

ANNUAL *REPORT*

2022/2023



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



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

ANNUAL REPORT 2022/2023

RP209/2023

ISBN:978-0-621-51284-7

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LIST OF ABBREVIATIONS/ACRONYMS

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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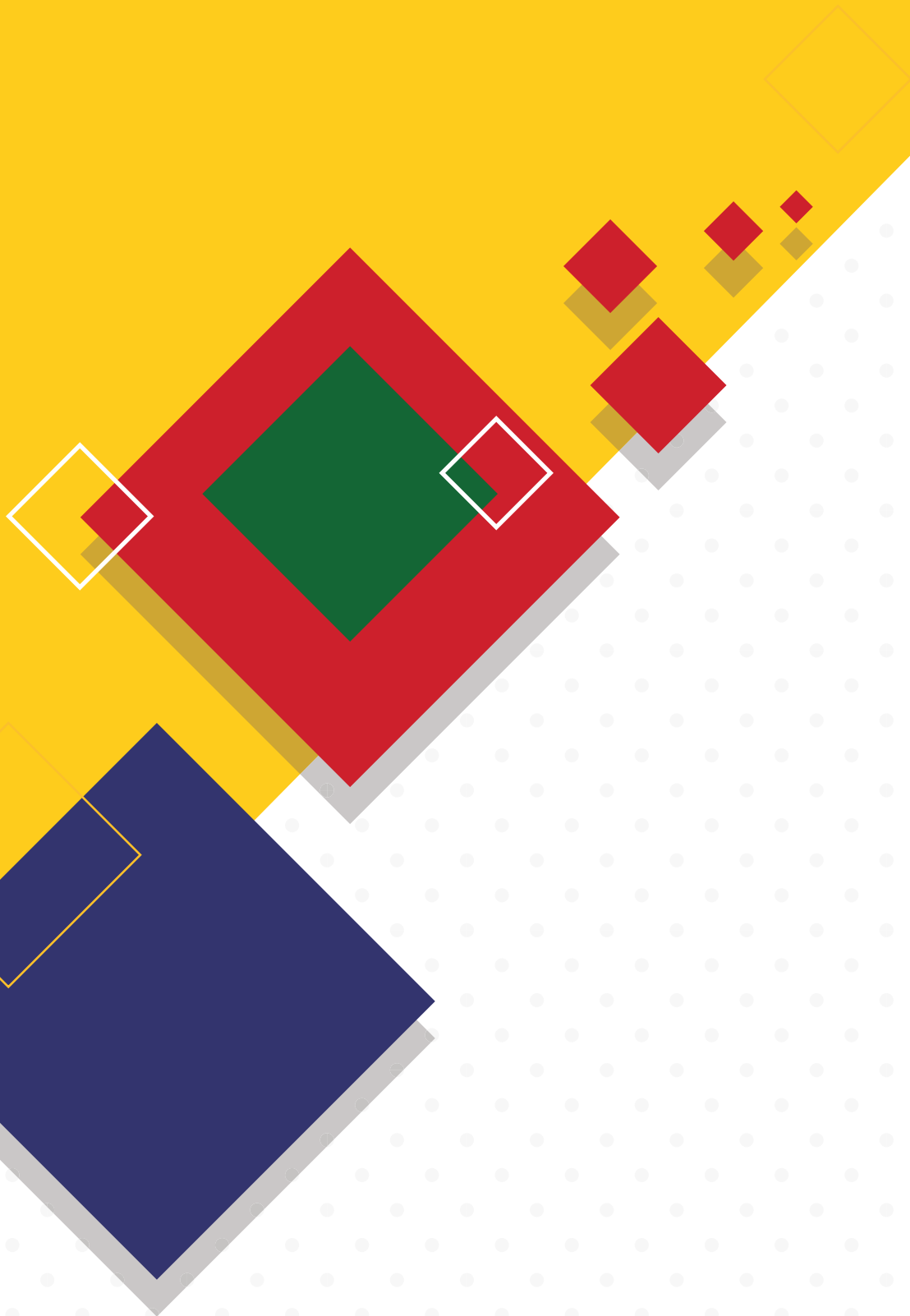
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PART A: GENERAL INFORMATION



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
Auditors	: The Auditor General of South Africa
Legal Form	: The CRL Rights Commission is a Constitutional Institution legislated by the Commission for the Promotion and Protection of Rights of Cultural, Religious and Linguistic Communities Act 19 of 2002.
Operations	: The CRL Rights Commission deals mainly with social sciences of culture, religion and languages. The CRL Rights Commission's main objectives is to facilitate nation building through the promotion and the Protection of the rights of cultural, religious and linguistic communities.
Governing legislation	: The operations of the CRL Rights Commission are mainly governed by the following legislations. The Constitution of South Africa The Public Finance Management Act, Act 1 of 1999. The CRL Rights Commission Act, Act 19 of 2002.
Bank	: First National Bank of South Africa

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 2023 (the CRL Rights Commission)

It gives me absolute pleasure to present to you (the 2022/2023 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 2022 to 31 March 2023.

