrity	Being committed to firm adherence to the code of conduct and ethics, as prescribed by the organisational policies and procedures.
Impartiality	Being committed to unbiased, fair play and conduct in all my dealings with colleagues, partners and other stakeholders in the workplace.
Respect	Being committed to actions whereby I treat colleagues, partners and other stakeholders with appreciation and dignity at all times.

2. CONSTITUTIONAL AND LEGISLATIVE MANDATE

2.1 Constitutional Mandate

The Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities (CRL Rights Commission) is a constitutional institution established in terms of Section 181(1)(c) of the Constitution of the Republic of South Africa, 1996, to strengthen our constitutional democracy. The CRL Rights Commission was established in order to protect and promote the rights of cultural, religious and linguistic communities. Its mandate is achievable by means of employing both a proactive and a reactive approach. In terms of section 185 (1) the CRL Rights Commission must:

- Promote and develop peace, friendship, humanity, tolerance and national unity among cultural, religious and linguistic communities, based on equality, non-discrimination and free association.
- Promote respect for and further the protection of the rights of cultural, religious and linguistic communities; and
- Recommend the establishment or recognition of community councils in accordance with national legislation of cultural or other councils for communities in South Africa.

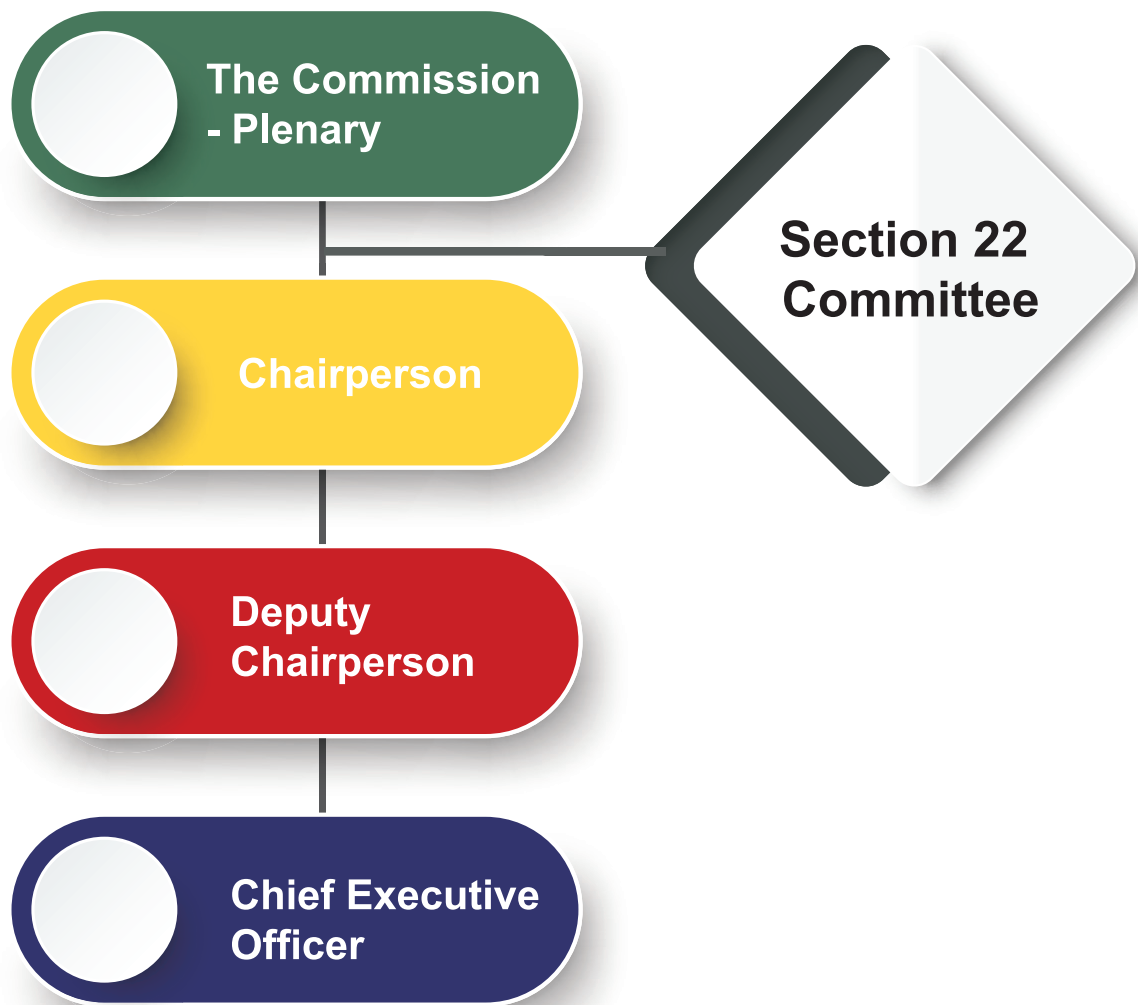
2.2 Legislative mandate

The powers and functions of the CRL Rights Commission are defined in section 5 (1) of the CRL Rights Act. These include, among others, the following:

- a) Conduct information and education programmes to promote public understanding of the objects, roles and activities of the Commission.
- b) Conduct programmes to promote respect for and further the protection of the rights of cultural, religious and linguistic communities.
- c) Assist in the development of strategies that facilitate the full and active participation of cultural, religious and linguistic communities in nation building in South Africa.
- d) Promote awareness among the youth of South Africa of the diversity of cultural, religious, linguistic and other rights.
- e) Monitor, investigate and research any issue concerning the rights of cultural, religious and linguistic communities.
- f) Facilitate the resolution of conflict between and within cultural, religious and linguistic communities or between any such community and an organ of state; where the cultural, religious or linguistic rights of a community are negatively affected.
- g) Make recommendations to the appropriate organs of state regarding legislation that impacts, or may impact cultural, religious and linguistic rights of communities.
- h) Establish and maintain a database of cultural, religious and linguistic community organisations, institutions and experts on these communities.
- i) Educate, lobby, advise and report any issue concerning the rights of cultural, religious and linguistic communities.
- j) Receive and deal with requests related to the rights of cultural, religious and linguistic communities; and
- k) Bring any relevant matter to the attention of the appropriate authority or organ of state, and, where appropriate, make recommendations to such authority or organ of state to deal with such a matter.

3. ORGANISATIONAL STRUCTURE

3.1. Governance Structure



In terms of the CRL Act 19 of 2002, the Commission consists of a Chairperson appointed by the President in terms of Section 12 and not fewer than 11, and not more than 17 members also appointed by the President, in accordance with the procedure set out in section 11. The Chairperson has powers in terms of Section 19 to decide when and where the Commission should meet. In the absence of the Chairperson, the Deputy Chairperson must preside over the meeting and if both are absent from a meeting, the members present must elect other members to preside over the meeting. The CRL Act 19 of 2002 Section 22 provides for the establishment of committees comprising members only, or members and staff or other persons to assist the Commission in the performance of its functions. The CRL Rights Commission is also governed by the provisions of the Public Finance Management Act of 1999 and this act further provides clarity in terms of the functions of the Chairperson of as Constitutional Institution. Section 1.1 of the Treasury Regulations read, together with the PFMA, provides additional functions of the Chairperson, other than just calling meeting and chairing them. It provides that an Executive Authority, the Chairperson, when compared to a constitutional institution consisting of a body of persons, means the chairperson of a constitutional institution with a single office bearer, who is the only incumbent of that office.

Members of the Commission



Prof Luka David Mosoma
Chairperson



Dr Mmamohapi Sylvia Pheto
Deputy Chairperson



Ms Nomalanga Tyamazshe
Commissioner



Mr Renier Stephanus Schoeman
Commissioner



Mr Mandla Langa
Commissioner



Ms Ramokone Kgatla
Commissioner



Mr Sicelo Dlamini
Commissioner



Prof Pitika Ntuli
Commissioner



Ms Sheila Khama
Commissioner



Dr Nokuzola Mndende
Commissioner



Adv Richard Botha
Commissioner



Ms Tsholofelo Mosala
Commissioner

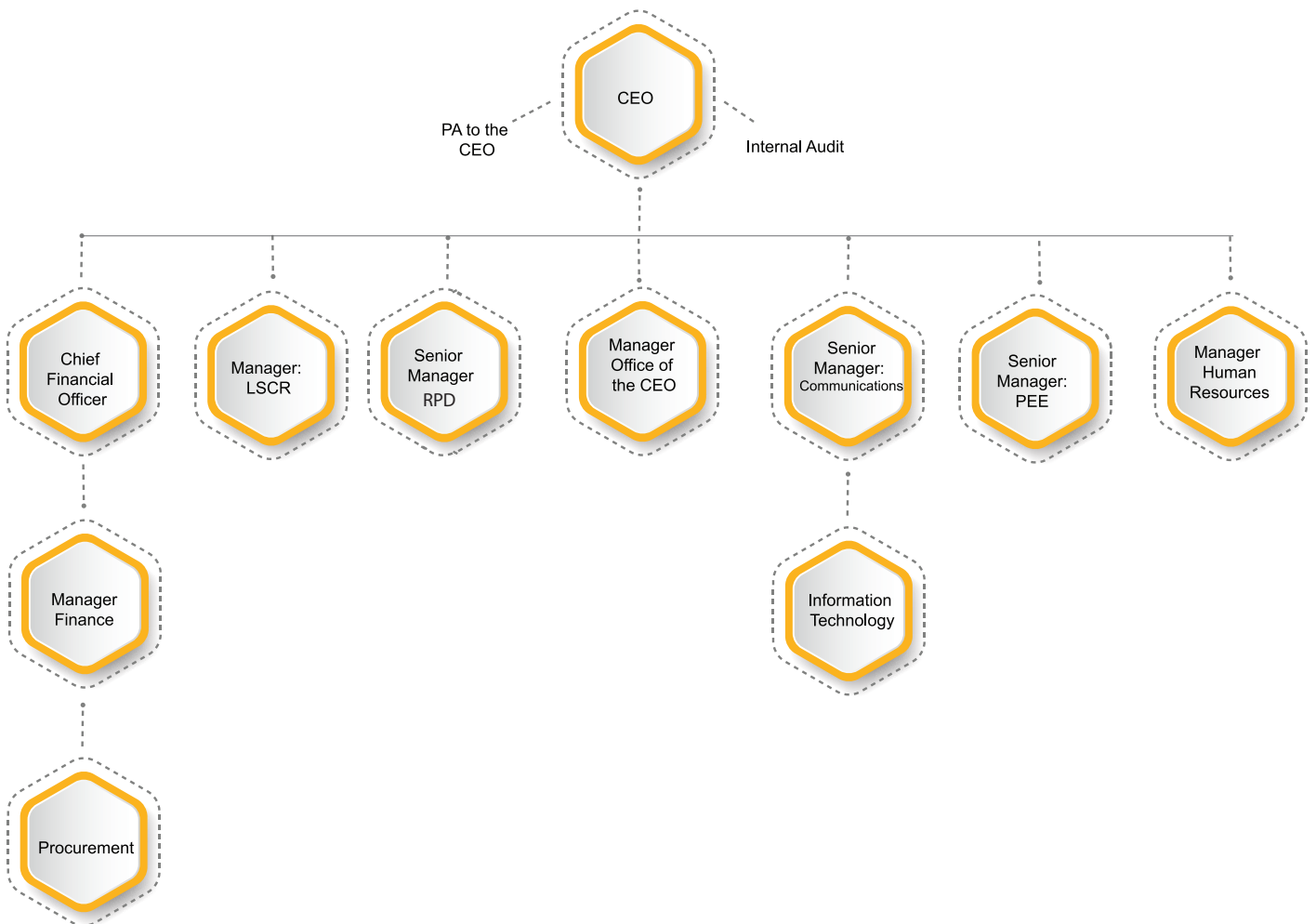


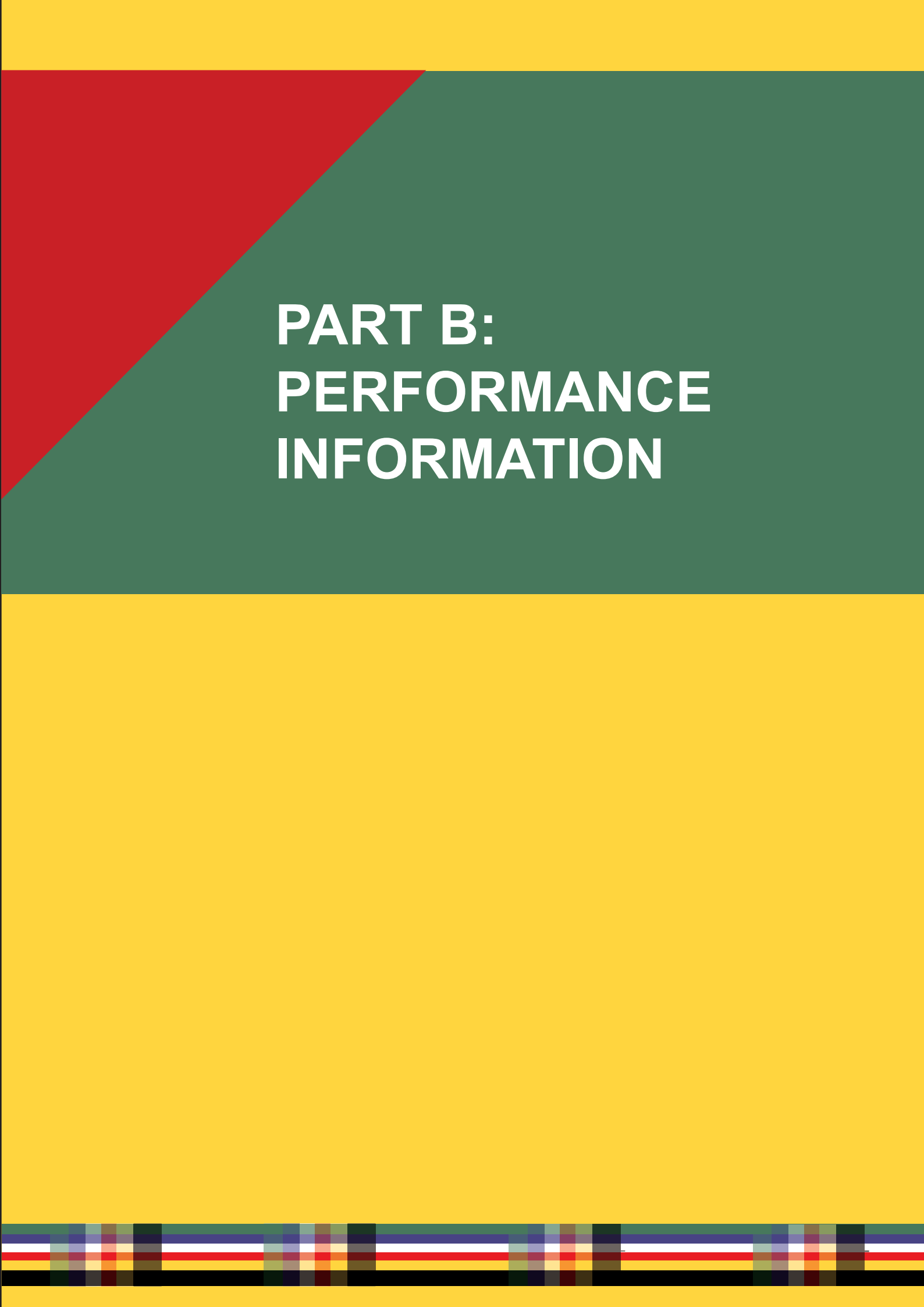
Adv Muneer Abduroof
Commissioner

3.2. Accounting Structure and Organisational Structure

In terms of section 30 of the CRL Act 19 of 2002, the Commission must appoint a Chief Executive Officer. The Chief Executive Officer in terms of the PFMA Section 36 (2)(b) and Treasury Regulations is the Accounting Officer of the Constitutional Institution and is responsible for all the administrative and financial matters of the Commission. The accounting officer is responsible for the formation and development of an efficient administration; for organisation, control and management of all staff and for maintenance of discipline in respect of staff. He is also responsible for carrying out the decisions of the Commission and implementing a strategic framework, as required by the Commission.

Accounting and Organisational Structure





**PART B:
PERFORMANCE
INFORMATION**

4. STATEMENT OF RESPONSIBILITY FOR PERFORMANCE INFORMATION

4.1 Statement of responsibility for performance information for the year that ended 31 March 2022

The Chief Executive Officer is responsible for the preparation of the institution's performance information and for judgements made regarding this information.

The Chief Executive Officer is responsible for establishing and implementing a system of internal control that is designed to provide reasonable assurance as to the integrity and reliability of the performance information.

In my opinion, the performance information fairly reflects the performance of the institution for the financial year that ended on 31 March 2022.



Mr. TE Mafadza

Chief Executive Officer

31 July 2022

5. OVERVIEW OF INSTITUTIONAL PERFORMANCE AND ORGANISATIONAL ENVIRONMENT

5.1 Institutional Service Delivery and Organisational Environment - Impact of COVID-19 on operations in the year under review

COVID-19 continued to have an impact on the Commission's operations. The continued closure and severe protocols related to the pandemic to date, continue to wreak havoc in more ways than one. The 1st, the 2nd and 3rd quarters of the 2021/2022 financial year were the hardest hit and badly disrupted as movements were still restricted and the numbers for people allowed to attend gatherings were still very low.

The hospitality industries were also not allowed to present large gatherings on their premises, due to the strict COVID-19 protocols. In the beginning of the third quarter of the year, the Commission itself experienced a number of COVID-19 infections in its ranks, including some key staff members and saw some activities being cancelled as a result.

Towards the end of the third quarter and at the beginning of the fourth quarter, activities started picking-up and conference venues relaxing their restrictions on gatherings.

5.2 Impact Statements and Strategic Outcomes

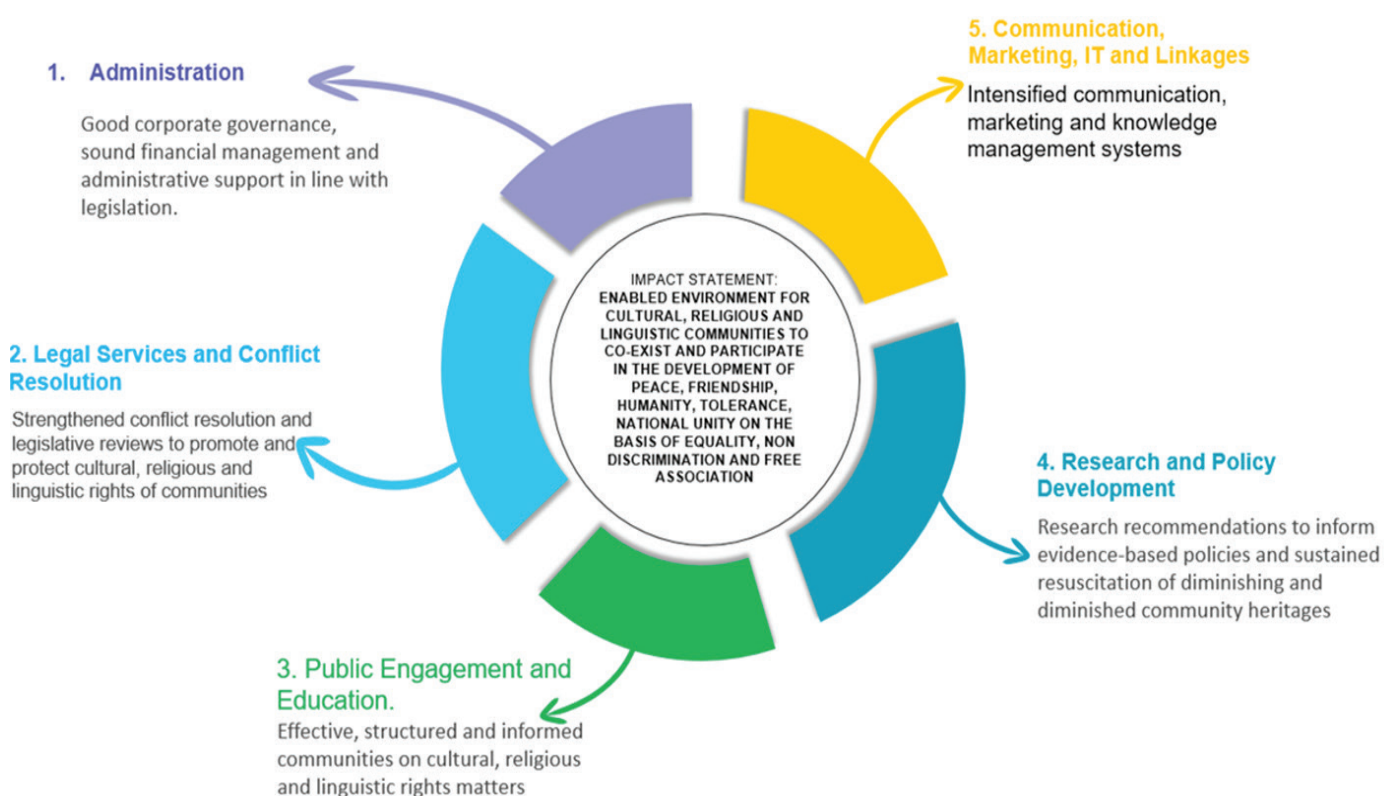


Figure 1: Organisational Impact and Programme Outcomes

5.3 Progress towards the achievement of Institutional Impacts and Outcomes

Impact Statement	Enabled environment for cultural, religious and linguist communities to co-exist and participate in the development of peace, friendship, humanity, tolerance, and national unity on the basis of equality, non -discrimination and free association			
MTSF Priorities	Social Cohesion and Safe Communities. A better Africa and the world. A capable, ethical and developmental state.			
Outcomes	Outcome indicators	Baseline	Five Year Targets	Progress
Outcome 1 Good corporate governance, sound financial management and administrative support in line with legislation.	Maintenance of unqualified audit opinion and improved oversight	Clean Audit	Unqualified audit opinion for each year until 2024/2025	Clean audit
	Reduction of wasteful, fruitless and irregular expenditure to zero	No irregular expenditure	Zero fruitless, irregular and wasteful expenditure	Zero fruitless, wasteful and irregular expenditure
Outcome 2 Strengthened conflict resolution and legislative reviews to promote and protect cultural, religious and linguistic rights of communities	Percentage of complaints resolved within the approved turnaround times	33% of complaints handled annually	80% of complaints handled annually	59% of complaints handled annually
	Percentage and number of legislative reviews conducted.	0% of reviewed bills before Parliament	100% of reviewed Bills before Parliament	67% of reviewed Bills before Parliament
		15 municipal By-laws reviewed	80 municipal By-laws reviewed	30 municipal By-laws reviewed
Outcome 3 Effective, structured and informed communities on cultural, religious and linguistic rights matters	Number of engagements and educational programmes conducted, and community councils structured and recognised on cultural, religious and linguistic rights for the promotion of the objects of the Commission.	44 engagement and educational programmes conducted with cultural, religious and linguistic communities	250 engagement and educational programmes conducted with cultural, religious and linguistic communities	92 engagement and educational programmes conducted with cultural, religious and linguistic communities