In accordance with the above provision, I hereby table the CRL Rights Commission Annual Report 2022/2023 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 would 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 2023

FOREWORD BY THE CHAIRPERSON



The opportunity to present the report of the Commission for the CRL Rights Commission Annual Report 2022/2023 delights me exceedingly. This report serves as my penultimate work because we are nearing the end of the term of this Commission. We bow out with a sense of pride and gratitude for having been entrusted with such a vast national task (labour of love) of promoting and protecting the rights of cultural, religious, and linguistic communities and knowing that the cultural, religious, and linguistic rights have undergone and continue to undergo significant transformation in our country. The communities now have a sense of what constitutes their rights, violation of rights, and where to go when their rights are violated.

In the year under review, the CRL Rights Commission achieved several milestones based on the outcomes the Commission had set itself in its long- and medium-term strategic framework that spans from 2019/20 – to 2023/2024. The Annual Performance Plan 2022/2023 was developed to continue to implement the five (5) year strategic outcomes as listed below:

- Good corporate governance, sound financial management, and administrative support in line with legislation.
- Strengthened conflict resolution and legislative reviews to promote and protect the rights of cultural, religious, and linguistic communities.
- Effective structure and informed communities on cultural, religious, and linguistic matters.
- Research recommendations to inform evidence-based policies and sustained resuscitation of diminishing and diminished community heritages.
- Intensified communication, marketing, and knowledge management systems.

Under the effective and efficient oversight of the Commission, all the above outcomes were translated into operational plans, and developed into a strategic business model that aided it in attaining a clean audit opinion for the third successive time. I am truly humbled as the outgoing Chairperson to have led a team of Commissioners and management who shared the same vision as I - to live up to the mandate of the Commission to achieve all the outcomes and to build a nation united in its diversity.

As part of the fulfilment of its mandate, the CRL Rights Commission continued to monitor, investigate, and research any issue regarding the rights of cultural, religious, and linguistic communities. As part of its primary objectives, the Commission observed and monitored the implementation of the Customary Initiation Act 2 which was passed in June 2021 as an attempt to ensure that deaths in initiation schools are curbed. Several interventions and engagements with relevant stakeholders as spelled in the Customary Initiation Act 2 of 2021 were held including a National Initiation Indaba at the beginning of the current financial year. In all engagements, several recommendations were made to all relevant stakeholders to ensure compliance with the Act. The death of young men in initiation schools remains a challenge for the age-old customary practice. Lasting solutions should be found expeditiously to preserve the practice.

Disparities in terms of alignments of national legislation that impacts on the rights of cultural, religious, and linguistic communities is a work in progress. To achieve a democratic and cohesive society some laws still need to be reviewed to be in sync with the ethos of the constitution. Several Bills and pieces of legislation have been reviewed and were found to be wanting. The Bills and legislation monitored and reviewed have been found to have an impact on the rights of cultural, religious, and linguistic communities including the Prohibition of Harmful Witchcraft Practices Bill which seeks to repeal the Witchcraft Suppression Act. This review was done in collaboration with the South African Law Reform Commission because of the complaint raised by Traditional Health Practitioners. This Bill has had a great impact on the rights of traditional health practitioners.

As part of its obligation, the Commission monitored and reviewed spatial planning and land use bylaws in several metropolitan and local municipalities and observed that in some municipalities, religious sites have been allocated within residential areas and cause noise pollution. Observations were made and engagement with such municipalities that were found wanting were conducted. Recommendations were made to say municipalities are responsible for compliance with noise bylaws. These reviews are done to ensure there is harmony and peace among communities.

In our quest to influence legislation, inform policy, and lead national discourse, the Commission conducted several research projects including the spiritual significance of sacred sites and defining cultural, religious, and linguistic communities. To have certain sections of communities denied the right to access places of spiritual and sacred significance is to deny the communities their right to exist and it is against the Constitution which provides that persons belonging to a cultural and religious community may not be denied the right, with other members of that community, to enjoy their culture and practice their religion.

The Commission collaborated and forged partnerships with several other institutions such as the South African Human Rights Commission (SAHRC) when the latter hosted a service delivery conference, and I was requested to pave the way forward for the conference. The Commission signed a Memorandum of Understanding with the SABC in which the latter agreed to provide platforms such as radio and TV and the Commission will provide content on cultural, religious, and linguistic matters whenever possible. Both agreed to partner on certain initiatives that impact on culture, religion, and language.