Outcomes	Outcome indicators	Baseline	Five Year Targets	Progress
Outcome 4 Research recommendations to inform evidence-based policies and sustained resuscitation of diminishing and diminished community heritages	Number of research reports with recommendations to organs of state that seek to influence legislation and policy position.	5 research reports with recommendations produced	20 research reports with recommendations produced	9 research reports with recommendation produced
Outcome 5 Intensified Communication, Marketing and knowledge management systems	Number of reports on communication, marketing and knowledge management systems produced and implementation of approved ICT Governance framework	5 reports on communications, marketing and knowledge management systems produced	20 reports on communications, marketing and knowledge management systems produced	9 Reports on communications, marketing and knowledge management systems produced

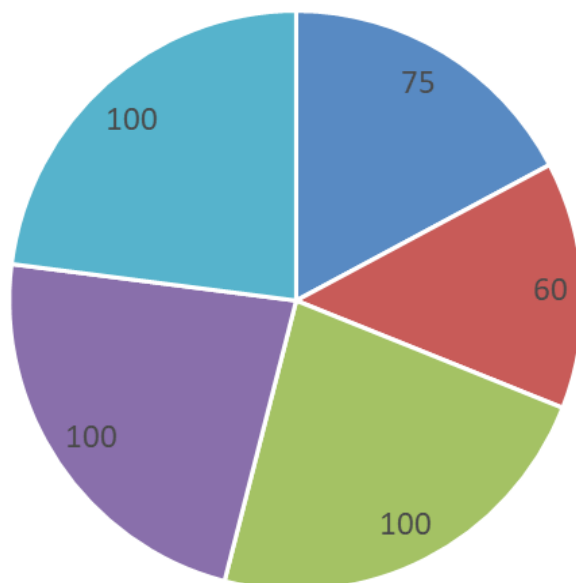
Table 1: Achievements of institutional impacts and outcomes

5.4. Institutional Performance by Programmes – Summary of results

Programme	Total number of targets	No of targets fully achieved	No. of targets not met	Achievement in percentages
Programme 1: Administration	8	6	2	75%
Programme 2: Legal Services and Conflict Resolution	5	3	2	60%
Programme 3: Public Engagement and Education	3	3	0	100%
Programme 4: Research and Policy Development	4	4	0	100%
Programme 5: Communication, Marketing, IT and Linkages	3	3	0	100%
Totals	23	19	4	82%

Table 2: Tabular representation of summary of results

Achievement in Percentages Per Programme



■ Programme 1 ■ Programme 2 ■ Programme 3 ■ Programme 4 ■ Programme 5 ■

Figure 2: Graphic representation of the overall results

6. INSTITUTIONAL PERFORMANCE BY PROGRAMMES

6.1 Programme 1: Administration

Executive Office (Commissioners)

The Office is responsible for oversight in terms of guiding the implementation of the Commission's mandate. It is responsible for monitoring compliance with ratified international instruments, charters and report on progress and impact made. In addition, the office also must ensure that the administration arm of the Commission carries-out its duties effectively and efficiently. It monitors and provides oversight over the work of the organisation using Commissions' Section 22 Committees. It further evaluates and approve recommendations to other Organs of State to influence legislation and policy direction, in line with the CRL Rights Commission's mandate.

For the Executive Office and the Commissioner to fulfil their oversight duties and responsibilities on the work of the Commission's subcommittees as per section 22 of the CRL The Rights Commission was established. In terms of this section, the Commission may establish one or more committees consisting of members only or members and staff and/or other persons to assist the Commission in the performance of its functions.

The Subcommittees of Plenary are listed below according to each committee's functions and each subcommittee is headed by an appointed Chairperson.

- a) Human Resources - Sec 22 Committee
- b) Finance - Sec 22 Committee
- c) Legal Services and Conflict Resolution - Sec 22 Committee
- d) Public Engagement and Education - Sec 22 Committee
- e) Research and Policy Development - Sec 22 Committee
- f) Communication and Marketing - Sec 22 Committee

In addition to these committees, an ICT committee was also established. The function of this Committee is to assist the organisation to set and achieve its objectives and to periodically carry out formal reviews of the competence of the organisations' IT functions.

Dates of Commissioners' Plenaries

Frequency	Dates
First Quarter	11 June 2021
Second Quarter	30 September 2021
Third Quarter	13 December 2022
Fourth Quarter	28 June 2022

Table 3: Date of Plenary meeting

Office of the Chief Executive Officer

The Office is responsible for the monitoring and implementation of the decisions of the Commission and for providing support to all the programmes of the Commission. It provides strategic leadership, management and coordination between the Secretariat, the Commissioners and other structures of the Commission. It is responsible for planning, monitoring and evaluation, and reporting.

It is responsible for addressing audit related matters including, audit committee meetings, preparations for audits on annual basis as well as managing internal audit work. In addition, the office is responsible for preparing and drafting internal audit terms of reference. It is responsible for planning, monitoring, evaluation and reporting..

The Office of the Chief Executive Officer continued to implement the decisions of the Plenary. The Subprogramme implemented the strategic plan and conducted monitoring and evaluation by way of providing assurance to the quarterly performance reports produced. The subprogramme through the guidance of the Executive Office and from the results of the previous year's audit had revised the Annual Performance Plan (APP) 2021/2022. The revision relates to the targets for the Legal Services and Conflict Resolution (LS&CR) Unit that needed to be amended and to break an indicator on the percentage of complaints into two targets that will deal with new complaints and carried over cases. The unit submitted quarterly reports to the Department of Planning Monitoring and Evaluation (DPME) and to the National Treasury on time. The Subprogramme is responsible for requests for funding from the Department of Traditional Affairs. To achieve this, the subprogramme must prepare, coordinate and consolidate documents such as the quarterly reports, trial balances and financial report that accompanies the request letters.

Finance and Financial Management

During the 2021/22 financial year, the Finance Unit managed to achieve most of its objectives. The main objective not completed during the financial year relates to the BBBEE vetting to be finalized. Achievements and challenges will be discussed in more detail in the following paragraphs.

Financial Management

The Finance Unit made improvements to the quality of financial statements issued on a quarterly basis. These improvements also improved the quality of the annual financial statements. The Finance Unit continues to strive for perfection and a clean audit was achieved for the second consecutive year.

Procurement

The Commission continued to monitor the compliance of suppliers through reliance on the Central Supplier Database of the National Treasury. Management will improve controls in respect of contract management, as an emerging risk factor.

Cash Management

Management of the cash flow at the CRL Rights Commission is at a high standard, as the CRL Rights Commission managed to pay all suppliers and staff on time. The CRL Rights Commission also has been able to successfully manage the delivery of services to remain stable; within the limits of the allocated funds for a prolonged period from its inception in 2004. Due to the challenges experienced with COVID-19, alternative means had to be deployed to achieve the objectives of the CRL Rights Commission which resulted in a saving of R 2, 404 million during the year under review. These funds will be utilized to fund once-off projects during the 2022/2023 financial year. The details of the proposed projects are currently being finalized. Contract management emerges as a risk, in that to date, the deliverables in one contract have still not been finalized. Management has prioritized this contract to bring it to completion within the new year - 2023. Some delays were experienced in respect of the drafting of quarterly financial statements and their processing. Management is paying close attention to these matters and has implemented strict work plans to ensure the implementation of its operational plans.

Programme 1: Administration: Organisational Development and Support Services									
Outcome	Output	Output Indicator	Audited Actual Performance 2019/2020	Audited Actual Performance 2020/21	Planned Annual Target 2021/2022	Actual Performance 2021/2022	Deviation from planned target to actual achievement	Reasons for deviations	
Good corporate governance, sound financial management and administrative support in line with legislation	Reports and recommendations for increased oversight, reporting and evaluation and coordination	Number of recommendations from plenary and oversight committee meetings held per annum	4 plenary and 4 section 22 meetings conducted	4 Plenary and 4 Oversight Committee meetings per annum	8 recommendations made from Plenary and oversight committee meetings held per annum	8 recommendations made from Plenary and oversight committee meetings held per annum	Achieved	No deviation	
		Number of quarterly performance reports reviewed per annum	4 approved business reports consolidated and compiled	4 quarterly reports were reviewed by the CEO within 30 days after the start of the new quarter	4 reviewed quarterly performance reports per annum	4 reviewed quarterly performance reports per annum	Achieved	No deviation	
		Number of quarterly financial statements reviewed per annum	4 sets of quarterly financial statements produced	Unqualified audit reports on Financial Statements.	4 quarterly financial statements reviewed per annum	4 quarterly financial statements reviewed per annum	Achieved	No deviation	
		Number of quarterly internal audit reports per annum	4 quarterly internal audit reports reviewed by the Audit Committee per annum	4 quarterly internal audit reports reviewed by the Audit Committee per annum	4 quarterly internal audit reports per annum	4 quarterly internal audit reports reviewed per annum	Achieved	No deviation	
		Percentage of approved performance agreements aligned to the strategy and the structure annually	28 performance agreements submitted on time.	28 performance agreements submitted on time.	100% approved annual performance agreements aligned to the strategy and the structure annually	100% approved annual performance agreements aligned to the strategy and the structure annually	Achieved	No deviation	
		Percentage of workplace skills development plan implemented per annum	37.1% of workplace skills development plan has been implemented	100% of Workplace skills development plan implemented per annum	100% of Workplace skills development plan implemented per annum	155% of Workplace skills development plan implemented per annum	Over-achieved	This is attributed to accelerated training drive due to the backlog from the previous years	
		Percentage of queries on internal and external audit findings resolved annually	External and Internal audit findings register have been updated and all audit findings resolved	100% of all queries on internal and external audit findings resolved annually	100% of all queries on internal and external audit findings resolved annually	83.75 % Of all queries on internal and external audit findings resolved annually	Not achieved	Remaining queries are under investigation and report will be updated as soon as the matters are concluded	
		Number of reports on implemented risk management strategy per annum	Risk Management Workshop conducted, and risk register updated annually	4 reports on implemented risk management strategies per annum	4 reports on implemented risk management strategies per annum	1 report on implemented risk management strategies per annum	Not achieved	Service Provider was appointed in the 3 rd quarter. Risk assessment was done in the 3 rd quarter. Risk report compiled in the 4 th quarter	

Table 4: Administration Performance

6.2. Programme 2: Legal Services and Conflict Resolution

The purpose of this unit is to provide for strengthened conflict resolution and legislative reviews to promote and protect cultural, religious, and linguistic rights of communities. The unit deals/handles complaints/requests, provide legal advice and opinions to the Commission, and to the public on cultural, religious and linguistic rights. The unit further deals with legislative review by reviewing Bills before Parliament and/or legislation that impacts on cultural, religious, and linguistic rights of communities, as guided by received complaints.

Complaints handling

The unit received a total of sixty-eight (68) complaints from 1 April 2021 to 31 March 2022. Thirty-four (34) complaints were on religion, thirty-three (33) on culture and one (1) on language. Of all the sixty-eight (68) complaints, the unit handled and finalized 58 of them (31 on religion, 26 on culture and 1 on language); plus ten (10) cases (3 on religion and 7 on culture) were not yet finalized by 31 March 2022 and will be carried over to 2022/2023. The unit also had twenty (20) cases that were carried over from the year 2020/2021, nine (9) were on religion and eleven (11) on culture. Of the twenty (20) carried over complaints, the unit handled and finalized eighteen (18) complaints (11 on culture and 7 on religion). Two (2) cases on religion are yet to be finalized. The unit is expected to reach a target of eighty percent (80%) handled complaints (new and carried over). On the new complaints received in the current year, the unit received sixty-eight (68) complaints and handled and finalized fifty-eight (58) complaints. It exceeded its eighty percent (80%) performance target by achieving an eighty-five (85%) performance level. On carried over cases/complaints from one previous year (2020/2021), the unit had twenty (20) complaints carried over and handled and finalized eighteen (18) of them. The unit exceeded its eighty-percent (80%) performance target by achieving ninety (90%) performance.

Legal opinions and drafts

The unit responded to all requests received in the current year. The unit produced several legal opinions including, amongst others, legal opinions (proposal) on recommendations by the Commission, and Procurement Irregularities. The unit worked on several MOU's including the drafting of an MOU between the Commission and COGTA on DDM, gave advice on an MOU between SANDRA and the Commission, Khoisan's and the Commission and on the Moral Regeneration Movement and the Commission. The unit further dealt with requests by the Commission and members of the public, such as remarks on a green paper seminar on the Single Marriage Bill, comments on the Single Marriage Bill and a presentation to the Municipal Demarcation team in respect of how hearings are conducted in the CRL Rights Commission. Telephonic and written advice to members of the public was also provided. The unit also produced Procedures for Recognition and Registration of Community Councils, Procedures in terms of a Section 7 investigation, and Dispute Resolution Procedures. The unit also worked on a Complaints Handling Procedure Manual and on a Protocol on Access to Graves in terms of Section 6(4) of the ESTA Act and made some amendments thereto.

Legislative Review

Review of Bills and Legislation

The unit reviewed two thirds (67%) of the Bills and legislation that impacted or may still impact the rights of cultural, religious and linguistic communities, as well as legislation that the unit impacted as determined by the complaint. The unit reviewed Cannabis for Private Purposes Bill [B 19—2020] and The Witchcraft Suppression Act. These pieces of legislation impacted the rights of cultural and religious communities. Reports in respect of the reviewed Bill and legislation were produced.

Review of By-laws

Furthermore, the unit produced fifteen (15) reports on the review of the by-laws that impacted the rights of cultural, religious and linguistic communities. By-laws on the slaughtering of animals for cultural and religious purposes and customary initiation schools in eight Metropolitan municipalities were reviewed by unit members. The municipalities are the City of Joburg, City of Tshwane, Ekurhuleni, Mangaung, eThekweni, Buffalo City, Nelson Mandela and City of Cape Town. The target is to review sixteen (16) metropolitan municipalities, but the unit produced only fifteen (15) review reports as there was no by-law relating to a customary Initiation school in Buffalo City Metropolitan Municipality.

Programme 2: Legal Services and Conflict Resolution									
Outcome	Output	Output Indicator	Audited Actual Performance 2019/2020	Audited Actual Performance 2020/21	Planned Annual Target 2021/2022	Actual Performance 2021/2022	Deviation from planned target to actual achievement	Reasons for deviations	
Strengthened conflict resolution and legislative reviews to promote and protect cultural, religious and linguistic rights of communities	Register of complaints/ requests handled.	Percentage of complaints/requests handled per annum	32% of Cases were processed in line with Complaints Handling Manual	33% of complaints (new and carried over) handled annually	80% of new complaints handled annually	85% of new complaints handled	Over-achieved	New management and strategy in dealing with complaints	
	Register of legal advice and opinions to the Commission; and to the public on cultural, religious and linguistic rights	Percentage of Legal opinions and/or drafts in responses to all requests per annum	100% response to all requests: 36 Legal opinions and/or drafts have been produced.	100% response to all legal advice and opinion requests annually	100% response to all legal advice and opinion requests annually	100% response to all legal advice and opinion requests annually	Achieved	No deviation	
	Report on reviewed Bills before Parliament and report on reviewed legislation that impacts cultural, religious and linguistic rights of communities as guided by received complaints	Number and percentage of reviewed Bills before Parliament and on reviewed legislation that impacts cultural, religious and linguistic rights of communities, as guided by received complaints per annum	One report on Bills before Parliament: <ul style="list-style-type: none"> Recognition of Customary Marriages Bill. Comments on Issue Paper on Single Marriage Statute. Hearings on the use of languages 	Reviewed 0% of Bills before Parliament that impacts on the mandate of the CRL Rights Commission annually	Review 100% of Bills before Parliament that impacts on the mandate of the CRL Rights Commission annually	67% of reviewed Bills before Parliament and/or legislations that impact on cultural, religious and linguistic rights of communities as guided by received complaints	Not Achieved	Due to insufficient human capacity at the time, the unit missed the Basic Education Amendment Bill as it was focusing more on the legislative review of the Witchcraft Suppression Act in the last quarter of the financial year. The Bill will however still be reviewed in the next financial year 2022/2023, as it is still before parliament.	
		Number and percentage of reviewed Bills before Parliament and on reviewed legislation that impacts cultural, religious and linguistic rights of communities, as guided by received complaints per annum	New target	15 Reviewed municipal Metropolitan By-Laws: 7 on fireworks and 8 on cemeteries that impact cultural, religious and linguistic rights of communities per annum	16 Reviewed municipal metropolitan By-Laws that impact cultural, religious and linguistic rights of communities per annum: 8 on animal slaughtering for cultural/religious purposes and 8 on initiation schools	15 Review reports on metropolitan municipalities' by-Laws that impact on cultural, religious and linguistic rights of communities: 8 on slaughtering of animals for cultural and religious purpose and 7 on customary initiation school	Not achieved	There was no customary initiation By-law in Buffalo metropolitan municipality to review.	

Table 5: Performance Information Legal Services and Conflict Resolution

6.3 Programme 3: Public Engagement and Education

The programme is entrusted with the responsibility to develop informational and educational programmes that facilitate public understanding of the objects of the Commission and promote respect for and protection of CRL communities. The unit also assists in the development of strategies that facilitate full and active participation of CRL communities in building the South African nation. This programme also raises awareness among the youth on diversified CRL communities and their rights and establishes and strengthens the Community councils to enhance the visibility of the CRL Rights Commission. It is responsible for the recognition of community councils which serve as a vehicle for the commission to carry out its mandate to local communities.

The Public Engagement and Education Program is also responsible for the development of learning materials to be used in dialogues, workshops, seminars and campaigns. These materials assist the unit when educating communities on the promotion and protection of cultural, religious and linguistic rights. In addition, the unit also manages related public programmes and education programmes, to foster public understanding of matters pertaining to the protection and promotion of Cultural, Religious and Linguistic rights. In the year under review, the unit carried out twenty-seven (27) engagements and twenty-one (21) awareness campaigns across the country. The details of the engagement and awareness campaigns are listed below:

Engagement with communities

Engagement with the Bakone Royal House on the 12 May 2021

The purpose of this engagement was to conduct a dialogue with critical introspection on issues of heritage preservation concerning the community of Bakone and mediations with the traditional leaders within which the community operates. The meeting was to allow the Bakone Royal Council, a recognised community council, on behalf of the Bakone community, to highlight the cultural challenges they have within their community. The dialogue also delved into highlighting the powers & responsibilities of traditional leaders to cultural communities, within their areas of jurisdiction.

Bakone Royal Council in their presentation mentioned a place of traditional and cultural significance called Mafifitlhong in the Enhlanzeni District. The hills had been used by the Bakone clan as an initiation school site and a sacred site since 1916; which was established by the late Mr Dintweg Mahlake; and the Mahlake family from the Bakone clan were the pioneers in establishing schools in the area. The Community Council wanted to convert the area into a heritage site where they would teach the young children about the Bakone traditions and cultural heritage.

During this dialogue, it was mentioned that Bakone did not have access to the cultural heritage site anymore as the area was under the control of Bapulana. They added that it was important that the site should be returned to the rightful owners as this would restore human dignity, significance and meaningful life, and that, as a country that stands for human rights, restoration of the site to its rightful owners, that would contribute significantly to the restoration of human and cultural rights.

The commissioners asked for clarity with regard to any conflicts which might exist between the Chief and the Bakone community if their residence status/land was given back to them by the Chief. The commissioners went on to enquire who the chief of the area was and asked when the Bapulana chieftaincy had become involved in Bakone matters and how it had come about that they ended up being under the Bapulana chieftaincy as Bakone people. The commissioners then requested that they be sent documentation in the possession of the Bakone Royal Council which spoke to their history and heritage and they emphasised that there needed to be due diligence carried out regarding this issue (between the Bakone and Bapulana).

Recommendations

- To equip the Commission with the needed documentation regarding the conflict in the area so that everything can be evaluated and a further step is taken.
- To involve the South African Heritage Resource Agency (SAHRA) and find out if the land (Mafifitlhong Hills) was graded as a heritage land/site. Again, SAHRA had to verify under which traditional leadership it was graded. Other stakeholders that could be involved in this process could also be SARS, the Department of Arts and Culture and the Department of Rural Development and Land Reform.
- The Commissioners committed themselves to do some research on the matter and deal with it as soon as possible. Commissioners committed to bringing the issue to plenary from the PEE Committee.
- The Bakone Royal Council invited the Commission to visit the Bakone community and the sacred hills and if possible, to bring some research tools with them when they went to meet the elders from Bakone and attempt to extract valuable information from them and keep it on record. They mentioned that the knowledge would assist them.
- The Commissioners also reiterated the need to meet with the chieftaincy, to hear their side of the story regarding the issue brought forth by the Bakone Royal Council. This was also to deal with concerns raised by the Bakone Royal Council that they came across challenges when having to handle cultural (Initiation) matters as in some instances, an individual in leadership who personally did not undergo the rite of passage was expected to assist with the process. Having to deal with such cultural matters can turn out to be difficult.

Engagement with the Khoisan Community in Lamberts Bay, Drakenstein, Elsiereviere and Saldanha Bay Municipalities from 31 August to 03 September 2021

The purpose of the engagement was to reflect on the Commission's engagements with the Khoisan Communities in the Western Cape and to reflect on the promotion and development of the Khoi and San languages. To deal with the development of the languages, an official from the PanSALB was invited to share with communities how far the Board has gone to deal to with the development of these languages.

The following issues were strongly raised by attendees:

- That the Khoisan people were still challenged regarding their identity which had been a thorny issue for years which no one seemed able to fix.
- The Khoisan wanted to be afforded first nation status and needed access to first nation cultural sites.
- Acknowledgement of the San people in Saldanha Bay as members of the Khoi group was recognised.
- The communities needed assistance with preserving and renaming their cultural and heritage sites.
- Communities were concerned about the museum in Saldanha which was all about the Khoisan communities but it was not run by the Khoisan communities.

The recommendation that came out of these engagements was that the Commission would put the Khoisan Communities in Lamberts Bay, Saldanha Bay and Drakenstein in touch with the National Heritage Council to discuss the resuscitation of Khoisan Heritages as well as regarding the reburial of human remains that were alleged to be in Western Cape museums on the West Coast. Regarding the development, the official from PanSALB stated that various language bodies were established and one of those was the Khoisan Language Body whose function it is to look deeply into the development of the Khoisan languages, especially Nama and /N!uu.

Engagement with South African Hajj and Umrah Councils - 18 October 2021

This engagement with the South African Hajj and Umrah Council came about as a result of having received a letter from the Honourable Dr Naledi Pandor, the Minister of Department of International Relations and Cooperation (DIRCO) to consider a matter that she felt did not fall within the department's mandate or scope. The matter was about the complaint the department received from the Muslim community about how the pilgrimage to Saudi Arabia was conducted and that it was done through a Non-Profit Organisation which, according to the complaint was biased and kept many people in the queue for a long time before they could be afforded an opportunity to undertake the Hajj. This engagement led to a bigger muslim community stakeholder engagement. The details and the outcomes of that engagement are described in the paragraph below.

Stakeholder Engagement with the Muslim Communities – 24 November 2021

During this engagement between the Commission and the Muslim communities, many concerns about the South African Hajj and the Umrah Council (SAHUC) were raised. The engagement was centred around a letter that was received from the Department of International Relations and Cooperation (DIRCO) to try to ascertain the nature of complaints and to produce a workable solution. The engagement was broken-down into commissions which reported back to the main plenary. The outcomes from the discussions of the commissions were then recorded; so as to find a way forward. Thereafter, a report with recommendations was crafted and shared with the department. The outcomes of the breakaway session were recorded as follows:

- That SAHUC should be retained. However, it needed to be restructured and have its constitution amended.
- Whatever was agreed upon should be of benefit to the pilgrims.
- An independent Ombudsman office needed be created in all provinces to deal with the Pilgrims' challenges.
- There is a need to hold the Hajj Indaba in a neutral accessible venue.
- The Hajj should be decolonised and de-patriachalized to allow women Hajj to attend the Hajj, which is not a common practice in South Africa.
- There should be a broader formation that is inclusive of everyone.
- An independent body should facilitate the transformation of SAHUC.

Engagement with the Khoisan Communities in various provinces

In the fourth quarter in the year under review, the Commission rolled our roadshows-out nationally, with the Khoisan Communities on the theme promoting the rights of communities to develop their historically diminished heritage with a special emphasis on the Khoisan languages. The relaxation of the COVID-19 protocols allowed the venues to open which then allowing people and communities to gather in bigger numbers without any challenges.

The purpose of the roadshows/engagements was to send sensors into how much of the heritage of the Khoisan (language) was lost. The Commission toured all the provinces and went to areas that had a concentration of Khoisan communities. It could safely be reported that in the provinces of Limpopo, Mpumalanga, Free State, KwaZulu-Natal and the Northwest, the Khoisan languages had completely died. A language like anything else, is a living organism. It develops, it grows and matures and eventually dies; especially if it is not used. The death of the language in the provinces mentioned above was because there are no speech communities in those provinces. The Nama and /N!uu languages are alive in the Northern Cape and that there are few schools that offers Nama as a subject. The survival of the language is attributed to the fact that there is a speech community in the province that still uses the language. The problem with the other provinces is that no one speaks that language and as such the language naturally dies.

Awareness Campaigns

The campaigns were aimed at raising awareness of the cultural, religious and linguistic rights of communities. The campaigns were conducted in various parts of the country. Two were conducted in the Pankop and Middleburg in Mpumalanga. Three were conducted in Gauteng Province the other two were conducted in three villages in the Eastern Cape and those were mainly done to raise awareness around initiation schools, especially the illegal ones, wherein lots of lives of initiates were lost.

Recommendations from the campaigns in the Eastern Cape:

- That the Commission should intervene to help deal with the challenges that face initiation schools as a customary cultural practice to save the tradition's good name.
- The Commission should relaunch its initiation report.
- There is a need to have regular stakeholder engagements and for the Commission to partner with civil society organisations such as the department of education, the South Africa Police Service, the Department of Social Development and municipalities.
- Programmes to capacitate communities especially the youth should be developed.
- Before every initiation season start there should be proper awareness campaigns.

Other campaigns were conducted in the Northwest provinces in the areas of Haartebeesfontein, Jourbertina, Alabama, Khuma, Bloemhof and Christiana.

Issues raised at these campaigns:

- Communities wanted to know how whistle blowers could be protected. People would like to report cultural violations anonymously, but they are scared to report because they do not want to be known.
- The issue of initiation was also flagged in these areas. Children are sometimes abducted and taken to initiation schools against their will.
- No accountability is taken for boys who lose their lives during initiation. No answers are given because it is believed that 'what happens in the mountain stays in the mountain'.
- There is a need to capacitate the South African Police Services members on how to handle and deal with initiation cases when they are reported.

Recommendations

- There was an agreement that the Commission needed to have more engagements with communities, especially religious leaders and traditional organisations at a local level.
- There is a need to develop programmes that would capacitate communities, especially the youth. There are serious problems with initiation schools.
- There are schools that just emerge. They did not seem to be following any regulations. The police do not seem capacitated with how to handle reported cases.
- There are many boys that go into initiation without the permission of parents. This leads to unplanned costs that parents have to incur when their children graduate from initiation schools.
- There is also a problem of young children going to traditional healing initiation schools. Most of them return impregnated by undisclosed adults. This is in some cases deemed as statutory rape. There was an interest to find out if the CRL Rights Commission had done any work on issues regarding Sign Language.

The Commission also conducted awareness campaigns in Limpopo province in areas such as Ga – Mphahlele, Lebowakgomo and Zebediela.

The issues that were raised during this tour were mainly around the diminishing African cultural heritage. Questions were raised as to why it was that a person could not be a pastor of a Christian church and a traditional healer at the same time. Why were African cultures looked down upon by the Africans themselves? One question asked during the discussions was why was there so much intolerance between other religions especially between Christian and African spirituality religions. It was also said during the debates that an individual can be an African spiritually but not necessarily be a traditional healer or a medium.

One other thorny issue referred to children who become disruptive in schools who were said to be under a spell or who say that they have a calling to become healers. In most cases, the school authorities do not know what to do with such cases. They sometimes ended up calling Christian religious leaders to pray for the learners, as part of what was termed deliverance services.

The predominant question that arises is why school authorities do not contact the parents or traditional healers to deal with such situations. Why do pastors become the first points of reference and are the first people to be contacted? This was believed to constitute unfair treatment of other belief systems.

A Summary of the observations that came out during all the awareness campaigns are listed below as follows:

- Initiation remains a challenge in all provinces since young children continue to be abducted and forcefully admitted into initiation schools.
- Loss of lives and amputations remains a challenge that is faced by many who attend initiation schools.
- There is a need to capacitate communities on peace development, conflict resolution and management.
- There is a need to develop a programme to capacitate South African Police Services members on how to deal with initiation cases.
- There is a concern that children are being initiated into the process of traditional healing. This then exposes them to all sorts of abuse, especially young girls.
- There is a need to engage with schools to find a lasting solution on how to handle learners who are attacked while they are at school.
- The Rastafarian community continues to be marginalised.

Programme 3: Public Engagement and Education (PEE)								
Outcome	Output	Output Indicator	Audited Actual Performance 2019/2020	Audited Actual Performance 2020/21	Planned Annual Target 2021/2022	Actual Performance 2021/2022	Deviation from planned target to actual achievement	Reasons for deviations
Effective, structured and informed communities on cultural, religious and linguistic rights matters	Reports on engagements with communities on cultural, religious and linguistic rights of communities conducted	Number of engagements with communities on cultural, religious and linguistic communities conducted per annum	4 engagements with PEE stakeholders on C-R-L matters have been conducted	24 engagements on cultural, religious and linguistic rights of communities per annum	25 engagements with communities on cultural, religious and linguistic rights of communities per annum	27 engagements with communities on cultural, religious and linguistic rights of communities were conducted per annum	Over-achieved	Increased human resources capacity and the reprioritisation of funds
	Reports on public educational campaigns on cultural, religious and linguistic rights of communities conducted	Number of public educational campaigns on cultural, religious and linguistic rights of communities conducted per annum	10 educational programmes have been conducted on CRL matters	20 public educational campaigns on cultural, religious and linguistic rights of communities conducted per annum	20 public educational awareness campaigns on cultural, religious and linguistic rights of communities conducted per annum	21 public educational awareness campaigns on cultural, religious and linguistic rights of communities conducted per annum	Over-achieved	Increased human resources capacity and the reprioritisation of funds
	Established and maintained database of cultural, religious and linguistic community organisation and institutions	Updated, established and maintained database of community organisation and institutions per annum	Community Council Policy has been reviewed by March 2020	1 updated and maintained database of community organisation and institutions per annum	1 updated and maintained database of community organisation and institutions per annum	1 Updated and maintained database of community organisation and institutions per annum	1 Updated and maintained database of community organisation and institutions per annum	Achieved

Table 6: Public Engagement and Education

6.4. Programme 4: Research and Policy Development (RPD)

The programme is responsible for developing research a strategy that guides the monitoring, investigation and research of any issue concerning the rights of cultural, religious and linguistic communities. In addition, it establishes and maintains a database of cultural, religious and linguistic research institutions and experts on CRL matters. The unit further generates evidence to support the promotion, rediscovery, restoration and development of historically diminished heritage.

It is responsible for the development of a clear research agenda and suggests critical topics on CRL rights issues. It also conducts research with the aim of empowering communities to restore their lost heritage. The unit facilitates participative engagements with relevant focus groups and collaboration with Institutions of Higher Learning (IHL), other research institutions and relevant organisations.

In the year under review this programme carried out the following research programmes:

Question: Is African Traditional Religion equivalent to Traditional Healing or Sangomas.

The CRL Rights Commission has in the past received complaints from some followers of Traditional African Religion who have been complaining about why during state or public celebrations and other religious debates, African religion is always represented by a traditional healer or a Sangomas. They argue that equating African Traditional Religion to Traditional Healing is not only incorrect and improper, but it is also misleading and disrespectful to African religion.

The Objectives

The objectives are as follows; firstly, to examine African Traditional Religion which portrays itself as part of healing and not as a religion. It is still represented and portrayed not as a religion but simply as part of traditional healing. The second question is: how African Traditional Religion can, receive the equal status it deserves as a religion as enshrined in the constitution. Thirdly, why is African Religion always represented by other people but not by its own followers; lastly, how could African Traditional Religion be promoted and protected further?

Recommendations

The report makes the following recommendations: The African Traditional Healing and African Religion are two separate institutions, and they should never be mixed up. The government should put more resources into promoting African Religion. The structure of members of African Religion and its public representation should be established better. The primary role of traditional healers is to look after the wellbeing of communities by using traditional medicine rather than focusing on religion. Therefore, they should focus on they are called-upon to do. The Department of Health should promote the profession of traditional healing to the same level as it does with western doctors.

Resuscitation of African Cultural Values

In the past, African communities lived a life guided by common values and this lifestyle led them to a cultivation of a collective sense of consciousness and corresponding obligations in safeguarding one another's welfare, as well as building a united and cohesive society. However, looking at our society today, the need for the resuscitation of values has never been more urgent, given the lingering effects of moral decay in our nation, leading to an alarming upsurge in corruption, gender-based violence, femicide, materialism and consumerism, drug and alcohol abuse, a lack of moral and social obligation and disrespect for human life across the country. These ills are mainly caused by the lack of a proper value system in the South African society. This means that there is a serious need to pay attention to the project of rebuilding the foundation of a morally upright society anchored on core values of ubuntu, dignity, equality and respect for human rights and liberties.

The Objectives

The objectives are to ask what challenges do communities face today in living out the African values like what was done in the past. We should ask ourselves how communities could resuscitate their cultural values. How could communities push for government programmes by promoting things like social cohesion, moral regeneration and nation building. Lastly, how do we resuscitate the core value of Ubuntu?

Recommendations

The report makes the following recommendations: The Department of Education and Higher Learning should promote African values and ensure that they form part of schools' and universities' curriculums. Traditional Leadership should be given the space and be supported in a conscious effort to assert African historical traditions, values, and consciousness. The competition that exists between the rights bestowed on us by the constitution and customary law on rights and values needs to be relooked at and a scientific study should be conducted to promote values from both these two systems of laws equally. The media should promote, carry, and publicise information and stories which promote family values and not just feed children entertainment that glorifies gangster type violence and crime. Youth structures, which advocate and promote African values should be supported and encouraged to spread the message among their peers.

The Constitutional Rights of Unmarried Biological Fathers within the CRL Communities Rights in a Diverse Country

On 22 September 2021, the Constitutional Court of South Africa ruled that Section 10 of the Home Affairs Births and Registration Act is unconstitutional as it prohibits unmarried fathers from registering their children under their surname. This was after the Centre for Child Law had approached the Constitutional court seeking an order that would confirm a high court judgment that a piece of law that prevents a single father from registering his child's birth under his surname unfairly discriminates against unmarried fathers, based on their marital status. The judgment stems from the home affairs department's refusal to register a child born to a South African father and a mother who came from the Democratic Republic of the Congo (DRC).

The Objectives:

The objective of this report is to understand the cultural communities' rights and traditions compared to the background of the constitutional court ruling, that ruled in favour of awarding the biological unmarried fathers' rights to register his children with his surname. To help us to achieve this aim, the following questions were put to the focus groups; Culturally, do biological unmarried fathers have rights? What is the cultural process practiced/followed in a case where a child is born from two unmarried people? What impact does this constitutional court judgement have on your cultural rights? How could the cultural, religious, and linguistic rights be promoted and protected against such a judgement?

Recommendations

The report makes the following recommendations:

In matters that affect the constitution and cultures of people, the Constitutional court should consult with cultural experts and traditional leaders to hear their counsel before pronouncing on matters that affect people's cultures and way of life. Room must be made by the courts to align their judgements with the cultural, religious, and traditional beliefs of all South African citizens. The competing rights between Customary Law and Roman Dutch Law must be investigated further.

Use of Official Languages by Organs of State

The Constitution of the Republic of South Africa (the Constitution), Section 31 (1), states that “Persons belonging to a particular cultural, religious, or linguistic community, may not be denied the right, along with other members of that community to use their language.” Section 6(1) of the Constitution says that the official languages of the Republic are Sepedi, Sesotho, Setswana, siSwati, Tshivenda, Xitsonga, Afrikaans, English, isiNdebele, isiXhosa, and isiZulu. In accordance with its constitutional mandate, the CRL Rights Commission convened hearings on the linguistic rights of communities, focusing on the implementation of the Use of Official Language Act no 12 of 2012 (Act No.12 of 2012) by organs of state.

The Objectives

The Objective to hear and understand the commitment to achieving this legislative goal lies in the practical implementation of plans, strategies and policies of national departments and other organs of state like SAPS. The public needs to hear about the positive measures, the organs of state are employing to elevate the status and advance the usage of all these languages. The question that needs to be asked is; What have organs of state put in place to regulate and monitor the use of the official languages in their respective units? Secondly, to what extent do the official languages enjoy parity of esteem, and equitable freedom. Thirdly, what efforts are being made by organs of state to elevate and promote official languages to become languages of record, teaching, research, science, technology, and commerce?

Recommendations

The report makes the following recommendations: the CRL Rights Commission does acknowledge that there is some work being done about the status and use of languages by different organs of state. However, it believes more could be done and recommends the following:

- That public service centres where the public can send their complaints about the unequal use of official languages by organs of state should be established soon. Organs of state should share publications and communicate with the members of the public more effectively about their linguistic rights in their own languages and in languages spoken in the areas or regions where they live. The spoken and used regional languages should be streamlined and should be granted official status in the regions where they are spoken. All organs of state through their language units, should fast track and implement the equitable use of all languages as per the Use of Official Language Act. The model of the Provincial Inter-Governmental Language Forum, wherein all organs of state in each province, are represented to discuss the status and usage of languages, should be implemented in all provinces. Efforts to elevate and promote official languages to become languages of record, by teaching, research, science, technology, and commerce should be prioritised.

Programme 4: Research and Policy Development								
Outcome	Output	Output Indicator	Audited Actual Performance 2019/2020	Audited Actual Performance 2020/21	Planned Annual Target 2021/2022	Actual Performance 2021/2022	Deviation from planned target to actual achievement	Reasons for deviations
Research recommendations to inform evidence-based policies and sustained resuscitation of diminishing and diminished community heritages	Research reports on cultural, religious and linguistic rights produced	Number of research reports on cultural, religious and linguistic rights produced per annum	1 Research report on a topic approved by the research committee has been produced	4 research reports on cultural, religious and linguistic rights produced per annum	4 research reports on cultural, religious and linguistic rights produced per annum	4 research reports on cultural, religious and linguistic rights produced per annum	Achieved	No deviation

Table 7: Research and Policy Development

6.5 Programme 5: Communication, Marketing, IT and International Linkages

The purpose of the programme is to communicate a shared CRL Rights Commission's vision through effective Communication, Marketing, Linkages and IT functions, to enhance knowledge management. Lobbies should advise and report on any issues concerning the rights of cultural, religious and linguistic communities; in order to maximise the use of social media for marketing and promotion of CRL rights and should continue to manage media relations.

The unit is responsible for branding the Commission to help improve the visibility and image of the institution in and outside South Africa. There should be consistency across all online and offline marketing material. This includes websites, social platforms, direct marketing campaigns, advertising campaigns, business cards, PowerPoint presentations etc. Furthermore, the unit aims at developing state of the art Information and Communication Technologies infrastructure, to enable better communication and knowledge management. It is also responsible for the implementation of 4th Industrial revolution related technologies that are relevant to the work of the Commission. Information and Communication Technology changes at an alarming rate. There is therefore a need to continuously build capacities for the Commission to remain relevant in the implementation of its mandate. The unit is to collate, and package gathered knowledge on cultural, religious and linguistic issues from within and outside the Commission. Knowledge products could include success stories, factsheets, blogs, research outcomes, reports and other documents that are important to attract an audience and stimulate interest in CRL rights related matters.

The unit also focuses on building relationships with journalists to get press coverage and guest posts and forge other strategic partnerships with other institutions and influencers for a collective voice and maximisation of reach on cultural, religious and linguistic issues. The Communications, Marketing, IT and Linkages Unit made use of various strategic events and programmes to share information about the Commission's programmes and projects. During the period under review, the unit managed to release several media statements, updated social media platforms, and facilitated several media briefings/press conferences, print, radio, and television interviews, in support of the Commission's work.

Communication and Marketing Section 22 Committee

This committee provided extensive guidance on the work of the unit. Its support ensured that the unit continued its strategic and operational work with more vigour and tenacity.

Social Media

An improvement was noted during this period, particularly due to updates provided as well as general information shared about the work of the Commission; resulting in gaining new followers on the social media platforms, that is, 13 523 on Facebook and 2 295 on Twitter.

Media Statements

- 29 April 2021, a statement was issued about the Commission's investigative hearings involving Mr Thando Mahlangu, and Mr. Jose Maponyane, in respect of the incident that took place at the Boulders Mall in Midrand.
- 30 April 2021, a message of condolence on the passing away of Queen Mantfombi Dlamini Zulu.
- 04 May 2021, a statement released by the Commission in respect of recommendations and findings regarding the Mr. Thando Mahlangu versus Boulders Mall matter.
- 6 May 2021, the Commission issued a statement condemning Dr Arthur Frost for Cultural intolerance and discrimination.
- 11 May 2021, a statement issued by the Commission addressing the matter of a South African Defence force staff, who was facing a disciplinary hearing for refusing to remove her headscarf.

- 27 May 2021, a statement issued by the Commission following a meeting it had with eThekweni Municipality on the recycling of graves and the demolition of a Church by the municipality.
- 05 September 2021, a joint statement issued by the CRL Rights Commission and the South African Human Rights Commission about their respective interventions in the KZN Province, particularly in the affected areas and communities.
- 27 October 2021, a media statement released about the Commission's ongoing intervention KZN Province, particularly in response to the violence and attacks that took place in July of the same year.
- 05 November 2021, a statement issued by the Commission following its consultative engagement with various stakeholders from the Muslim Community.
- 17 November 2021, a message of condolence issued by the CRL Rights Commission on the passing of former president F.W. de Klerk.
- 25 November 2021, a statement released condemning the circumstances that led to the death of Lathitha Nako.
- 22 December 2021, a statement issued by the Commission condemning the deaths of young men at initiation schools in the Eastern Cape, as well as sharing a report following its meeting with the Provincial and Traditional Leadership of that Province.
- 28 December 2021, a message of condolence on the passing away of Archbishop Emeritus Desmond Mpilo Tutu.