I must also indicate that a capacity and capability review project was conducted and has been concluded. The recommendations that came from the project will serve as a roadmap that will assist in catapulting the Commission to greater heights as a rollout plan will be put in place and capacity increased to reach even the remotest of communities. This will deal with a matter that was raised in several Portfolio Committee meetings relating to the visibility of the Commission in provincial and local communities. However, this remains a dream if the baseline of the Commission is not increased drastically.

In the year under review a Member of the Commission, Mr Mandla Langa, resigned because he was appointed by the government to represent the country as the South African High Commissioner in Cameroon.

I am grateful to the CEO, Mr Edward Mafadza, who led the management and administrative team to achieve the strategic outcomes as set in the past five (5) years and in the year under review. I am also grateful to have had Members of the Commission who performed oversight functions in various committees to ensure management is held accountable to achieve desired results.

This Annual Report provides a detailed account of financial statements, performance reports, and all activities undertaken by all programmes of the Commission in the year under review.



Prof. Luka David Mosoma

Chairperson

CRL Rights Commission

Date: 31 July 2023

STATEMENT BY THE DEPUTY CHAIRPERSON



The CRL Rights Commission is responsible for deepening the appreciation of South Africans for a wide array of cultures, religions and languages found in the country. Through promotion of respect, and development of peace, friendship, humanity, tolerance and national unity among diverse religious, cultural and linguistic groupings, the Commission is expected to contribute meaningfully and constructively to social transformation and national building for the attainment of a truly united South African nation.

From reflection on the past, it appears that the Commission has not lost the trust of the cultural, religious and linguistic communities it exists to serve. These observations are with the appreciation that CRL communities have been facing underlying challenges that have been prevalent over past decades and needed the Commission's attention.

For the year under review, initiatives to raise awareness on cultural, religious, and linguistic community rights have been undertaken through broadcast, print and social media platforms. Numerous public education sessions and robust engagements have taken place with stakeholders to strengthen community outreach programmes. The commission has also facilitated participation of stakeholders in the cultural and religious sector through dialogue on several issues of national importance. The three (3) communities were given an opportunity to define the cultural, religious, and linguistic communities' concepts and the rights they would attach to the said communities. Through dialogues over all nine (9) provinces, communities highlighted the challenges they experience due to lack of understanding of the cultural, religious, and linguistic rights. A report on the definition of cultural, religious, and linguistic communities and their rights has been produced.

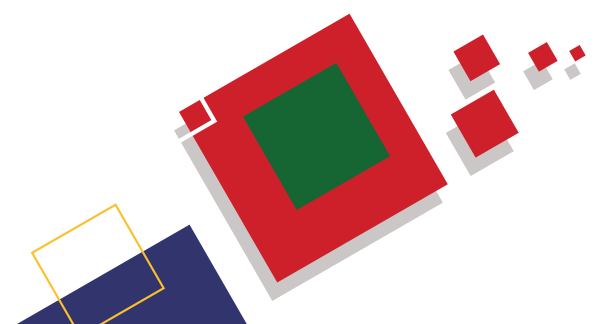
The Commission will continue to research, inform, educate, and lobby communities to strengthen respect and humanity within the cultural, religious, and linguistic communities. South Africa is blessed with rich and diverse sacred natural sites which have spiritual significance to individuals and communities. There has been a consequential contestation of the right to the access and utilization of the sacred sites in several areas in the country. The Commission has consulted and engaged some organs of state and private farm owners on the rights of cultural and religious communities to access sacred spaces such as mountains, rivers, caves etc, to avoid unnecessary infringement of other people's cultural and religious rights. The report on the spiritual significance of sacred sites in South Africa has been produced in this regard.

It must be mentioned that there have also been productive engagements with cultural and religious communities in collaboration with other private and public institutions, which enhances our work. The public consultation in collaboration with the Law Reform Commission on the Witchcraft Suppression Act of 1953 and its subsequent amendments took place in Helena, Limpopo. These engagements yielded good results as it necessitated the repeal and criminalization of some parts of the old Act. The Commission also had to intervene in Phalaborwa, Limpopo where there was a complaint of not less than two hundred and ninety (290) children who were admitted to hospital in the Mopani District, due to complications following circumcision surgery at the initiation school. Informative and successful engagements with the Khoisan Communities in various provinces also took place. These roadshows were intended to resuscitate the diminishing Khoisan heritage. The reports on the above engagements are also available.