The unit continued to engage various stakeholders such as journalists, editors, and media houses, with the aim of providing them with more highlights and reports about the work of the Commission. Due to these engagements, the Commission continued to maintain positive media coverage, which was noticeable on traditional as well as social media platforms, notwithstanding a few negative comments on social media. Some of the issues and concerns raised on these platforms were addressed.

Exhibitions

The exhibitions undertaken by the Unit in some of the provinces demonstrated the extent of interest which many members of the public have in the work of the Commission, particularly, through the publications collected, as well as the questions they raised. Some of the areas at which the exhibitions were held included: Lamberts Bay – 31 August 2021, Saldanha Bay – 1 September 2021, Drakenstein – 2 September 2021, Elsiesriver – 3 September 2021, Exhibition & Heritage Day Celebration at Boulders Mall, Midrand - 24 September 2021, Sign Language Dialogue in Durban on 27 September 2021, hosted during the International Week of the deaf (IWDEAF), which in South Africa is regarded as the National Deaf Awareness Month. It is important to note that these exhibitions were undertaken despite the challenges that were brought about by the impact of the COVID-19 pandemic. Other exhibitions undertaken were in Klerksdorp - 11 February 2022, Bloemhof –10 February 2022, Christiana – 10 February 2022, Senegal - 25 February 2022, Kroonstad - 24 February 2022, Warrenton - 9 March 2022, Nyandeni - 23 March 2022.

Furthermore, the unit worked closely with other departments in hosting the investigative hearings in the Province of KwaZulu-Natal and these included among others, the July 2021 violence and the Phoenix, and Kwasizabantu Christian Mission.

Information Communication and Technology

The unit realized a lot of positive milestones in respect of Information, Communication, and Technology. Though some users experienced minor technical challenges such as WIFI connectivity, printing problems, the evolution system, backup, and reviewing of access rights to the network, however, all those challenges were resolved. To ensure efficient support to staff as well as to support those who were recently appointed to the Commission, the Unit procured new laptops.

ICT Governance Committee

The ICT Governance Committee provided invaluable inputs, support, and guidance in the work of the unit. Among other things, this committee not only dealt with the assessment of performance and challenges faced by the unit, but also provided extensive support in respect of policies and strategic documents which needed to be developed.

Activities performed

The Commission appointed external consultants who provided support for some of the following applications: Sage evolution, payroll, and Garrison Time. Furthermore, the following IT-related projects/ activities were actioned:

- ✓ Reset passwords for users.
- ✓ Monitored backups for sage evolution database.
- ✓ Troubleshoot errors for sage evolution logins.
- ✓ Installed sage evolution.
- ✓ Consulted with iron tree regarding sage evolution backups.
- ✓ Reviewed access rights for sage evolution users.
- ✓ Deleted old user accounts on sage evolution.
- ✓ Performed upgrades for sage evolution on all user machines.
- ✓ Created new accounts and assigned access rights for users.
- ✓ Renewed software licenses (CaseWare, Sage evolution, and payroll).
- ✓ Assisted with audio files for service providers to transcribe.
- ✓ Provided IT support during hearings that were conducted by the Commission.
- ✓ Assisted in creating meetings, downloading virtual attendance registers, and meeting recordings for staff.
- ✓ Reinstalled MacAfee Epo on the server and performed installation for all clients.
- ✓ Set-up projectors in the boardroom and created meeting links for various meetings with external people.
- ✓ Serviced air conditioner in the server room.
- ✓ Assisted with installation and troubleshooting of printers.
- ✓ Set-up laptops for commissioners and senior managers.
- ✓ Replaced all machines running Windows 7 in the Commission with ones that run Windows 10 professional.
- ✓ Installed and set-up Microsoft Teams, one drive, and 365 office suites for all users.
- ✓ Installed the latest version of TeamViewer on all users' machines.
- ✓ Facilitated Microsoft Teams training for all users.
- ✓ Distributed laptops to all commissioners.
- ✓ Renewed antivirus software license.
- ✓ Procured license for remote access application.
- ✓ Diverted calls from reception to a cellphone, due to all staff working from home full time.
- ✓ Set-up VPN for users who were issued with old laptops from senior managers.
- ✓ Consulted with Website Service provider for SLA.
- ✓ Liaised with Microsoft partner regarding office 365 deployment project.
- ✓ Liaised with SITA for progress on procurement of backup services.

- ✓ Consulted with the appointed service provider regarding McAfee EPO installation and commenced with the installation.
- ✓ Consulted with Microsoft on security updates that had to be installed on the exchange server.
- ✓ Held meetings with Microsoft for pre-scoping of Azure information projection.
- ✓ Liaised with service providers for procurement of VOIP.
- ✓ Serviced Gas suppression system.
- ✓ Upgraded Man3000 telephone management systems.
- ✓ Assisted with verification of IT assets by external auditors.
- ✓ Performed cybersecurity awareness by posting a security video clip on MS Teams for staff to view.

Continuous support for the Commission's network

IT continued to provide support for servers, and networks in the commission. These included installing updates on the servers, ensuring availability of the internet to all users, setting up VPN, and providing necessary support.

Continuous support for Microsoft 365 applications and this entailed:

- ✓ Creation of a shared mailbox account for the purpose of receiving database registration for the Public Education and Engagement unit.
- ✓ Creation of CRL email signatures for users.
- ✓ Troubleshooting and synchronization of errors on azure Active directory.
- ✓ Provision of continuous support for emails as well as setup emails accounts for all users.
- ✓ Updated the global list as well as adding newly appointed employees.
- ✓ Migrated all user mailboxes from exchange 2016 to exchange online.
- ✓ Monitored the logs of all servers.

Assisted users with connectivity to emails

Set-up of emails for senior managers on newly acquired cellphone devices. It further assisted with the creation of new teams on Microsoft Teams for all units and committees of the Commission and issued notices advising staff on how to use MS Teams when hosting meetings. Furthermore, IT created a shared mailbox account on exchange online, for the sole purpose of receiving applications for vacancies for the Human Resources Department, and access to this mailbox was only given to HR personnel. IT also converted info and complaints mailboxes from user mailbox to shared mailbox, to allow the flow of emails and deleted old unused mailboxes on the exchange.

Provided support for printer equipment

This entailed attending to all logged printer faults and distributing toners to users as per requests, installation of printers for users where applicable, and creating printer user codes for new employees.

Training for IT Personnel

- ✓ IT personnel attended a training course for Microsoft Azure Fundamentals in the second quarter.
- ✓ Further training courses for IT personnel in line with their personal development were shared with the HR Department.

Programme 5: Communication, Marketing, IT and Linkages								
Outcome	Output	Output Indicator	Audited Actual Performance 2019/2020	Audited Actual Performance 2020/2021	Planned Annual Target 2021/2022	Actual Performance 2021/2022	Deviation from planned target to actual achievement	Reasons for deviations
Intensified communication, marketing and knowledge management systems	Reports on the implemented internal and external communication and marketing strategy	Number of reports on implemented internal and external communication strategy per annum	External and internal communication strategy has been approved	4 reports on Implemented internal and external communication strategy per annum	4 reports on Implemented internal and external communication strategy per annum	4 reports on Implemented internal and external communication strategy per annum	Achieved	No deviation
	Stable and secure ICT environment that meets all functional needs of the Commission and its strategy	Number of reports on maintained and upgraded infrastructure and implemented ICT Governance Framework per annum	IT Governance Framework has been reviewed	4 reports on maintained and upgraded infrastructure and implemented ICT Governance Framework per annum	4 reports on maintained and upgraded infrastructure and implemented ICT Governance Framework per annum	4 reports on maintained and upgraded infrastructure and implemented ICT Governance Framework per annum	Achieved	No deviation
	Report on monitored activities on social media platforms	Number of reports of activities on social media platforms per annum	Report on active social media platforms and posts have been produced per annum	4 reports of activities on social media platform per annum	4 reports of activities on social media platform per annum	4 reports of activities on social media platform per annum	Achieved	No deviation

Table 8: Communication, Marketing, IT and Linkages

7. Strategies to Deal with Targets not Achieved

The targets listed below were not achieved in the year under review.

PPI	Performance Indicator	Planned Annual Target	Annual Achievement	Reason for Deviation and Corrective Measure
7	Percentage of queries on internal and external audit findings resolved annually	100% of all queries on internal and external audit findings resolved annually	83.75% of all queries on internal and external audit findings resolved annually	Remaining queries are under investigation and report will be updated as soon as the matters are concluded
8	Number of reports on implemented risk management strategy per annum	4 reports on implemented risk management strategies per annum	1 report on implemented risk management strategies per annum	Service Provider was appointed in the 3rd quarter. Risk assessment was done in the 3rd quarter. Risk report was compiled in the 4th quarter
11	Report on reviewed Bills before Parliament and report on reviewed legislation that impacts cultural, religious and linguistic rights of communities, as guided by received complaints	Review 100% of bills before Parliament that impact the mandate of the CRL Rights Commission annually	67% of reviewed bills before Parliament and/or legislations that impact on cultural, religious and linguistic rights of communities as guided by received complaints	Due to insufficient human capacity at the time, the unit missed the Basic Education Amendment Bill as it was focusing more on the legislative review of the Witchcraft Suppression Act in the last quarter of the financial year. The Bill will however still be reviewed in the next quarter
		16 Reviewed municipal metropolitan by-laws that impact cultural, religious and linguistic rights of communities per annum: 8 on animal slaughtering for cultural/religious purposes and 8 on initiation schools	15 Review reports on metropolitan municipalities by-laws that impact cultural, religious and linguistic rights of communities: 8 on slaughtering of animals for cultural and religious purpose and 7 on customary initiation school	There was no customary initiation by-law in Buffalo metropolitan municipality to review.

Table 9. List of targets not achieved



PART C: GOVERNANCE

8. Introduction

Corporate governance for the purpose of the King IV report is defined as the exercise of ethical and effective leadership by the governing body towards the achievement of the following governance outcomes: i.e., ethical culture, good performance, effective control and legitimacy. The governing body's primary governance role and responsibilities are to steer and set strategic direction and to approve policy and planning. It ensures accountability for organisational performance and finally; it oversees and monitors the implementation and execution of strategy by management. The King IV report provides for the governing body to delegate the implementation and execution of approved strategy through policy and operational plans, to management, via the Chief Executive Office.

9. Risk Management

The CRL Rights Commission has a risk management policy and strategy in place. Risk assessments are done annually with quarterly progress reports in respect of the implementation of mitigating strategies. The Risk Management Committee meets quarterly to monitor progress on risk interventions and to provide advice in respect of risk management. The progress report from the Risk Management Committee is presented quarterly to the Audit and Risk Committee for oversight. Risk management in the CRL Rights Commission has improved, policies are in place and structures have been created. The effectiveness of these interventions will be monitored in the next financial year and adjustments will be made as required.

10. Fraud Prevention

The Commission has a fraud prevention plan in place. It seeks to utilise an integrated approach to fraud that ensures that the necessary controls are in place and that fraud is prevented, investigated and where necessary, perpetrators are prosecuted. The primary measures utilised by the Commission to ensure that fraudulent activities are reduced to a minimum are there to ensure that a system of control and risk management is in place to give the best possible assurance that no person can perpetrate fraud and cover it up. The Commission reports and monitors mechanisms of fraudulent activities whereby employees, commissioners and other interested parties can report fraud anonymously via the Public Service Commission hotline and the number is 0800 701 701. The hotline is communicated widely via electronic means. To date, no cases have been reported and forwarded to the CRL Rights Commission for further investigation.

11. Minimising conflict

To deal with possible conflict of interest in SCM, the CRL Rights Commission requires that all staff members, inclusive of SCM officials, on appointment and on an annual basis, with amendments during the year where relevant, and all suppliers need to declare their interests in every procurement instance.

In the event of a conflict being raised, the relevant official is required to recuse her/himself from the proceedings. In cases where the conflict of interest is on the part of the supplier, the supplier is not considered as having provided the required goods or services.

12. Code of conduct

The Commission continues to subscribe to a good code of conduct and has adopted the code of conduct provided by the Public Service Regulations. The Commission believes in applying corrective disciplinary measures and support to all employees. The process of disciplinary action includes giving warnings, both verbal and written), a final warning and suspension on full salary or suspension with no salary and subsequently dismissal if found guilty.

13. Health safety and environmental issues

The Commission is committed to the environmental health and safety of its employees and visitors. It strives to safeguard the general wellbeing and infuses higher employment moral. The occupational health and safety assessments are applied and enforced by closely monitoring workplace conditions to identify and eliminate potential hazards, which amongst others range from agronomical risks to physical and psychosocial risks.

14. Portfolio Committees

The Portfolio Committees provide oversight over the service delivery performance by the Commission. The Commission met with the Portfolio Committee virtually on MS Teams on the following dates:

No.	Date	Purpose
1	28 th April 2021	Discussing Annual Performance Plan and the Budget
2	23 November 2021	Discussion of the Annual Report
3	23 March 2022	Discussion of the 3 rd Quarter Performance Report

Table 10: Portfolio Committee meetings

15. Internal Audit and Audit and Risk Committee

Internal Audit and the Audit and Risk Committee are independent structures whose function is to play an oversight role on the systems of control and risk management. Internal controls and good governance play an important role in ensuring that the Commission functions according to required good accounting and auditing standards. Internal controls speak to policies and procedures put in by management to ensure that, among other things, organisations financial statements are reliable. It ensures that internal controls relevant to audit include bank reconciliations, password control systems for accounting software and inventory observations.

16. Audit and Risk Committee Report 2021/2022

We are pleased to present our report for the financial year ended, 31 March 2022. The Audit & Risk Committee is an independent statutory committee appointed by the Commission of the CRL. The duties and responsibilities of the Audit & Risk Committee as delegated by the Commission, are included in this report.

Audit and Risk Committee responsibilities

The Audit and Risk Committee is established by the Commission pursuant to Section 77 of the PFMA, read together with Treasury Regulation 27, which regulates the appointment and duties of the Audit & Risk Committee for national and provincial government entities. The Audit and Risk Committee reports that it has adopted appropriate formal terms of reference as its Audit and Risk Committee Charter and has regulated its affairs in compliance with this Charter. The Charter clarifies the requirements for the Committee's composition, meeting procedures and matters connected therewith. The Committee reports to and is accountable to the Commission and operates within the parameters of this charter. The Committee has discharged all its responsibilities as contained therein and has also reviewed the appropriateness of accounting policies and practices.

Audit and Risk Committee Members and Attendance

The Audit and Risk Committee consists of three members as depicted in the table below:

No.	Name and surname	Date appointed	No. of meetings attended	Qualifications
1	Ms Margaret Phiri	November 2019 to date	6 of 6	CA(SA)CTA/B Compt Hons
2	Mr Thabo Poee	January 2020 to date	6 of 6	CA(SA) B Compt Hons MBL
3	Mr Luyanda Mangquku	January 2020 to date	6 of 6	B Com Accounting Hons, CFE

Table 11: Audit and Risk Committee membership

The Effectiveness of Internal Controls

Based on the review of internal controls undertaken by the Internal Auditors during the period under review, and having considered the information, statements and explanations given by management, as well as discussions with the external auditors, the Audit and Risk Committee is of the opinion that CRL's systems are effective and form a sound basis for the preparation of reliable Annual Financial Statements for the 2021/22 financial year. The systems can be enhanced to ensure improved internal controls, going forward.

Internal Audit

The Audit and Risk Committee is responsible for ensuring that CRL's outsourced internal audit function is independent and has the necessary resources, standing, and authority within CRL to enable it to discharge its duties. The Internal Audit Charter, the Internal Audit Annual Plan and the 3-year strategic rolling risk-based internal audit plan were reviewed and approved by the Audit and Risk Committee for implementation. The internal audit function provided reasonable assurance to management and the Audit & Risk Committee on the adequacy and effectiveness of internal controls, based on the approved risk-based annual audit plan. The control environment of the organisation was adequate and effective, except for areas of improvement recommended to management and the Audit & Risk Committee for enhancement and resolution.

Enterprise Risk Management

Risk Management is an integral part of good governance at the CRL Commission. There is a shared awareness and understanding within the Commission of the nature and extent of the risks it faces; the categories and extent of those risks that are regarded as acceptable; and the likelihood and potential impact of the risks materialising. CRL identified its risk areas and developed a risk register to ensure that the identified risks are properly managed. The Commission monitors risks through the Audit and Risk Committee. The Committee exercises an oversight role to ensure that there is effective risk management within the Commission. It recommends risk strategies and policies to the commission that must be set, implemented and monitored.

The quality in-year management quarterly report submitted in terms of the PFMA

During the period under review, management presented quarterly reports which enabled the Committee to monitor the financial position of the entity and perform a comparison against performance objectives. Although there is room for improvement in the quality of reports, the Committee is satisfied with the content thereof.

Evaluation of financial Statements

The Committee has reviewed the annual financial statements prepared for the year ended 31 March 2022 and is satisfied that these were prepared in accordance with the South African Standards of GRAP issued by the South African Accounting Standards Board and that they have complied with the requirements of the PFMA in all material respects.

Auditor General's Report

The Committee concurs and accepts the conclusions of the external auditor on the annual financial statements and is of the opinion that the audited annual financial statements can be accepted and read together with the report of the Auditor-General.

Meeting with the Auditor-General of South Africa

The Committee met with the AGSA to ensure that there were no unresolved issues.



Margaret Phiri

Chairperson of the Audit and Risk Committee

31 July 2022



**PART D:
HUMAN RESOURCES
MANAGEMENT**

17. Introduction

The Human Resource Programme is premised on the strategic thrust of the CRL Rights Commission to provide efficient and effective HR functioning, ranging from Recruitment to Skills Development, Performance Management and Employee Wellness, among others. To ensure a coherent and consistent provision of these functions, HR has undertaken a rigorous review of policies covering almost all functional areas under its purview. These policies enabled the CRL personnel to perform their duties during the year under review in compliance with the relevant prescripts and regulations, and within a reliable internal control system.

18. Overview of Human Resource Projects

During the year under review, the CRL Rights Commission took a conscious decision to implement the proposed organisational structure within the current baseline allocation, which culminated in a process where the filling of vacant positions had to be prioritised. The decision to prioritise the filling of positions was largely driven by the imbalances identified in the proposed organisational structure, in terms of Core and Support functions and the limited financial resources capacity. Priority was given to core positions where eight (8) positions were filled and funded on a contractual basis, subject to finalization of the job evaluation process which is currently underway. Employee performance and performance rewards within the Commission were managed in accordance with the Performance Management and Development System, (PMDS). The Commission achieved a score of one hundred percent (100%) regarding timeous submission of the Performance Agreements for the 2021/2022 performance cycle, while working towards the moderation of performance assessments for 2020/21.

During the financial year 2021/22, the Commission established a COVID-19 Committee following the outbreak of the COVID-19 pandemic in the country in March 2020, and it became crucial for the Commission to introduce measures to mitigate the potential spread of the coronavirus within the CRL work environment. As part of ensuring the occupational health and safety of all employees, the Commission procured personal protective equipment for all employees and commissioners. A list of COVID-19 health protocols was also compiled and circulated to all employees to minimize the risk of transmission.

A need to appoint a Compliance Clerk was recognised and a clerk was subsequently appointed through a recruitment agency to monitor compliance of the established health protocols, which included measures such as screening of employees and visitors at the entrance, ensuring that a tracing register was completed by everyone upon entering the CRL office premises. These measures were outlined in the COVID-19 workplace protocols developed in accordance with the COVID-19 regulations. In line with this, the Commission developed a Working-From-Home Policy, and it was implemented to reduce the number of employees at the office at any time. The Commission is committed to creating an environment that promotes continuous learning and development to enhance the skills and competencies of its workforce to perform at their maximum potential and contribute towards the realisation of the Commission's strategic objectives. A total of R231,072.15 has been spent on skills development interventions during the 2021/22 financial year and twenty-eight (28) employees and twelve (12) Commissioners took the opportunity for learning and development in areas that would help them in their daily work activities. The training expenditure was limited to covering only short courses and workshops.

19. Human Resources Oversight Statistics

Personnel Related Expenditures

The following tables summarise the final audited personnel related expenditure by programme and by salary bands. It provides an indication of the following:

- the amount spent on personnel;
- the amount spent on salaries, overtime, homeowner's allowances and medical aid.

Table 12: Personnel expenditure by programme for the period 1 April 2021 to 31 March 2022

Programme	Total expenditure (R'000)	Personnel expenditure (R'000)	Training expenditure (R'000)	Professional and special services expenditure (R'000)	Personnel expenditure as a % of total expenditure	Average personnel cost per employee (R'000)
Communications & marketing	4 226 095.52	3 616 215.77	0.00	609 879.75	85.568%	602 702.628
Support Services	8 036 972.15	7 693 535.41	201 454.70	141 982.04	95.726%	480 845.96
Legal Services & Conflict Resolution	1 905 960.66	1 623 850.68	0.00	282 109.98	85.198%	405 962.67
Office of the CEO	3 198 342.11	3 180 855.17	0.00	17 486.94	99.453%	1 060 285.056
Executive Office	4 318 805.84	3 893 339.14	104 120.00	242 946.70	90.148%	973 334.785
Public Education and Engagement	1 007 770.28	956 462.72	0.00	51 307.56	94.908%	239 115.68
Research & Policy Development	2 007 910.84	2 007 910.84	0.00	0.00	100%	669 303.61
Total	24 701 578.40	22 972 169.75	305 574.70	134 572	92.997%	574 304.24

Table 13: Personnel costs by salary band for the period 1 April 2021 to 31 March 2022

Salary band	Personnel expenditure (R'000)	% Of total personnel cost	No. of employees	Average personnel cost per employee (R'000)
Lower skilled (Levels 1-2)	1 035 021.92	4.492%	6	172 503.65
Skilled (level 3-5)	575 445.29	2.497%	3	191 815.10
Highly skilled production (levels 6-8)	1 699 422.88	7.376%	4	424 855.72
Highly skilled supervision (levels 9-12)	11 964 294.61	51.932%	21	569 728.31
Senior and Top management (levels 13-16)	7 764 106.91	33.701%	6	1 294 017.82
Total	23 038 291.60	100%	40	2 652 920.60

Table 14: Salaries, overtime, homeowners' allowance and medical aid by programme for the period 1 April 2021 to 31 March 2022

Programme	Salaries		Overtime		Homeowners Allowance		Medical Aid	
	Amount (R'000)	Salaries as a % of personnel costs	Amount (R'000)	Overtime as a % of personnel costs	Amount (R'000)	HOA as a % Of personnel costs	Amount (R'000)	Medical aid as a % of personnel costs
Communications & Marketing	2 699 741.54	15.42%	7 450.81	62.96%	73 595.04	19.05%	171 018.00	17.91%
Support Services	5 892 484.12	33.67%	3 442.18	29.08%	183 987.60	47.62%	333 464.44	34.91%
Legal Services & Conflict Resolution	1 253 203.75	7.16%	0.00	0%	36 797.52	9.52%	90 840.00	9.51%
Office Of The CEO	2 379 507.82	13.60%	0.00	0%	18 398.76	4.76%	50 644.00	5.30%
Executive Office	3 002 896.34	17.16%	0.00	0%	36 797.52	9.52%	210 905.00	22.08%
Public Education and Engagement	778 580.81	4.45%	941.92	7.96%	18 398.76	4.76%	35 052.00	3.67%
Research & Policy Development	1 510 716.61	8.61%	0.00	0%	18 398.76	4.76%	63 162.64	6.61%
Total	17 502 785.99	100%	11834.91	100%	386 373.96	100%	955 086.08	100%

Table 15: Salaries, overtime, homeowners' allowance and medical aid by salary band for the period 1 April 2021 to 31 March 2022

Salary band	Salaries		Overtime		Homeowners Allowance		Medical Aid	
	Amount (R'000)	Salaries as a % of personnel costs	Amount (R'000)	Overtime as a % of personnel costs	Amount (R'000)	HOA as a % Of personnel costs	Amount (R'000)	Medical aid as a % of personnel costs
Skilled (level 1-2)	874 873.59	4.99%	941.92	7.96%	36 797.52	9.52%	41 568.24	4.35%
Skilled (level 3-5)	412 069.82	2.35%	0.00	0%	36 797.52	9.52%	43 728.00	4.58%
Highly skilled production (levels 6-8)	1 207 889.41	6.89%	3 982.50	33.65%	73 595.04	19.05%	110 592.00	11.58%
Highly skilled supervision (levels 9-12)	9 071 126.46	51.71%	6 910.49	58.39%	239 183.88	61.90%	508 589.84	53.25%
Senior management (level 13-16)	5 976 171.71	34.07%	0.00	0%	0.00	0%	250 608.00	26.24%
Total	17 542 130.99	100%	11 834.91	100%	386 373.96	100%	955086.04	100%

Table 16: Employment and vacancies by programme as at 31 March 2022

Programme	Number of posts on approved establishment	Number of posts filled	Vacancy Rate	Number of employees additional to the establishment
COMMUNICATIONS & MARKETING	6	5	16.66%	1
SUPPORT SERVICES	15	13	13.33%	3
LEGAL SERVICES & CONFLICT RESOLUTION	3	2	0%	2
OFFICE OF THE CEO	3	3	0%	0
EXECUTIVE OFFICE	4	4	0%	0
PUBLIC EDUCATION AND ENGAGEMENT	3	1	66.66%	3
RESEARCH & POLICY DEVELOPMENT	2	2	0%	1
Total	36	30	16.66%	10

Table 17: Employment and vacancies by salary band as on 31 March 2022

Salary band	Number of posts on approved establishment	Number of posts filled	Vacancy Rate	Number of employees additional to the establishment
Lower skilled (1-2)	2	2	0%	4
Skilled (3-5)	2	2	0%	1
Highly skilled production (6-8)	4	4	0%	0
Highly skilled supervision (9-12)	21	16	23.8%	5
Senior management (13-16)	7	6	14.28%	0
Total	36	30	3.22%	10

Table 18: Employment and vacancies by critical occupations as on 31 March 2022

Critical occupation	Number of posts on approved establishment	Number of posts filled	Vacancy Rate	Number of employees additional to the establishment
Administrative Related	3	3	0%	3
Building & other Property Caretakers	1	1	0%	0
Clerks & Related Personnel	7	6	14.28%	0
Client Information Clerks (Switchboard/ Receptionist)	1	1	0%	0
Communication & Information Related	2	1	5%	0
Finance & Economics Related	2	2	0%	0

Critical occupation	Number of posts on approved establishment	Number of posts filled	Vacancy Rate	Number of employees additional to the establishment
Financial Clerks & Credit Controllers	1	1	0%	0
Head of Department/ Chief Executive Officer	1	1	0%	0
Household & Laundry Workers	2	2	0%	0
Human Resources & Related Professionals	3	1	66.66%	1
Information Technology Personnel	2	2	0%	0
Legal Related Personnel	3	2	33.33%	1
Logistical Support Personnel	2	2	0%	1
Member of Executive Council	2	2	0%	0
Other Administrative & Related Clerks & Organisers	0	0	0%	4
Senior Managers	4	3	25%	0
Total	36	30	16.66%	10

Table 19: SMS post information as of 30 September 2021

SMS Level	Total number of funded SMS posts	Total number of SMS posts filled	% Of SMS posts filled	Total number of SMS posts vacant	% Of SMS posts vacant
Director-General/ Head of Department	1	1	100%	0	0%
Salary Level 16	1	1	100%	0	0%
Salary Level 15	0	0	0	0	0%
Salary Level 14	1	1	100%	0	0%
Salary Level 13	4	3	75%	1	25%
Total	7	6	85.71%	1	14.28%

Table 20: SMS post information as at 31 March 2022

SMS Level	Total number of funded SMS posts	Total number of SMS posts filled	% Of SMS posts filled	Total number of SMS posts vacant	% Of SMS posts vacant
Director-General/ Head of Department	1	1	100%	0	0%
Salary Level 16	1	1	100%	0	0%
Salary Level 15	0	0	0	0	0%
Salary Level 14	1	1	100%	0	0%
Salary Level 13	4	3	75%	1	25%
Total	7	6	85.71%	1	14.28%

Table 21: Advertising and filling of SMS posts for the period 1 April 2021 to 31 March 2022

SMS Level	Advertising	Filling of Posts	
	Number of vacancies per level advertised in 6 months of becoming vacant	Number of vacancies per level filled in 6 months of becoming vacant	Number of vacancies per level not filled in 6 months but filled in 12 months
Director-General/ Head of Department	0	0	0
Salary Level 16	0	0	0
Salary Level 15	0	0	0
Salary Level 14	0	0	0
Salary Level 13	0	0	0
Total	0	0	0

Table 22: Reasons for not having complied with the filling of funded vacant SMS positions – advertised within 6 months and filled within 12 months after becoming vacant for the period 1 April 2021 to 31 March 2022

Reasons for vacancies not advertised within six months
Positions are filled in the acting capacity

Disciplinary steps taken for not complying with prescribed timeframes for filling SMS posts within 12 months for the period 1 April 2021 to 31 March 2022

Reasons for vacancies not filled in within six months
Positions are filled in the acting capacity

Table 23: Job evaluation by salary band for the period 1 April 2021 to 31 March 2022

Salary band	Number of posts on approved establishment	Number of Jobs Evaluated	% Of posts evaluated by salary bands	Posts Upgraded		Posts downgraded	
				Number	% Of posts evaluated	Number	% Of posts evaluated
Lower Skilled (Levels 1-2)	0	0	0	0	0	0	0
Skilled (Levels 3-5)	0	0	0	0	0	0	0
Highly skilled production (Levels 6-8)	0	0	0	0	0	0	0
Highly skilled supervision (Levels 9-12)	0	0	0	0	0	0	0
Senior Management Service Band A	0	0	0	0	0	0	0
Senior Management Service Band B	0	0	0	0	0	0	0
Senior Management Service Band C	0	0	0	0	0	0	0
Senior Management Service Band D	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0

Table 24: Profile of employees whose positions were upgraded for the period 1 April 2021 to 31 March 2022

Gender	African	Asian	Coloured	White	Total
Female	0	0	0	0	0
Male	0	0	0	0	0
Total	0	0	0	0	0

Table 25: Employees with salary levels higher than those determined by job evaluations by occupation for the period 1 April 2021 to 31 March 2022

Occupation	Number of employees	Job evaluation level	Remuneration level	Reason for deviation
None	0	0	0	0
Total number of employees whose salaries exceeded the level determined by job evaluation				None
Percentage of total employed				0%

Table 26: Profile of employees who have salary levels higher than those determined by job evaluation for the period 1 April 2021 to 31 March 2022

Total number of employees whose salaries exceeded the grades determined by job evaluation	None
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Table 27: Annual turnover rates by salary band for the period 1 April 2021 to 31 March 2022

Salary band	Number of employees at beginning of period- 1 April 2021	Appointments and transfers into the department	Terminations and transfers out of the department	Turnover rate
Lower skilled (Levels 1-2)	2	1	0	0%
Skilled (Levels 3-5)	2	1	0	0%
Highly skilled production (Levels 6-8)	4	0	0	0%
Highly skilled supervision (Levels 9-12)	17	6	0	0%
Senior Management Service Bands A	3	0	0	0%
Senior Management Service Bands B	2	0	0	0%
Senior Management Service Bands C	0	0	0	0%
Senior Management Service Bands D	1	0	0	0%
Contracts	4	0	0	0%
Total	35	8	0	0%

Table 28: Annual turnover rates by critical occupation for the period 1 April 2021 to 31 March 2022

Critical occupation	Number of employees at beginning of period- April 2021	Appointments and transfers into the department	Terminations and transfers out of the department	Turnover rate
Administrative Related	3	3	0	0%
Building & other Property Caretakers	1	0	0	0%
Clerks & Related Personnel	6	0	0	0%
Client Information Clerks (Switchboard/ Receptionist)	1	0	0	0%
Communication & Information Related	1	0	0	0%
Finance & Economics Related	2	0	0	0%
Financial Clerks & Credit Controllers	1	0	0	0%
Head of Department/ Chief Executive Officer	1	0	0	0%
Household & Laundry Workers	2	0	0	0%
Human Resources & Related Professionals	1	1	0	0%
Information Technology Personnel	2	0	0	0%
Legal Related Personnel	3	2	0	0%
Logistical Support Personnel	2	1	0	0%
Member of Executive Council	2	0	0	0%
Other Administrative & Related Clerks & Organisers	4	1	0	0%
Senior Managers	3	0	0	0%
TOTAL	35	8	0	0%

Table 29: Reasons why staff left the organisation for the period 1 April 2021 to 31 March 2022

Termination Type	Number	% Of Total Resignations
Death	0	0%
Resignation	0	0%
Expiry of contract	0	0%
Dismissal – operational changes	0	0%
Dismissal – misconduct	0	0%
Dismissal – inefficiency	0	0%
Discharged due to ill-health	0	0%
Retirement	0	0%
Transfer to other Public Service Departments	0	0%
Other	0	0%
Total	0	0%
Total number of employees who left as a % of total employment	0	0%

Table 30: Promotions by critical occupation for the period 1 April 2021 to 31 March 2022

Occupation	Employees 1 April 2021	Promotions to another salary level	Salary level promotions as a % Of employees by occupation	Progressions to another notch within a salary level	Notch progression as a % of employees by occupation
None	0	0	0%	0	0%
Total	0	0	0%	0	0%

Table 31: Promotions by salary band for the period 1 April 2021 to 31 March 2022

Salary Band	Employees 1 April 2021	Promotions to another salary level	Salary bands promotions as a % of employees by salary level	Progressions to another notch within a salary level	Notch progression as a % of employees by salary bands
Lower skilled (Levels 1-2)	0	0	0%	0	0%
Skilled	0	0	0%	0	0%
Highly skilled production (Levels 6-8)	0	0	0%	0	0%
Highly skilled supervision (Levels 9-12)	0	0	0%	0	0%
Senior Management (Level 13-16)	0	0	0%	0	0%
Total	0	0	0%	0	0%

Table 32: Total number of employees (including employees with disabilities) in each of the following occupational categories as at 31 March 2022

Occupational category	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Legislators, senior officials and managers	4	0	0	1	1	0	0	0	6
Professionals	0	0	0	0	0	0	0	0	0
Technicians and associate professionals	6	1	0	0	7	0	0	0	14
Clerks	3	0	0	0	12	0	1	1	17
Service and sales workers	0	0	0	0	0	0	0	0	0
Skilled agriculture and fishery workers	0	0	0	0	0	0	0	0	0
Craft and related trades workers	0	0	0	0	0	0	0	0	0
Plant and machine operators and assemblers	0	0	0	0	0	0	0	0	0
Elementary occupations	1	0	0	0	2	0	0	0	3
Total	14	1	0	1	22	0	1	1	40
Employees with disabilities	0	0	0	0	0	0	0	0	0

Table 33: Total number of employees (including employees with disabilities) in each of the following occupational bands as at 31 March 2022

Occupational band	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Top Management	1	0	0	0	0	0	0	0	1
Senior Management	3	0	0	1	1	0	0	0	5
Professionally qualified and experienced specialists and mid- management	6	1	0	0	12	0	1	1	21
Skilled technical and academically qualified workers, junior management, supervisors, foreman and superintendents	2	0	0	0	2	0	0	0	4
Semi-skilled and discretionary decision making	2	0	0	0	1	0	0	0	3
Unskilled and defined decision making	0	0	0	0	6	0	0	0	6
Total	14	1	0	1	22	0	1	1	40

Table 34: Recruitment for the period 1 April 2021 to 31 March 2022

Occupational band	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Top Management	0	0	0	0	0	0	0	0	0
Senior Management	0	0	0	0	0	0	0	0	0
Professionally qualified and experienced specialists and mid- management	1	1	0	0	4	0	0	0	6
Skilled technical and academically qualified workers, junior management, supervisors, foremen and superintendents	0	0	0	0	0	0	0	0	0
Semi-skilled and discretionary decision making	0	0	0	0	1	0	0	0	1
Unskilled and defined decision making	0	0	0	0	0	1	0	0	1
Total	1	1	0	0	4	0	0	0	8
Employees with disabilities	0	0	0	0	0	0	0	0	0

Table 35: Promotion for the period 1 April 2021 to 31 March 2022

Occupational band	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Top Management	0	0	0	0	0	0	0	0	0
Senior Management	0	0	0	0	0	0	0	0	0
Professionally qualified and experienced specialists and mid-management	0	0	0	0	0	0	0	0	0
Skilled technical and academically qualified workers, junior management, supervisors, foreman and superintendents	0	0	0	0	0	0	0	0	0
Semi-skilled and discretionary decision making	0	0	0	0	0	0	0	0	0
Unskilled and defined decision making	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0
Employees with disabilities	0	0	0	0	0	0	0	0	0

Table 36: Terminations for the period 1 April 2021 to 31 March 2022

Occupational band	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Top Management	0	0	0	0	0	0	0	0	0
Senior Management	0	0	0	0	0	0	0	0	0
Professionally qualified and experienced specialists and mid-management	0	0	0	0	0	0	0	0	0
Skilled technical and academically qualified workers, junior management, supervisors, foreman and superintendents	0	0	0	0	0	0	0	0	0
Semi-skilled and discretionary decision making	0	0	0	0	0	0	0	0	0
Unskilled and defined decision-making	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0
Employees with Disabilities	0	0	0	0	0	0	0	0	0

Table 37: Disciplinary action for the period 1 April 2021 to 31 March 2022

Disciplinary action	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Finance	1	0	0	0	0	0	0	0	1
Procurement	0	0	0	0	2	0	0	0	2

Table 38: Skills development for the period 1 April 2021 to 31 March 2022

Occupational category	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Legislators, senior officials and managers	4	0	0	1	1	0	0	0	6
Professionals	0	0	0	0	0	0	0	0	0
Technicians and associate professionals	6	1	0	0	7	0	0	0	14
Clerks	2	0	0	0	13	0	1	1	17
Service and sales workers	0	0	0	0	0	0	0	0	0
Skilled agriculture and fishery workers	0	0	0	0	0	0	0	0	0
Craft and related trades workers	0	0	0	0	0	0	0	0	0
Plant and machine operators and assemblers	0	0	0	0	0	0	0	0	0
Elementary occupations	1	0	0	0	2	0	0	0	3
Total	13	1	0	1	23	0	1	1	40
Employees with disabilities	0	0	0	0	0	0	0	0	0

Table 39: Signing of performance agreements by SMS members as at 31 March 2022

SMS Level	Total number of funded SMS posts	Total number of SMS members	Total number of signed performance agreements	Signed performance agreements as % of total number of SMS members
Director-General/ Head of Department	1	1	1	0
Salary Level 16	0	0	0	0
Salary Level 15	0	0	0	0
Salary Level 14	0	0	0	0
Salary Level 13	5	3	3	100%
Total	6	4	4	100%

Table 40: Reasons for not having concluded performance agreements for all SMS members as at 31 March 2022

Reasons
Performance agreements of all SMS have been concluded

Table 41: Disciplinary steps taken against SMS members for not having concluded performance agreements as at 31 March 2022

Race and Gender	Beneficiary Profile			Cost	
	Number of beneficiaries	Number of employees	% Of total within group	Cost (R'000)	Average cost per employee
African	0	0	0%	0	0
Male	0	0	0%	0	0
Female	0	0	0%	0	0
Asian	0	0	0%	0	0
Male	0	0	0%	0	0
Female	0	0	0%	0	0
Coloured	0	0	0%	0	0
Male	0	0	0%	0	0
Female	0	0	0%	0	0
White	0	0	0%	0	0
Male	0	0	0%	0	0
Female	0	0	0%	0	0
Total	0	0	0%	0	0

Table 42: Performance Rewards by race, gender and disability for the period 1 April 2021 to 31 March 2022

Salary band	Beneficiary Profile			Cost		Total cost as a % Of the total personnel expenditure
	Number of beneficiaries	Number of employees	% Of total within salary bands	Total Cost (R'000)	Average cost per employee	
Lower Skilled (Levels 1-2)	0	0	0%	0	0	0
Skilled (level 3-5)	0	0	0%	0	0	0
Highly skilled production (level 6-8)	0	0	0%	0	0	0
Highly skilled supervision (level 9-12)	0	0	0%	0	0	0
Total	0	0	0%	0	0	0

Table 43: Performance rewards by critical occupation for the period 1 April 2021 to 31 March 2022

Critical occupation	Beneficiary Profile			Cost	
	Number of beneficiaries	Number of employees	% Of total within occupation	Total Cost (R'000)	Average cost per employee
None	0	0	0%	0	0
Total	0	0	0%	0	0

Table 44: Performance related rewards (cash bonus), by salary band for Senior Management Services for the period 1 April 2021 to 31 March 2022

Salary band	Beneficiary Profile			Cost		Total cost as a % Of the total personnel expenditure
	Number of beneficiaries	Number of employees	% Of total within salary bands	Total Cost (R'000)	Average cost per employee	
Band A	0	0	0%	0	0	0
Band B	0	0	0%	0	0	0
Band C	0	0	0%	0	0	0
Band D	0	0	0%	0	0	0
Total	0	0	0%	0	0	0

Table 45: Foreign workers by salary band for the period 1 April 2021 to 31 March 2022

Salary band	01 April 2021		31 March 2022		Change	
	Number	% Of total	Number	% Of total	Number	% Change
Lower skilled	0	0%	0	0%	0	0%
Highly skilled production (Lev. 6-8)	0	0%	0	0%	0	0%
Highly skilled supervision (Lev. 9-12)	0	0%	0	0%	0	0%
Contract (level 9-12)	0	0%	0	0%	0	0%
Contract (level 13-16)	0	0%	0	0%	0	0%
Total	0	0%	0	0%	0	0%

Table 46: Foreign workers by major occupation for the period 1 April 2021 to 31 March 2022

Major occupation	01 April 2021		31 March 2022		Change	
	Number	% Of total	Number	% Of total	Number	% Change
None	0	0%	0	0%	0	0%

Table 47: Sick leave for the period 1 April 2021 to 31 March 2022

Salary band	Total days	% Days with Medical certification	Number of Employees using sick leave	% Of total employees using sick leave	Average days per employee	Estimated Cost (R'000)
Lower Skills (Level 1-2)	20	15%	6	100%	3.33	8
Skilled (levels 3-5)	11	0%	2	66.66%	5.5	6
Highly skilled production (levels 6-8)	14	42.85%	17	100%	0.82	13
Highly skilled supervision (levels 9 -12)	35	51.4%	4	100%	8.75	95
Top and Senior management (levels 13-16)	0	0%	0	0%	0	0
Total	80	-	29	-	2.75	124

Table 48: Disability leave (temporary and permanent) for the period 1 April 2021 to 31 March 2022

Salary band	Total days	% Days with Medical certification	Number of Employees using disability leave	% Of total employees using disability leave	Average days per employee	Estimated Cost (R'000)
Lower skilled (Levels 1-2)	0	0%	0	0%	0	0
Skilled (Levels 3-5)	0	0%	0	0%	0	0
Highly skilled production (Levels 6-8)	0	0%	0	0%	0	0
Highly skilled supervision (Levels 9-12)	0	0%	0	0%	0	0
Senior management (Levels 13-16)	0	0%	0	0%	0	0
Total	0	0%	0	0%	0	0

Table 49: Annual Leave for the period 1 April 2021 to 31 March 2022

Salary band	Total days taken	Number of Employees using annual leave	Average per employee
Lower skilled (Levels 1-2)	141	6	23.5
Skilled Levels (3-5)	34	3	11.3
Highly skilled production (Levels 6-8)	67	4	16.75
Highly skilled supervision (Levels 9-12)	272	21	12.95
Senior management (Levels 13- 16)	65	4	16.25
Total	579	38	15.23

Table 50: Capped leave for the period 1 April 2021 to 31 March 2022

Salary band	Total days of capped leave taken	Number of Employees using capped leave	Average number of days taken per employee	Average capped leave per employee as on 31 March 2022
Lower skilled (Levels 1-2)	0	0	0	0
Skilled Levels (3-5)	0	0	0	0
Highly skilled production (Levels 6-8)	0	0	0	0
Highly skilled supervision (Levels 9-12)	0	0	0	0
Senior management (Levels 13-16)	0	0	0	0
Total	0	0	0	0

Table 51: Leave pay-outs for the period 1 April 2021 to 31 March 2022

Reason	Total amount (R'000)	Number of employees	Average per employee (R'000)
Leave payout for 2021/22 due to non-utilization of leave for the previous cycle	0	0	0
Capped leave payouts on termination of service for 2021/22	0	0	0
Current leave payout on termination of service for 2021/22	0	0	0
Total	0	0	0

HIV/AIDS & Health Promotion Programmes

Table 52: Steps taken to reduce the risk of occupational exposure

Units/categories of employees identified to be at high risk of contracting HIV & related diseases (if any)	Key steps taken to reduce the risk
None	

Table 53: Details of Health Promotion and HIV/AIDS Programmes (tick the applicable boxes and provide the required information)

Question	Yes	No	Details, if yes
1. Has the department designated a member of the SMS to implement the provisions contained in Part VI E of Chapter 1 of the Public Service Regulations, 2001? If so, provide her/his name and position.		X	
2. Does the department have a dedicated unit, or has it designated specific staff members to promote the health and wellbeing of your employees? If so, indicate the number of employees who are involved in this task and the annual budget that is available for this purpose.	X		1 staff members (Annual Budget: R1150 779.73)
3. Has the department introduced an Employee Assistance or Health Promotion Programme for your employees? If so, indicate the key elements/services of this Programme.		X	
4. Has the department established (a) committee(s) as contemplated in Part VI E.5 (e) of Chapter 1 of the Public Service Regulations, 2001? If so, please provide the names of the members of the committee and the stakeholder(s) they represent		X	

5. Has the department reviewed its employment policies and practices to ensure that these do not unfairly discriminate against employees based on their HIV status? If so, list the employment policies/practices so reviewed.	X		Recruitment policy
6. Has the department introduced measures to protect HIV-positive employees or those perceived to be HIV-positive from discrimination? If so, list the key elements of these measures.		X	
7. Does the department encourage its employees to undergo Voluntary Counselling and Testing? If so, list the results you have achieved.		X	
8. Has the department developed measures/indicators to monitor & evaluate the impact of its health promotion programme? If so, list these measures/indicators.	X		Covid-19 screening questionnaires through temperature thermostat.

Table 54: Collective agreements for the period 1 April 2021 to 31 March 2022

Subject matter	Date
DPSA Circular No. 21 of 2021: Improvement of Service of Employees on Salary Levels 1 to 12: Cost of Living Adjustments: 1 July 2021	November 2021
DPSA Circular No. 13 of 2022: Improvement in Conditions of Service for SMS Members	March 2022

Table 55: Misconduct and disciplinary hearings finalised for the period 1 April 2021 to 31 March 2022

Outcomes of disciplinary hearings	Number	% Of total
Correctional counselling	0	0%
Verbal warning	0	0%
Written warning	0	0%
Final written warning	0	0%
Suspended without pay	0	0%
Fine	0	0%
Demotion	0	0%
Dismissal	0	0%
Not guilty	0	0%
Case withdrawn	0	0%
Total	0	0%

Table 56: Types of misconduct addressed at disciplinary hearings for the period 1 April 2021 to 31 March 2022

Type of misconduct	Number	% Of total
Procurement Irregularities	2	66.66%
Finance: Incapacity to perform duties	1	33.33%
Total	3	

Table 57: Grievances logged for the period 1 April 2021 to 31 March 2022

Grievances	Number	% Of Total
Number of grievances resolved	0	0%
Number of grievances not resolved	0	0%
Total number of grievances lodged	0	0%

Table 58: Disputes logged with Councils for the period 1 April 2021 to 31 March 2022

Disputes	Number	% Of Total
Number of disputes upheld	0	0%
Number of disputes dismissed	0	0%
Total number of disputes lodged	2	5.8%

Table 59: Strike actions for the period 1 April 2021 to 31 March 2022

Total number of persons working days lost	0
Total costs working days lost	0
Amount recovered because of no work no pay (R'000)	0

Table 60: Precautionary suspensions for the period 1 April 2021 to 31 March 2022

Number of people suspended	0
Number of people whose suspension exceeded 30 days	0
Average number of days suspended	0
Cost of suspension(R'000)	0

Table 61: Training needs identified for the period 1 April 2021 to 31 March 2022

Occupational category	Gender	Number of employees as at 1 April 2021	Training needs identified at start of the reporting period			
			Leaverships	Skills Programmes & Other short courses	Other forms of training	Total
Legislators, senior officials and managers	Female	1	0	0	0	0
	Male	5	0	0	0	0
Professionals	Female	0	0	0	0	0
	Male	0	0	0	0	0
Technicians and associate professionals	Female	4	0	0	0	0
	Male	5	0	0	0	0
Clerks	Female	15	0	10	0	10
	Male	1	0	1	0	1
Service and sales workers	Female	0	0	0	0	0
	Male	0	0	0	0	0
Skilled agriculture and fishery workers	Female	0	0	0	0	0
	Male	0	0	0	0	0
Craft and related trades workers	Female	0	0	0	0	0
	Male	0	0	0	0	0

Plant and machine operators and assemblers	Female	0	0	0	0	0
	Male	0	0	0	0	0
Elementary occupations	Female	2	0	2	0	2
	Male	1	0	0	0	
Sub Total	Female	21	0	12	0	0
	Male	13	0	1	0	0

Table 62: Training provided for the period 1 April 2021 and 31 March 2022

Occupational category	Gender	Number of employees as at 1 April 2021	Training provided within the reporting period			
			Learnerships	Skills Programmes & Other short courses	Other forms of training	Total
Legislators, senior officials and managers	Female	1	0	0	1	2
	Male	5	0	0	5	10
Professionals	Female	0	0	0	0	0
	Male	0	0	0	0	0
Technicians and associate professionals	Female	4	0	0	5	9
	Male	5	0	0	2	7
Clerks	Female	15	0	10	4	29
	Male	1	0	1	0	2
Service and sales workers	Female	0	0	0	0	0
	Male	0	0	0	0	0
Skilled agriculture and fishery workers	Female	0	0	0	0	0
	Male	0	0	0	0	0
Craft and related trades workers	Female	0	0	0	0	0
	Male	0	0	0	0	0
Plant and machine operators and assemblers	Female	0	0	0	0	0
	Male	0	0	0	0	0
Elementary occupations	Female	2	0	2	0	4
	Male	1	0	0	0	
Sub Total	Female	21	0	12	10	43
	Male	13	0	1	7	21
Total		34	0	13	17	64

Table 63: Injury on duty for the period 1 April 2021 and 31 March 2022

Nature of injury on duty	Number	% Of total
Required basic medical attention only	0	0%
Temporary Total Disablement	0	0%
Permanent Disablement	0	0%
Fatal	0	0%
Total	0	0%



**PART E:
FINANCIAL
INFORMATION**

REPORT OF THE AUDITOR-GENERAL TO PARLIAMENT ON THE COMMISSION FOR THE PROMOTION AND PROTECTION OF THE RIGHTS OF CULTURAL, RELIGIOUS AND LINGUISTIC COMMUNITIES

Report on the audit of the financial statements

Opinion

1. I have audited the financial statements of the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities set out on pages 81 to 105 which comprise the statement of financial position as at 31 March 2022, the statement of financial performance, statement of changes in net assets, statement of cash flows and statement of comparison of budget and actual amounts for the year then ended, as well as notes to the financial statements, including a summary of significant accounting policies.
2. In my opinion, the financial statements present fairly, in all material respects, the financial position of the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities as at 31 March 2022, and its financial performance and cash flows for the year then ended in accordance with Standards of Generally Recognized Accounting Practice (Standards of GRAP) and the requirements of the Public Finance Management Act 1 of 1999 (PFMA).

Basis for opinion

3. I conducted my audit in accordance with the International Standards on Auditing (ISAs). My responsibilities under those standards are further described in the auditor-general's responsibilities for the audit of the financial statements section of my report.
4. I am independent of the constitutional institution in accordance with the International Ethics Standards Board for Accountants' *International code of ethics for professional accountants (including International Independence Standards)* (IESBA code) as well as other ethical requirements that are relevant to my audit in South Africa. I have fulfilled my other ethical responsibilities in accordance with these requirements and the IESBA code.
5. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Responsibilities of the accounting officer for the financial statements

6. The accounting officer is responsible for the preparation and fair presentation of the financial statements in accordance with the Standards of GRAP and the requirements of the PFMA and for such internal control as the accounting officer determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.
7. In preparing the financial statements, the accounting officer is responsible for assessing the constitutional institution's ability to continue as a going concern, disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting unless the appropriate governance structure either intends to liquidate the constitutional institutions or to cease operations, or has no realistic alternative but to do so.

Auditor-general's responsibilities for the audit of the financial statements

8. My objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with the ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.
9. A further description of my responsibilities for the audit of the financial statements is included in the annexure to this auditor's report.

Report on the annual performance report

10. In accordance with the Public Audit Act 25 of 2004 (PAA) and the general notice issued in terms thereof, I have a responsibility to report material findings on the usefulness and reliability of the reported performance information against predetermined objectives presented in the annual performance report. The accounting officer is responsible for the preparation of the annual performance report.
11. I performed procedures to evaluate the usefulness and reliability of the reported performance information on selected performance indicators in accordance with the criteria developed from the performance management and reporting framework, as defined in the general notice.
12. I performed the procedures in accordance with the AGSA audit methodology. This engagement is not an assurance engagement. Accordingly, I do not express an opinion or an assurance conclusion.
13. My procedures address the usefulness and reliability of the reported performance information on the selected performance indicators, which must be based on the constitutional institution's approved performance planning documents. I have not evaluated the completeness and appropriateness of the performance indicators included in the planning documents. My procedures do not examine whether the actions taken by the constitutional institution enabled service delivery. My procedures do not extend to any disclosures or assertions relating to the extent of achievements in the current year or planned performance strategies and information in respect of future periods that may be included as part of the reported performance information. Accordingly, my findings do not extend to these matters.
14. I performed procedures to determine whether the reported performance information was properly presented and whether the performance was consistent with the approved performance planning documents. I performed further procedures to determine whether the selected performance indicators and related targets were measurable and relevant, and assessed the reliability of the reported performance information to determine whether it was valid, accurate and complete.
15. I selected the following material performance indicators contained in Programme 2: Legal services and conflict resolution presented in the constitutional institution's annual performance report for the year ended 31 March 2022 set out on page 32 I selected the indicators that measure the constitutional institution's performance on its primary mandated functions, which are of significant national, community or public interest.

Performance indicators (Programme 2: Legal services and conflict resolution)

Percentage of complaints and request handled per annum

Percentage of Legal opinions and drafts in responses to all requests per annum

Number and percentage of reviewed Bills before Parliament and on reviewed legislation that impacts cultural, religious and linguistic rights of communities as guided by received complaints per annum

16. I did not identify any material findings on the usefulness and reliability of the reported performance information for the selected material performance indicators.

Other matters

17. I draw attention to the matters below.

Achievement of planned targets

18. Refer to the annual performance report on page 32 for information on the achievement of planned targets for the year and management's explanations provided for the under/over achievement of targets.

Adjustment of material misstatements

19. I identified material misstatements in the annual performance report submitted for auditing. These material misstatements were in the reported performance information of Programme 2: Legal services and conflict resolution. As management subsequently corrected the misstatements, I did not raise any material findings on the reliability of the reported performance information.

Report on compliance with legislation

20. In accordance with the PAA and the general notice issued in terms thereof, I have a responsibility to report material findings on constitutional institution's compliance with applicable legislation relating to financial matters, financial management and other related matters. The accounting officer is responsible for the constitutional institution's compliance with legislation.

21. I performed procedures to test compliance with selected requirements in key legislation in accordance with the AGSA audit methodology. This engagement is not an assurance engagement. Accordingly, I do not express an assurance opinion or conclusion.

22. I selected requirements in key legislation for compliance testing that are relevant to the financial and performance management of the constitutional institution, clear to allow consistent measurement and evaluation, while also sufficiently detailed and adequately available to report in an understandable manner. The selection is done through an established AGSA process. The selected legislative requirements are as follows:

Legislation	Sections or regulations
Public Finance Management Act 1 of 1999 (PFMA)	Sections 38(1)(a)(iv); 38(1)(b); 38(1)(c)(ii); 38(1)(d); Sections 38(1)(h)(iii); 40(1)(a) - (c)(i); Sections 44; 45(b); 51(1)(a)(iv); 57(b)
Treasury regulations	TR 4.1.1; 4.1.3; 5.1.1; 5.2.1; 5.2.3(a); 5.2.3(d); TR 5.3.1; 8.1.1; 8.2.1; 8.2.2; 8.2.3; 9.1.1; 9.1.4; TR 10.1.1(a); 10.1.2; 12.5.1; 15.10.1.2(c); TR 16A3.2(a); 16A3.2(fairness); TR 16A6.1; 16A6.2(a) and (b); 16A6.3(a) - (c) and (e); TR 16A6.4; 16A6.5; 16A 6.6; 16A.7.1; 16A.7.3; TR 16A.7.6; 16A.7.7; 16A8.3; 16A8.4; TR 16A9.2(a)(ii); 16A9.1(b)(ii); 16A9.1(d) - (f)
Preferential Procurement Policy Framework Act 5 of 2000 (PPPFA)	Sections 1(i); 2.1(a),(b) and (f)

Legislation	Sections or regulations
Preferential Procurement regulations (PPR), 2011	Regulations 4.1; 4.3; 5.5; 6.1; 6.5; 7.1; Regulations 9.1; 9.5; 11.2; 11.5
Preferential Procurement regulations (PPR), 2017	Regulations 4.1; 4.2; 5.1; 5.3; 5.6; 5.7; Regulations 6.1; 6.2; 6.3; 6.5; 6.6; 6.8; Regulations 7.1; 7.2; 7.3; 7.5; 7.6; 7.8; Regulations 8.2; 8.5; 9.1; 10.1; 10.2; 11.1; 11.2
Prevention and Combating of Corrupt Activities Act 12 of 2004 (PRECCA)	Section 34(1)
State Information Technology Agency Act 88 of 1998 (SITA)	Section 7(3)
NT SCM Instruction Note 05 of 2009/10	Par 3.3
NT SCM Instruction Note 04 of 2015/16	Par 3.4
NT SCM Instruction Note 03 of 2016/17	Par 8.1; 8.2; 8.3; 8.5
NT SCM Instruction Note 4A of 2016/17	Par 6
NT SCM Instruction Note 07 of 2017/18	Par 4.3
NT SCM Instruction note 03 of 2019/20 [Annexure A - FIPDM]	Par 5.5.1(vi); 5.5.1(x)
NT SCM Instruction Note 08 of 2019/20	Par 3.1.1; 3.6; 3.7.2; 3.7.6(i) - (iii)
NT SCM Instruction Note 03 of 2020/21	Par 3.6; 3.7; 5.1(i); 6.1; 6.3
NT SCM Instruction Note 05 of 2020/21	Par 3.2; 3.7; 4.3; 4.6; 4.8; 4.9; 5.3
Erratum NT SCM Instruction Note 05 of 2020/21	Par 1; 2
Second Amendment to NT SCM Instruction Note 05 of 2020/21	Par 1
NT Instruction Note 11 of 2020/21	Par 3.1; 3.4(b); 3.9
NT SCM Instruction Note 02 of 2021/22	Par 3.2.1; 3.2.4(a); 3.3.1; 4.1
SCM Practice Note 8 of 2007/08	Par 3.3.1; 3.3.3; 3.4.1; 3.5
SCM Practice Note 7 of 2009/10	Par 4.1.2

23. I did not identify any material findings on compliance with the selected legislative requirements.

Other information

24. The accounting officer is responsible for the other information. The other information comprises the information included in the annual report. The other information does not include the financial statements, the auditor's report and those selected material indicators in the scoped-in programme presented in the annual performance report that have been specifically reported in this auditor's report.

25. My opinion on the financial statements and material findings on the reported performance information and compliance with legislation do not cover the other information and I do not express an audit opinion or any form of assurance conclusion on it.

26. In connection with my audit, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements and the material indicators in the scoped-in programme presented in the annual performance report, or my knowledge obtained in the audit, or otherwise appears to be materially misstated.

27. I did not receive the other information prior to the date of this auditor's report. When I do receive and read this information, if I conclude that there is a material misstatement therein, I am required to communicate the matter to those charged with governance and request that the other information be corrected. If the other information is not corrected, I may have to retract this auditor's report and re-issue an amended report as appropriate. However, if it is corrected this will not be necessary.

Internal control deficiencies

28. I considered internal control relevant to my audit of the financial statements, reported performance information and compliance with applicable legislation; however, my objective was not to express any form of assurance on it. I did not identify any significant deficiencies in internal control.

Auditor - General

Pretoria

31 July 2022



AUDITOR - GENERAL
SOUTH AFRICA

Auditing to build public confidence

Annexure – Auditor General’s responsibility for the audit

1. As part of an audit in accordance with the ISAs, I exercised professional judgement and maintain professional scepticism throughout my audit of the financial statement and the procedures performed on reported performance information for selected programmes and on the constitutional institution’s compliance with respect to the selected subject matter.

Financial statements

2. In addition to my responsibility for the audit of the financial statement as described in this auditor’s report, I also:
 - identify and assess the risk of material misstatement of the financial statements, whether due to fraud or error; design and perform audit procedures responsive to those risks; and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations or the override of internal control.
 - obtain an understanding of internal control relevant to the audit, in order to design audit procedures that are appropriate under the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the constitutional institution’s internal control.
 - evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures.
 - conclude on the appropriateness of the accounting officer’s use of the going concern basis of accounting in the preparation of the financial statements. I also conclude, based on the audit evidence obtained, whether a material uncertainty exists, relating to events or conditions that may cast significant doubt on the ability of the Commission for the promotion and protection of rights of cultural, religious and linguistic communities and to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor’s report to the related disclosures in the financial statement about the material uncertainty or if such disclosures are inadequate, to modify my opinion on the financial statements. My conclusions are based on the information available to me at the date of this auditor’s report. However, future events or conditions may cause a constitutional institution to cease operating as a going concern.
 - evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and determine whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

Communication with those charged with governance

3. I communicate with the accounting officer regarding, among other matters, the planned scope and timing of the audit and significant findings, including any significant deficiencies in the internal control that I identify during my audit.
4. I also provide the accounting officer with a statement that I have complied with relevant ethical requirements regarding independence and have communicated to them all relationships and other matters that may reasonably be thought to bear on my independence and, where applicable, actions taken to eliminate threats or safeguards applied.

Accounting Officer's Responsibilities and Approval

The Accounting Officer is required by the Public Finance Management Act (Act 1 of 1999), to maintain adequate accounting records and is responsible for the content and integrity of the annual financial statements for the year that ended on 31 March 2022 and related financial information included in this report. It is the responsibility of the Accounting Officer to ensure that the financial statements fairly present the state of affairs of the entity and the results of its operations and cash flows for the period. The Auditor General is engaged in performing an independent review on the annual financial statements and has been given unrestricted access to all financial records and related data.

The annual financial statements have been prepared in accordance with the Standards of Generally Recognised Accounting Practice (GRAP), including any interpretations, guidelines and directives issued by the Accounting Standards Board.

The annual financial statements are based upon appropriate accounting policies consistently applied and supported by reasonable and prudent judgements and estimates.

The Accounting Officer acknowledges ultimate responsibility for the system of internal financial control established by the CRL Rights Commission and places considerable importance on maintaining a strong control environment. To enable the Accounting Officer to meet these responsibilities, the Audit and Risk Committee members set standards for internal control aimed at reducing the risk of error or loss in a cost-effective manner. The standards include the proper delegation of responsibilities within a clearly defined framework, effective accounting procedures and adequate segregation of duties to ensure an acceptable level of risk. These controls are monitored throughout the CRL Rights Commission, and all employees are required to maintain the highest ethical standards in ensuring that the Commission's business is conducted in a manner that in all reasonable circumstances is above reproach. The focus of risk management in the CRL Rights Commission is on identifying, assessing, managing and monitoring all known forms of risk across the CRL Rights Commission. While operating risk cannot be fully eliminated, the CRL Rights Commission endeavours to minimise the possible impact of loss, by ensuring that appropriate infrastructure, controls, systems and ethical behaviour are applied and managed within predetermined procedures and constraints.

The Accounting Officer is of the opinion, based on the information and explanations given by management, that the system of internal control provides reasonable assurance that the annual financial records may be relied upon for the preparation of the annual financial statements for the year ended 31 March 2022. However, any system of internal financial control can only provide reasonable, and not absolute, assurance against material misstatements or losses.

The Accounting Officer has reviewed the entity's cash flow forecast for the year ending 31 March 2023 and, in the light of this review and the current financial position, is satisfied that the CRL Rights Commission has adequate resources to continue in operational existence for the foreseeable future.

The CRL Rights Commission is entirely dependent on government funding for continued operations. The annual financial statements are prepared on the basis that the CRL Rights Commission is a going concern, and that the CRL Rights Commission has no intention to curtail materially the scale of its operations. Although the Accounting Officer is primarily responsible for the financial affairs of the CRL Rights Commission, he is supported by the CRL Rights Commission's internal auditors and management.

The pandemic and related regulations had a direct impact on the operations of the CRL Rights Commission. Communities are the main beneficiaries of the services of the CRL Rights Commission.

The Auditor General is responsible for independently reviewing and reporting on the CRL Rights Commission's annual financial statements. The audited annual financial statements are set out on pages 5 to 32 and were approved by the Accounting Officer on 31 July 2022.



Accounting Officer
31 July 2022

Statement of Financial Position as at 31 March 2022

	Note	2022 R'000	2021 R'000
Assets			
Current Assets			
Trade and other receivables from exchange transactions	7	170	113
Prepayments	6	1 040	490
Cash and cash equivalents	8	16 083	13 076
		17 293	13 679
Non-Current Assets			
Property, plant and equipment	3	3 544	3 866
Intangible assets	4	835	274
Trade and other receivables from exchange transactions	7	332	387
Prepayments	6	799	-
		5 510	4 527
Total Assets		22 803	18 206
Liabilities			
Current Liabilities			
Operating lease liability	5	57	-
Trade and other payables from exchange transactions	11	2 635	2408
Provisions	10	1 019	4 091
		3 711	6 499
Non-Current Liabilities			
Operating lease liability	5	673	672
Total Liabilities		4 384	7 171
Net Assets		18 419	11 035
Accumulated surplus	9	18 419	11 035
Total Net Assets and liabilities		22 803	18 206

Statement of Financial Performance for the year ended 31 March 2022

		2022 R'000	2021 R'000
	Note		
Transfer Revenue			
Revenue from exchange transactions			
Finance income	12	374	305
Transfer revenue from non-exchange revenue			
Transfer from the Department of Cooperative Governance and Traditional Affairs	13	46 032	46 046
Total revenue		46 406	46 351
Expenditure			
Employee costs	14	(26 002)	(25 005)
Depreciation and amortisation	15	(1 088)	(844)
Administrative expenditure	17	(3 470)	(3 161)
Auditor's fees	18	(1 618)	(1 575)
Other operating expenses	16	(6 668)	(11 327)
Interest and penalties	19	-	(49)
Total expenditure		(38 846)	(41 961)
Surplus for the year		7 560	4 390

Statement of Changes in Net Assets

	Accumulated surplus	Total net assets
Opening balance at 01 April 2020	6 647	6 647
Surplus for the year	4 389	4 389
Total changes	4 389	4 389
Balance at 01 April 2021	11 036	11 036
Adjustment in respect of software licenses	(177)	(177)
Net (losses) recognised directly in net assets	(177)	(177)
Surplus for the year	7 560	7 560
Total recognised income and expenses for the year	7 383	7 383
Balance at 31 March 2022	18 419	18 419

Cash Flow Statement

	Note	2022 R'000	2021 R'000
Cash flows from operating activities			
Receipts			
Cash receipts from transfer payments	13	46 032	46 046
Interest received	12	348	290
		46 380	46 336
Payments			
Employee costs		(23 895)	(22 934)
Suppliers		(17 921)	(15 373)
		(41 816)	(38 307)
Net cash flows from operating activities	20	4 564	8 029
Cash flows from investing activities			
Purchase of property, plant and equipment	3	(459)	(1 905)
Purchase of other intangible assets	4	(1 098)	(21)
Net cash flows from investing activities		(1 557)	(1 926)
Cash flows from financing activities			
Net increase in cash and cash equivalents		3 007	6 103
Cash and cash equivalents at the beginning of the year		13 076	6 973
Cash and cash equivalents at the end of the year	8	16 083	13 076

Statement of Comparison of Budget and Actual Amounts

Budget on Cash Basis

	Approved Budget	Adjustments	Final Budget	Actual Amounts on comparable basis	Difference between final Expenditure and actual Expenditure	Reference
Statement of Financial Performance						
Revenue						
Revenue from exchange transactions						
Interest received - Investment	252	-	252	374	48 %	1
Transfer revenue						
Government grants & subsidies	46 032	-	46 032	46 032		
Total revenue from non-exchange transactions	46 284	-	46 284	46 406		
Expenditure						
Personnel	(27 948)	-	(27 948)	(26 002)	7%	2
Depreciation and amortisation	-	-	-	(1 088)		
Administrative expenditure	(4 679)	-	(4 679)	(3 470)	26 %	3
Operating expenditure	(10 903)	-	(10 903)	(6 668)	39 %	4
Audit fees	(2 127)	-	(2 127)	(1 618)	24 %	5
Total expenditure	(45 657)	-	(45 657)	(38 846)		
Actual amount on comparable basis as presented in the budget and actual comparative statement	628	-	628	7 560	6 932	

1. The increase in investment income by 48% was due to interest earned in cash held at the bank due to less expenditure incurred, as well as the increase in prevailing interest rates during the current reporting period.
2. The 7% under-expenditure in employee cost is due to approved positions not filled during the last three quarters of the financial year.
3. The under expenditure of 26% on administrative expense was due to the late appointment of new internal auditors and lower operating activity, due to the pandemic.
4. The 39% saving on operating expenses was due to lower operating activity due to the pandemic and the reversal of retention of funds, as approved by the National Treasury.
5. The 24% savings on external audit fees were a result of the reduced scope of the external audit and an escalation in audit costs which was absorbed by the Auditor General.

Accounting Policies

1. Presentation of Annual Financial Statements

1.1 Basis of Preparation

The annual financial statements have been prepared in accordance with the standards of the Generally Recognised Accounting Practice (GRAP), issued by the Accounting Standards Board, in accordance with Section 89 of the Public Finance Management Act (Act No. 1 of 1999, as amended).

Accounting policies for material transactions, events or conditions not covered by the GRAP reporting framework have been developed in accordance with paragraphs 8, 10 and 11 of GRAP 3 and the hierarchy approved in Directive 5, issued by the Accounting Standards Board.

The financial statements have been prepared on an accrual basis of accounting and are in accordance with the historical cost convention, except for the cash flow information, which is prepared on a cash basis, unless specifically stated otherwise.

The principal accounting policies adopted in the preparation of these financial statements are set out below.

Assets, liabilities, revenues and expenses have not been offset, except where offsetting is required or permitted by a Standard of GRAP.

The accounting policies are applied consistently with those used to present the previous annual financial statements, unless otherwise explicitly stated. The details of any changes in accounting policies are explained in the relevant policy.

1.2 Critical Judgements and Key Sources of Estimation Uncertainty

The CRL Rights Commission makes estimates and assumptions that affect the reported amounts of assets and liabilities within the current and subsequent financial years. Estimates and judgements are continually evaluated and are based on historical experience and other factors, including expectations of future events that are believed to be reasonable under the circumstances.

Significant judgements made includes provisions for leave credits and estimations in respect of the useful life values of property, plant and equipment. The method of calculation applied in respect of provisions is disclosed in accounting policy 1.11.

The COVID-19 pandemic and its regulations impacted the expenditure patterns and trends of the CRL Rights Commission. The impact has no material influence on the judgements and going concerns assertions.

1.3 Presentation Currency

These financial statements are presented in South African Rand since it is the currency in which the majority of the CRL Rights Commission's transactions are denominated. The amounts disclosed in the financial statements have been rounded off to the nearest thousand Rand.

1.4 Exchange Revenue

Revenue is the gross inflow of economic benefits or service potential during the reporting period when those inflows result in an increase in net assets.

Interest income

Exchange revenue constitutes interest earned on bank accounts as a result of positive bank balances.

Interest income is recognised on an accrual basis throughout the year, taking into account the cash on hand in approved bank accounts of the CRL Rights Commission, using the effective rate.

1.5 Non-exchange Revenue

Transfers

The CRL Rights Commission recognises transfers at the date when funds are deposited in the bank account of the CRL Rights Commission. The CRL Commission receives its budget allocation in the form of transfer payments through the budget vote of the Department of Co-operative Governance and Traditional Affairs. Revenue from non-exchange transactions are generally recognised, to the extent that the related receipt or receivable qualifies are recognised as an asset and there is no liability to pay back the amount.

1.6 Leases

Leases are classified as finance leases where substantially all the risks and rewards associated with ownership of an asset are transferred to the CRL Rights Commission.

Leases in which a significant portion of the rights and rewards of ownership are retained by the lessor are classified as operating leases.

As Lessee

Property, plant and equipment subject to finance lease agreements are capitalised at their cash cost equivalent. Corresponding liabilities are included in the Statement of Financial Position, as finance lease obligations. The cost of the item of property, plant and equipment is depreciated at appropriate rates on a straight-line basis over its estimated useful life. Lease payments are allocated between the lease finance cost and the capital repayment, using the effective interest rate method. Lease finance costs are treated as expensed when incurred.

Operating leases are those leases that do not fall within the scope of the above definition. Operating leases are recognised on a straight-line basis over the term of the relevant lease.

In the event that lease incentives are received to enter into operating leases, such incentives are recognised as a liability. The aggregate benefit of incentives is recognised as a reduction of rental expense on a straight-line basis, except where another systematic basis is more representative of the time pattern in which economic benefits from the leased asset are consumed.

Operating leases - lessor

Initial direct costs incurred in negotiating and arranging operating leases are added to the carrying amount of the leased asset and are recognised as an expense over the lease term, on the same basis as the lease revenue.

The aggregate cost of incentives is recognised as a reduction of rental revenue over the lease term, on a straight-line basis.

The aggregate benefit of incentives is recognised as a reduction of rental expense over the lease term, on a straight-line basis.

Income for leases is disclosed under revenue in the statement of financial performance.

Operating lease payments are recognised as an expense on a straight-line basis over the lease term. The difference between the amounts recognised as an expense and the contractual payments is recognised as an operating lease asset or liability.

1.7 Property, Plant and Equipment

Property, plant and equipment are tangible non-current assets (including infrastructure assets) that are held for use in the production or supply of goods or services, rental to others, or for administrative purposes, and are expected to be used during more than one year.

Property, plant and equipment are initially recognised at cost on their acquisition date. The cost of an item of property, plant and equipment is the purchase price and other costs attributable to bringing the asset to the location in the condition necessary for it to be capable of operating in the manner intended by the CRL Rights Commission. Trade discounts and rebates are deducted in arriving at the cost. The cost also includes the necessary costs of dismantling and removing the asset and restoring the site on which it is located.

Where an asset is acquired by the CRL Rights Commission for no amount or nominal consideration, through a non-exchange transaction, its cost is deemed to be equal to the fair value of that asset on the date acquired.

1.7 Property, Plant and Equipment (continued)

The cost of an item of property, plant and equipment acquired in exchange for non-monetary or monetary assets, or a combination of monetary asset and non-monetary assets, is measured at fair value of an asset given up, unless the fair value of the asset received is more clearly evident. If the acquired item could not be measured at its fair value, its costs are measured at the carrying amount of the assets given up.

Subsequent expenditure relating to property, plant and equipment is capitalised if it is probable that the future economic benefits or potential service delivery associated with the subsequent expenditure will flow to the entity and that the cost or fair value of subsequent expenditure can be reliably measured. Subsequent expenditure incurred on an asset is only capitalised when it increases the capacity or future economic benefits associated with the asset. Where the entity replaces parts of an asset, it derecognises the part being replaced and capitalises the new component.

Subsequent measurement

Property, plant and equipment are measured at cost, less accumulated depreciation and accumulated impairment. The useful lives of items of property, plant and equipment have been assessed as follows:

Depreciation

Land is not depreciated, as it is regarded as having unlimited life. Depreciation on assets other than land is calculated using the straight-line method, to allocate their cost or revalued amounts less their residual values, over the estimated useful lives of the assets. The depreciation method used reflects the pattern in which the assets' future economic benefits or service potential are expected to be consumed by the entity.

The CRL Rights Commission re-assesses the useful lives and residual value of property, plant and equipment annually. Management considers the expected useful lives of the individual asset, to determine the remaining period over which the asset is expected to be used. Residual value is determined only in respect of motor vehicles at 20% of cost.

The depreciation rates are based on the following estimated useful life.

Item	Useful Lives (Years)
Furniture and fixtures	15 years
Motor vehicles	10 years
Office equipment	8 years
Computer equipment	6 years
Leasehold improvements	Period of the lease
Mobile communication devices	2 years

The useful life and depreciation method of each asset in an asset class is reviewed at the end of each reporting date. The CRL Rights Commission re-assesses the useful life of property, plant and equipment annually for any indication that the CRL Rights Commission's expectations have changed. If the expectation differs from previous estimates, the change is accounted for as a change in accounting estimate.

De-recognition of assets

An asset is de-recognised and withdrawn from service due to impairment or when the asset is replaced due to it reaching the end of its useful life. The CRL Rights Commission is not a profit-making institution and does not therefore use any of its assets with the objective to generate commercial gain.

The gain or loss arising from de-recognition of an item of property, plant and equipment is included in the statement of financial performance when the item is de-recognised. The gain or loss arising from the de-recognition of an item of property, plant and equipment is determined as the difference between the net disposable proceeds, if any, and the carrying amount of the item.

1.8 Impairment of non-cash Generating Assets

The CRL Rights Commission assesses assets to be cash generating when the asset is used with the objective to generate commercial return. The CRL Rights Commission assesses assets to be a non-cash generating asset when the asset is not used with the objective to generate commercial return. Commercial return means that positive cash flows are expected to be significantly higher than the cost of the asset.

Recognition and measurement

At the end of each reporting date, the condition of non-cash generating assets is reviewed to determine whether there is an indication of impairment or reversal of impairment. If such indication exists, the recoverable service amount of the asset is estimated in order to determine the extent of impairment loss, if any.

Where the recoverable service amount is less than the carrying amount, the carrying amount of the asset is reduced to the recoverable service amount. The reduction is recognised as an impairment loss. An impairment loss is recognised immediately in the Statement of Financial Performance. Recoverable service amount of a non-cash generating asset is the higher of the fair value less cost to sell, and its value in use as estimated.

Assets held by the CRL Rights Commission are classified as non-cash-generating assets, as they are not utilised with the objective of generating commercial return.

The CRL Rights Commission assesses all its tangible and intangible assets at the reporting date to determine whether there is any indication that an asset may be impaired. If there is any indication that an asset may be impaired, the recoverable service amount is estimated for the individual asset. The recoverable service amount is calculated as depreciated replacement cost. Depreciated replacement cost is calculated as the replacement cost of the asset less depreciation, in line with the useful life expired for the asset.

Reversal of impairment loss

The CRL Rights Commission assesses on each reporting date whether there is any indication that an impairment loss recognised in prior periods for an asset may no longer exist or may have decreased. If any such indication exists, the CRL Rights Commission estimates the recoverable service amount of that asset.

An impairment loss recognised in prior periods on an asset is reversed if there has been a change in the estimates used to determine the asset's recoverable service amount since the last impairment loss was recognised. The carrying amount of the asset is increased to its recoverable service amount. The increase is a reversal of an impairment loss.

A reversal of an impairment loss for an asset is recognised immediately in the Statement of Financial Performance.

In allocating a reversal of an impairment loss for a non-cash generating unit, the carrying amount of an asset is not increased above the lower of:

- its recoverable service amount; and
- the carrying amount that would have been determined (net of amortisation or depreciation) had no impairment loss been recognised for the asset in prior periods.

1.9 Intangible Assets

Recognition

An intangible asset is recognised when:

- it is probable that the economic benefit associated with the asset will flow to the CRL Rights Commission; and
- the cost of an asset or its value can be measured reliably.

The cost of an intangible asset is calculated at the value at which the asset was purchased.

Initial measurement

Intangible assets are initially measured at cost. The cost of an intangible asset is the purchase price and other costs attributable to bring the intangible asset to the location and condition necessary for it to be capable of operating in the manner intended by the CRL Rights Commission. Where an intangible asset is acquired at no cost, or nominal cost, the cost shall be its fair value as at the date of acquisition. Trade discounts and rebates are deducted in calculating the cost.

Intangible assets acquired separately or internally generated are reported at cost less accumulated amortisation and accumulated impairment losses.

Subsequent measurement

Amortisation is calculated on cost, using the straight-line method, over the useful lives of assets, which is 10 years upon initial recognition. Where intangible assets are deemed to have an indefinite useful life, such intangible assets are not amortised.

The estimated useful life, residual values and amortisation method are assessed at each reporting date on an indicator basis.

Amortisation of an asset commences when the asset is ready for its intended use.

The useful lives of intangible assets have been assessed as follows:

Item	Useful life (Years)
Computer software	10 years
Office 365 license	3 years

De-recognition of intangible assets

An intangible asset is derecognised when the separate item being the intangible asset is disposed of or withdrawn from service or replaced. The gain or loss from de-recognition of intangible assets is determined as the difference between the proceeds, if any, and the carrying amount of the item.

The gain or loss arising from de-recognition of an intangible asset is included in surplus or deficit when the asset is derecognised.

The useful lives and amortisation methods of intangible assets are assessed on an annual basis. The residual value of intangible assets is assumed to be zero.

1.10 Financial Instruments

The CRL Rights Commission shall recognise a financial asset or a financial liability in its Statement of Financial Position when, the CRL Rights Commission becomes a party to the contractual provisions of the instrument. Financial assets carried on the Statement of Financial Position include cash and cash equivalents, and trade and other receivables.

Initial measurement

When a financial asset or financial liability is recognised initially, the CRL Rights Commission shall measure it at its fair value, plus in the case of a financial asset or a financial liability not subsequently measured at fair value cost, transaction costs are directly attributable to the acquisition or issue of the financial asset or financial liability.

1.10. Financial Instruments (continued)

Subsequent measurement

The CRL Rights Commission measures all financial assets and financial liabilities after initial recognition, using the following categories:

- financial instruments at fair value;
- financial instruments at amortised cost; and
- financial instruments at cost.

Impairment

The CRL Rights Commission shall assess at the end of each reporting period whether there is any objective evidence that an impairment loss on the financial asset measured at amortised cost has been incurred. If any evidence exists, the CRL Rights Commission shall determine the amount of any impairment loss. The amount of impairment loss is measured as the difference between the carrying amount of a financial asset and present value of estimated future cash flows (excluding future credit losses that have been incurred), discounted at the financial asset's original effective interest rate. The carrying amount of the asset shall be reduced through the use of an allowance account. The amount of the loss shall be recognised in the surplus or deficit.

De-recognition

The CRL Rights Commission derecognises financial assets when:

- the contractual rights to cash flows from the financial asset expire, are settled or waived;
- the CRL Rights Commission transfers to another party substantially all of the risks and rewards of ownership of the financial asset; or
- the CRL Rights Commission, despite having retained some significant risks and rewards of ownership of a financial asset, has transferred control of the asset to another party and the other party has the practical ability to sell the asset in its entirety to an unrelated third party, and is able to exercise that ability unilaterally and without needing to impose additional restrictions on the transfer.

Measurement

Financial instruments are initially measured at fair value, which includes transaction costs. Subsequent to initial recognition, these instruments are measured as set out below.

Financial assets

The CRL Rights Commission's principal financial assets are cash and equivalents and trade and other receivables.

Cash on hand and cash equivalents are short term, highly liquid investments that are held with registered banking institutions with maturities of three months or less and are subject to insignificant interest rate risk.

Cash and cash equivalents and trade and other receivables are measured at amortised cost.

Financial liabilities

The CRL Rights Commission's principal financial liabilities are trade and other payables. The trade and other payables do not bear interest and are stated at amortised cost.

1.11 Provisions

Recognition

The CRL Rights Commission recognises a provision when a present legal or constructive obligation exists as a result of past events, and it is probable that an outflow of economic benefits will be required to settle the obligation; and a reliable estimate can be made of the amount of the obligation.

Measurement

The amount recognised as a provision shall be the best estimate of expenditure required to settle the obligation at reporting date.

Leave provision

Leave provision is calculated on the liability for leave credits, due to each member as at the reporting date. Leave provision for employees who are on structured salary is calculated by dividing the monthly salary at cost to the company by average monthly working days multiplied by the leave days that have actually accrued to that employee. Leave provision for employees who are not on structured salary is calculated by dividing monthly basic salary by average working monthly days, multiplied by actual leave credits that have been accrued to the employee. An additional 37% is added in lieu of benefits. The leave provision is utilised by the leave being taken or the actual leave value being paid out to the employee.

Change of provision

Provisions are reviewed at each reporting date and adjusted to reflect the current best estimate. If it is no longer probable that an outflow of resources embodying economic benefits or service potential will be required to settle the obligation, the provision shall be reversed.

1.12 Employee Benefits

Contributions to a defined contribution retirement plan and defined benefit retirement plan are charged to the Statement of Financial Performance in the year in which they relate. The CRL Rights Commission has no legal or constructive obligation to pay further contributions in respect of the provident fund once the contributions have been paid, because the provident fund is a defined contribution plan. The pension fund is a state plan and is accounted for as a defined contribution plan. Additional contribution to the plan is the responsibility of the state and not of the CRL Rights Commission.

The actual cost of short-term employee benefits, such as vacation leave and sick leave, bonuses and non-monetary benefits are recognised in the period in which the service is rendered. The expected cost of compensated absence is recognised as an expense in the Statement of Financial Performance as the employee renders service that increases their entitlement.

State plan

The CRL Rights Commission classifies the state plan as a defined benefit plan under the terms of the plan (including any constructive obligation that goes beyond the formal terms). When sufficient information is not available to use defined benefit accounting for the plan, the CRL Rights Commission account for the plan as if it were a defined contribution plan.

Staff members of the CRL Rights Commission by means of election belong to a defined benefit plan which is managed by the Government Employee Pension Fund. Sufficient information in the form of actuarial calculations relating to the CRL Rights Commission's employees is not available as the employees are part of a larger pension fund plan managed by the Government Employee Pension Fund. Therefore, the defined benefit plan is disclosed as a defined contribution plan.

1.13 Going Concern Assumption

The CRL Rights Commission is considered a going concern due to its status as a Constitutional Institution. Detail in respect of the going concern status of the CRL Rights Commission is disclosed in note 22.

1.14 Related Parties

Only transactions with related parties that do not arise in the ordinary course of business are disclosed.

Transactions with key management personnel are recognised as related party transactions. Key management personnel are defined as being individuals with the authority and responsibility for planning, directing and controlling the activities of the CRL Rights Commission. All individuals at the level of Senior Manager and Commissioners are regarded as key management in terms of the definition of the financial reporting standards. Senior Manager's and Commissioner's remuneration is disclosed in note 21.

Close family members of key management are considered to be those family members who may be expected to influence, or be influenced by the key management individuals, in their dealings with the entity.

Transactions outside the normal cause of business with related parties are disclosed, recognised and accounted for at actual cost.

The Department of Cooperative Governance and Traditional Affairs and CRL Rights Commission in the context of national sphere of government, in terms of GRAP 20 'Related party transactions are considered related parties and have been disclosed as such in note 28.

1.15 Fruitless and Wasteful Expenditure

Fruitless and wasteful expenditure is expenditure that was made in vain that could have been avoided had reasonable care been exercised. Fruitless and wasteful expenditure is accounted for as expenditure in the Statement of Financial Performance and where recovered, it is subsequently accounted for, as other income in the Statement of Financial Performance.

1.16 Budget Information

General purpose financial reporting by the entity shall provide information on whether resources were obtained and used in accordance with the legally adopted budget.

The approved budget is prepared on a cash basis and presented by programmes linked to performance outcome objectives.

The approved budget and final budget for the fiscal period from 2021/04/01 to 2022/03/31 is presented in the annual financial statements. The approved budget applies to the CRL Rights Commission only.

A comparison between the surplus for the year as per the Statement of Financial Performance and the budget, is included in the Statement of Comparison of Budget and Actual Amounts.

1.17 Irregular Expenditure

Irregular expenditure is recorded in the notes to the financial statements when confirmed. The amount recorded is equal to the value of the irregular expenditure incurred unless it is impractical to determine; in which case reasons thereof must be provided in the notes. Irregular expenditure receivables are measured as the amount that is expected to be recovered and recognised when settled or written off as irrecoverable.

1.18 Prepayments

The CRL Rights Commission discloses material payments made in advance on goods or services to be acquired. Prepayments are accounted for as current assets if the goods or services are to be delivered within one year from the reporting date and as long-term assets if goods or services are to be delivered beyond one year, as per note 6.

1.19 Events After Reporting Date

Events after the reporting date that came to the attention of management are reported in note 29.

Notes to the Annual Financial Statements

2. New Standards and Interpretations

2.1 Standards and Interpretations Issued, but not yet Effective

The entity has not applied the following standards and interpretations, which have been published and are mandatory for the entity's accounting periods beginning on or after 01 April 2022 or later periods:

Standard/ Interpretation:	Effective date: Years beginning on or after	Expected impact:
• Guideline: Guideline on Accounting for Landfill Sites	01 April 2009	Unlikely there will be a material impact
• GRAP 25 (as revised): Employee Benefits	01 April 2009	Unlikely there will be a material impact
• GRAP 7 (as revised): Limit on defined benefit asset, minimum funding requirements and their interaction	01 April 2009	Unlikely there will be a material impact
• Guideline: Guideline on the Application of Materiality to Financial Statements	01 April 2009	Unlikely there will be a material impact
• GRAP 104 (as revised): Financial Instruments	01 April 2025	Unlikely there will be a material impact
• GRAP 21: The Effect of Past Decisions on Materiality	01 April 2023	Unlikely there will be a material impact
• GRAP 2020: Improvements to the standards of GRAP 2020	01 April 2023	Unlikely there will be a material impact
• GRAP 1 (amended): Presentation of Financial Statements	01 April 2023	Unlikely there will be a material impact

Figures in Rand thousand

3. Property, Plant and Equipment

	2022 R'000			2021 R'000		
	Cost	Accumulated depreciation	Carrying Value	Cost	Accumulated depreciation	Carrying value
Mobile Communication devices	203	(183)	20	219	(150)	69
Furniture and fixtures	2 409	(1 555)	854	2 409	(1 447)	962
Motor vehicles	841	(101)	740	841	(34)	807
Office equipment	2 052	(1 288)	764	2 360	(1 333)	1 027
Computer equipment	1 999	(866)	1 133	1 976	(1 025)	951
Leasehold improvements	1 001	(968)	33	1 001	(951)	50
Total	8 505	(4 961)	3 544	8 806	(4 940)	3 866

Figures in Rand thousand

3. Property, plant and equipment (continued)

Reconciliation of property, plant and equipment - 2022

	Opening balance	Additions	Disposals	Depreciation	Total
Mobile communication devices	69	-	(1)	(48)	20
Furniture and fixtures	962	-	-	(108)	854
Motor vehicles	807	-	-	(67)	740
Office equipment	1 027	-	(16)	(247)	764
Computer equipment	951	459	(22)	(255)	1 133
Leasehold improvements	50	-	-	(17)	33
	3 866	459	(39)	(742)	3 544

Reconciliation of property, plant and equipment - 2021

	Opening balance	Additions	Disposals	Depreciation	Total
Mobile communication devices	105	47	-	(83)	69
Furniture and fixtures	946	169	(17)	(136)	962
Motor vehicles	41	841	(41)	(34)	807
Office equipment	948	348	-	(269)	1 027
Computer equipment	708	500	(8)	(249)	951
Leasehold improvements	67	-	-	(17)	50
	2 815	1 905	(66)	(788)	3 866

There are no encumbrances or restrictions on property, plant and equipment.

The asset register is available for inspection at the registered offices of CRL Rights Commission. There are no contractual commitments on property, plant and equipment at financial year end.

Repairs and maintenance in respect of property, plant and equipment are disclosed in note 16. There is fully depreciated property, plant and equipment which is still in use.

Figures in Rand thousand

4. Intangible Assets

	2022 R'000			2021 R'000		
	Cost	Accumulated amortisation	Carrying value	Cost	Accumulated amortisation	Carrying value
Computer software	162	(96)	66	558	(284)	274
Office 365	1098	(329)	769	-	-	-
	1260	(425)	835	558	(284)	274
Reconciliation of intangible assets - 2022		Opening balance	Additions	Disposals	Amortisation	Total
Computer software		274	-	(191)	(17)	66
Office 365		-	1 098	-	(329)	769
		274	1 098	(191)	(346)	835
Reconciliation of intangible assets - 2021			Opening balance	Additions	Amortisation	Total
Computer software			308	21	(55)	274

There are no contractual commitments on intangible assets at year end.

The asset register is available for inspection at the registered office of CRL Rights Commission. There are no encumbrances on intangible assets.

5. Operating Lease Liability

	2022 R'000	2021 R'000
Non-Current portion		
Building	605	604
Parking	68	68
	673	672
Current portion		
Building	51	-
Parking	6	-
	57	-

6. Prepayments

Current portion		
Software for accounting caseware annual license	82	80
Software for accounting and payroll annual license	-	166
Building and parking operating lease payments	263	244
Dogan exhibition	55	-
Microsoft Office 365	640	1 839
	1 040	2 329

Non-Current portion

Microsoft Office 365	799	-
	1 839	-

Prepayments are made in respect of contractual obligations that the CRL Rights Commission is committed to through normal procurement processes.

Prepayments are recognised during the current financial period, except for the prepayment relating to Microsoft Office 365 which covers two more financial years to come.

7. Receivables from exchange transactions

Deposits (Landlord)	332	332
Exhibition at Rand Easter show	-	55
Receivable from third parties	170	116
Provision for bad debts	-	(3)
	502	500
Non-current assets	332	387
Current assets	170	113
	502	500

The non-current receivable relates to the deposit paid to the landlord, in respect of the lease agreement, which will only be receivable at the end of the lease term.

8. Cash and cash equivalents

Cash and cash equivalents consist of:

	2022 R'000	2021 R'000
Cash on hand	3	1
Call deposit account balance	14 954	13 038
Demand deposit account balance	1 126	37
	16 083	13 076

All funds are available for use by the CRL Rights Commission and there are no restricted funds. There is no encumbrances on cash and cash equivalents held by the Commissioner.

9. Accumulated Surplus

Accumulated surplus - 2022	Accumulated surplus	Total
Opening balance	11 036	11 036
Adjustment in respect of software licences	(177)	(177)
Net surplus	7 560	7 560
	18 419	18 419
Accumulated surplus - 2021		
	Accumulated surplus	Total
Opening balance	6 647	6 647
Net surplus	4 389	4 389
	11 036	11 036

10. Provisions

Reconciliation of provisions - 2022

	Opening Balance	Additions	Utilised during the year	Total
Provision for leave pay	1 091	1 019	(1 091)	1 019
Provision for retention of funds	3 000	-	(3 000)	-
	4 091	1 019	(4 091)	1 019

Reconciliation of provisions - 2021

	Opening Balance	Additions	Utilised during the year	Total
Provision for leave pay	900	1 091	(900)	1 091
Provision for retention of funds	-	3 000	-	3 000
	900	4 091	(900)	4 091

The majority of employees utilised accumulated leave credits, resulting in a decrease in leave provision. The leave provision for the current year is lower, resulting in a decrease in employee cost of R72 000.

11. Payables from Exchange Transactions

	2022 R'000	2021 R'000
Trade payables	1 883	1 446
Accrued bonuses	532	502
Payroll liabilities	220	460
	2 635	2 408

12. Other Income - exchange transactions

The amounts included in revenue arising from exchange of goods or services are as follows:

	2022 R'000	2021 R'000
Finance income from bank accounts - Cash	348	290
Finance income from bank accounts - Accrued	26	15
	374	305

13. Revenue from non-exchange transactions

	2022 R'000	2021 R'000
Transfer from the Department of Co-operative Governance and Traditional Affairs	46 032	46 046

14. Employee costs

	2022 R'000	2021 R'000
Basic	14 418	14 576
Commissioners' remuneration	3 410	3 222
Unemployment Insurance fund	68	60
Skills development levy	191	123
Other non-pensionable allowances	6 066	5 138
Sub Total	24 153	23 119
Pension fund - Defined benefit plan	760	827
Provident fund-Defined benefit plan	1 089	1 059
Sub Total	1 849	1 886
	26 002	25 005
Staff compliment	40	34

Remuneration of the Chairperson and the Deputy Chairperson is included in the normal employee cost, but it has been disclosed with the Commissioners remuneration in the related party transactions in note 28.

15. Depreciation and Amortisation

Depreciation and amortisation costs	1 088	844
	2022 R'000	2021 R'000

16. Other Operating Expenditure

Covid-19 personal protective equipment	23	296
Software licenses	708	278
Consulting and professional fees	888	2 047
Computer expenses	238	79
Refund retained earnings	(3 000)	3 000
Operating leas	3 169	3 167
Travel and subsistence allowance	3104	574
Marketing	72	214
Repairs and maintenance	156	208
Communication and courier cost	959	1 232
Staff training and development	201	166
Loss on disposal of assets	55	66
Bad debts written off	95	-
	6 668	11 327

17. Administrative Expenses

Recruitment advertisement	92	-
Internal auditing	206	526
Insurance	194	201
Legal expenses	300	545
Catering	193	93
Stationery and printing	439	794
Venues and facilities	1 221	252
Acquisition of non-capital assets	-	32
Bank charges	19	19
Water and electricity	43	18
Municipal charges	48	27
Common area electricity	496	472
Rates and Taxes	219	182
	3 470	3 161

18. Auditors' Fees

Fees	1 618	1 575
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19. Interest and Penalties

Interest and penalties paid	-	49
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20. Cash Generated from Operations

	2022 R'000	2021 R'000
Surplus	7 560	4 390
Adjustments for:		
Depreciation and amortisation	1 088	843
Loss on disposal of assets	55	66
increase/(Decrease) in provisions	(3 072)	3 191
increase/(Decrease) in accrual income	11	(37)
Bad debts written off	(95)	-
Bonus accruals	30	502
Decrease/(Increase) in prepayments	(1 294)	(6)
Changes in working capital:		
(increase)/decrease in trade and other receivables from exchange transactions	48	(170)
Decrease/(Increase) in payables from exchange transactions	227	(666)
Leave pay-out	-	(81)
Other non-cash items	6	(3)
	4 564	8 029

21. Commissioners and Prescribed Officer's Emoluments Commissioners

2022

	Appointment date	Basic Salary	Basic Salary	Provident fund	Other benefits	Fees	Total
DL Mosoma (Chairperson)	2019/07/01	813	542	-	5	-	1 360
SM Pheto (Deputy Chairperson)	2019/07/01	691	357	104	4	-	1 156
M Abudroaf	2019/07/01	-	-	-	9	378	387
T Mosala	2019/07/01	-	-	-	3	366	369
NV Tyamzashe	2019/07/01	-	-	-	-	280	280
RS Schoeman	2019/07/01	-	-	-	-	219	219
S Dlamini	2019/07/01	-	-	-	141	199	340
FS Khama	2019/07/01	-	-	-	-	484	484
RT Kgatla	2019/07/01	-	-	-	13	348	361
RD Botha	2019/07/01	-	-	-	25	451	476
P Ntuli	2019/07/01	-	-	-	3	69	72
M Langa	2019/07/01	-	-	-	-	305	305
ON Mndende	2019/07/01	-	-	-	-	289	290
		1 504	899	104	204	3 388	6 099

2021 Commissioners

	Appointment date	Basic Salary	Structured Salary	Provident fund	Other benefits	Fees	Total
DL Mosoma (Chairperson)	2019/07/01	796	569	-	-	-	1 365
SM Pheto (Deputy Chairperson)	2019/07/01	677	383	109	2	-	1 171
M Abduroaf	2019/07/01	-	-	-	-	187	187
NV Tyamzashe	2019/07/01	-	-	-	-	162	162
RS Schoeman	2019/07/01	-	-	-	1	189	190
T Mosala	2019/07/01	-	-	-	3	255	258
ON Mndende	2019/07/01	-	-	-	-	293	293
S Dlamini	2019/07/01	-	-	-	80	166	246
FS Khama	2019/07/01	-	-	-	-	334	334
M Langa	2019/07/01	-	-	-	1	183	184
RT Kgatla	2019/07/01	-	-	-	4	199	203
RD Botha	2019/07/01	-	-	-	12	306	318
P Ntuli	2019/07/01	-	-	-	29	295	324
		1 473	952	109	132	2 569	5 235

Audit and Risk Committee

2022

	Appointment Date	Other Benefits	Fees	Total
M Phiri (Chairperson)	2019/08/01	5	111	116
T Poee	2019/12/01	-	52	52
L Mangquku	2019/12/01	-	47	47
		5	210	215

Audit and Risk Committee

2021

	Appointment Date	Other Benefits	Fees	Total
M Phiri (Chairperson)	2019/08/01	-	95	95
T Poee	2019/12/01	-	55	55
L Mangquku	2019/12/01	-	55	55
		-	205	205

Senior Management Emolument

2022

	Appointment date	Basic salary	Structured	Pension/ Provident fund	Other benefits	Total
Chief Executive Officer-TE Mafadza	2008/04/01	769	478	101	11	1 359
Chief Financial Officer-CM Smuts	2006/06/01	873	279	133	-	1 285
Senior Manager- B Makeketa	2008/01/14	700	420	109	29	1 258
Senior Manager - RM Mkholo	2016/12/01	650	378	101	-	1 129
		2 992	1 555	444	40	5 031

Senior Management Emolument

2021

	Appointment date	Basic salary	Structured salary	Pension/Provi dent fund	Other benefits	Total
Chief Executive Officer - TE Mafadza	2008/04/01	762	409	99	2	1 272
Chief Financial Officer - CM Smuts	2006/06/01	872	243	131	2	1 248
Senior Manager - KA Sedupane	2007/08/01	694	377	90	3	1 164
Senior Manager - B Makeketa	2008/01/14	694	358	104	26	1 182
Senior Manager - RM Mkholo	2016/12/01	644	333	97	2	1 076
		3 666	1 720	521	35	5 942

* There were no transactions with related parties or individuals other than those disclosed above.

22. Going Concern

During the current 2022/ 2023 the medium-term expenditure framework the CRL Rights Commission is allocated a baseline allocation of R 46 818 000. These financial statements have been prepared on a going concern basis because the existence of the CRL Rights Commission is protected in the Constitution of the Republic of South Africa.

There is no intention to change the shape and function of the CRL Rights Commission by parliament in the foreseeable future.

Management considered the cash flow forecast for the year ending 31 March 2023 and in light of this review and the current financial position of the CRL Rights Commission, is satisfied that the Commission has sufficient resources to continue operations for the foreseeable future.

Although the outbreak of Coronavirus will negatively impact the work of the CRL Rights Commission it will not affect the going concern status of the CRL Rights Commission.

23. Irregular Expenditure

	2022 R'000	2021 R'000
Opening balance as previously reported	11 979	11 697
Add: Irregular Expenditure - prior period	--	282
Closing balance	11 979	11 979

There was no irregular expenditure incurred in the current financial year.

The irregular expenditure incurred in the previous financial years relate to appointment of PWC audit firm and the extension hygiene products contract. A detailed register of irregular expenditure is kept at the CRL Rights Commission office.

Irregular expenditure identified in the previous financial years include those listed below:

	Disciplinary steps taken/criminal proceedings	
	Investigation partially finalised	
Opening balance	11 979	11 697
Tender for internal audit awarded to an incorrect bidder	-	268
Contract of hygiene products and equipment	-	14
Closing balance	11 979	11 697

Irregular expenditure was submitted to National Treasury to obtain condonement but National Treasury has not responded yet at year end.

24. Fruitless and wasteful expenditure

Opening balance as previously reported	1 693	817
Wasteful expenditure - March 2021	-	49
Over-expenditure on promotional items - March 2018	-	145
Over-expenditure on promotional items - March 2019	-	195
Over-expenditure on the 2018-2019 annual report	-	253
Over-expenditure on the 2018-2019 NCC report	-	234
Closing balance	1 693	1 693

Processes of consequence management is in progress.

25. Operating Lease

The CRL Rights Commission rents premises with lease rental of R217 731.40 (R200 538.90 +R17 192.50) per month according to the lease agreement that commenced on 1 June 2019, with a lease term of five years. The escalation of the operational lease is set at 8% per annum.

Minimum lease payment - 2022	Within 1 year	Within 2 - 5 years	Total
Building	2 994	3 779	6 773
Parking	338	422	1 065
	3 332	4 201	7 838

25. Operating Lease (continued)

2021 Minimum lease payments	Within 1 year	Within 2 - 5 years	Total
Building	2 772	6 773	9 545
Parking	309	756	1 065
	3 081	7 529	10 610

26. Financial Instruments

Financial risk management

Financial instruments consist of cash and cash equivalents, trade and other receivables and trade and other payables. There are no receivables that are past due and not impaired.

The cash deposits are held at the First National Bank of South Africa.

Financial assets

Trade and other receivables	502	500
Cash and cash equivalents	16 083	13 076

Financial liabilities

Trade payables	2 456	2 408
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Monthly maturity analysis of financial liabilities 2022	1-3 months	4-6 months	7-9 months	10-12 months	Total
Trade payables	1 848	-	-	35	1 883

Monthly maturity analysis of financial liabilities 2021	1 -3 months	4-6 months	7-9 months	10-12 months	Total
Trade payables	2 408	-	-	-	2 408

Liquidity risk

The CRL Rights Commission has no financial liabilities that extend beyond twelve months.

Trade and other payables

The CRL Rights Commission is only exposed to liquidity risk in respect of maintaining sufficient cash to pay creditors as they become due. The CRL Rights Commission manages liquidity risk through ongoing review of future commitments.

Credit risk

Credit risk is managed by the use of accredited financial service providers, as approved by National Treasury.

Credit risk consist mainly of cash deposits and cash equivalents. The CRL Rights Commission only deposit cash with a major bank with a credit rating of Baa2.

The CRL Rights Commission considered the credit rating of the financial service provider and is satisfied with the quality of credit.

The maximum exposure to credit risk for the CRL Rights Commission at the end of the period was as follows:

	2022 R'000	2021 R'000			
26. Financial Instruments (continued)					
Financial assets					
Trade and other receivables					
Monthly maturity analysis of financial assets 2022	1-3 months	4-6 months	7-9 months	10-12 months	Total
Trade and other receivables	170	-	-	-	170
	170	-	-	-	170
Monthly maturity analysis of financial assets 2021	1-3 months	4-6 months	7-9 months	10-12 months	Total
Trade and receivables	-	-	-	113	113
	-	-	-	113	113

Interest rate risk

The CRL Rights Commission has no significant interest-bearing assets. The CRL Rights Commission's income and operating cash flows are totally independent of changes in the market interest rate risk.

27. Contingencies

There are no contingent liabilities known to management at reporting date.

28. Related Parties

Related party transactions

Aggregate amounts with related parties

Chairperson	1 360	1 365
Deputy Chairperson	1 156	1 171
Audit Committee members	215	205
Commissioners	3 583	2 699
Senior management	5 031	5 942
Cogta	46 032	46 046

Payments made to Commissioners, Audit Committee members and Senior Management of the CRL Rights Commissioners are treated as related and are disclosed as a related party transaction.

The transfer to the CRL Rights Commission is through the budget vote of Department of Cooperative Governance and Traditional Affairs and therefore the Department of Cooperative Governance and Traditional Affairs is treated as a related party and details are disclosed as a related party transaction.

29. Events after the Reporting Date

The CRL Rights Commission lost a vehicle to theft in April 2022. The vehicle was insured, and the loss has been partially covered by an insurance claim. The insurance company confirmed settlement of the vehicle, and the loss to the CRL Rights Commission is immaterial after settlement of the insurance claim.



**Commission for the Promotion and Protection of the
Rights of Cultural, Religious and Linguistic Communities**

PHYSICAL ADDRESS:

33 Hoofd Street Forum IV Ground Floor Braampark
Office Park Braamfontein Johannesburg

POSTAL ADDRESS:

Private Bag X90 000
Houghton, 2041

TELEPHONE NUMBER: 011 358 9100

FAX NUMBER: 011 403 2098

EMAIL ADDRESS: info@crlcommission.org.za

 www.crlcommission.org.za

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