The Commission is also optimistic in the strides that are being pursued towards the well restructured institution that will be able to fully execute its mandate as prescribed by the constitution. Despite all fiscal restrictions, the Commission has successfully honoured all parliamentary engagements and reporting through the Portfolio Committee on Cooperative Governance and Traditional Affairs, to give account of programmes and projects implemented. These include participation in the Parliamentary oversight meetings and visits. The Commission is also an active participant in statutory committees such National Initiation Oversight Committee (NIOC), on matters relating to its mandate.

None of the achievements of this Commission would have been possible throughout the financial year without the support of our local and international stakeholders. I wish to convey my appreciation to the Chairperson of the Commission for his guidance and leadership, competent team of Commissioners, and the CEO and his entire team for the commitment to the institutional vision and mission.

Dr. Mmamohapi Pheto
Deputy Chairperson
Date: 31 July 2023



OVERVIEW BY THE CHIEF EXECUTIVE OFFICER



It is again an honour and a privilege to present to you the CRL Rights Commission Annual Report 2022/2023. It is exciting to report that the Commission has for the third consecutive year attained a clean audit status. I must confess that maintaining a clean audit status does not come easily. It is as a result of collective efforts and commitment from management, staff and Commissioners of the organisation. The institution's overall performance in the year under review has increased significantly from 82% to 94%. The 6% variance is attributed to the percentage of unresolved queries on internal and external audit findings of which the process to close them awaits approval from 3rd parties.

In its quest to optimise its performance, the management of the CRL Rights Commission continued to be guided by the MTSF priorities, the outcomes and outcomes indicators as outlined in the 2019/2020-2023/2024 Strategic Plan, translated into annual performance and operational plans.

In the year under review, the Commission strove to maintain unqualified audit opinion as a result of improved oversight function from both internal and external audit committees, plenary led by Commissioners and overall commitment of management and staff.

Management had to develop a proper audit findings implementation plan, to respond to the issues raised in the previous financial years with much tighter turnaround times. In the process, the plan assisted the Commission to perform better in the context, and subsequently yielded positive results for the overall assessment of internal controls by the Auditor General. It is our hope learning from the past that, going forward, the Commission will even do better in its endeavours to maintain the clean audit status.

In the year under review, the Commission received and handled one hundred and fifteen (115) complaints and reviewed the bylaws and legislations that have an impact on cultural, religious and linguistic rights of communities. The Commission reviewed the following Bills and legislations: the Basic Education Laws Amendment Bill [B2 – 2022] ISBN 978-1-4850-0769-2; the Prohibition of Harmful Witchcraft Practices Bill [B32 – 2022]; Bill on the Constitution of the Republic of South Africa 18th Amendment and KwaZulu Natal Cemetery and Crematoria Act and eThekweni Cemetery and Crematoria By-law.

As part of reviewing By-law in some Provinces, the Commission produced sixteen (16) reports. The bylaws were in relation to land use for religious purposes and were mainly in the Gauteng Province at Johannesburg metropolitan, Ekurhuleni metropolitan, Tshwane metropolitan, Mogale City, Midvaal, Emfuleni, Merafong and Westrand municipalities. Other metropolitan and local municipalities were eThekweni, Kwa-Dukuza, Mandeni, Mthonjaneni, uMfolozi, Nkandla and Mhlathuze in the KwaZulu Province.

Furthermore, the Commission managed to recognise forty-four (44) community councils as directed by the CRL Rights Act 19 of 2002. Learning from past experiences in this regard, the Commission had to conduct workshops for these recognised councils on its mandate and, expectations from the councils, to avoid misrepresentation of the Commission by its own councils to local communities. As part of its mandate, the Commission continued to conduct other educational engagements and led awareness campaigns on cultural, religious and linguistic heights of communities. In total, thirty (30) engagements and twenty-five (25) awareness campaigns were conducted in the year under review. Of the thirty (30) engagements, ten (10) were carried over from the other previous financial year, as part of preserving the diminished heritage of the Khoisan communities in South Africa.

Due to the continuous scourge of deaths of young people during initiation schools, the Commission also had to conduct other engagements on customary initiation practice as part of raising awareness on the do's and don'ts during the practice in order to save lives. The deaths of young men during initiation have been a thorny issue for every season the practice is ensued in some provinces. The Commission has several meetings with parties from the affected areas and provinces to get to identify whether the deaths were as a result of human error or naturally caused. On several occasions, it was reported to be as a result of illegal initiation schools harbouring themselves in inaccessible areas, hiding themselves from those that are monitoring the practice in such areas. The Commission envisage to plan an Initiation Indaba in the future as an intervention strategy, for a collective (relevant stakeholders) to deal with the matter in line with the Customary Initiation Act of September 2021.

The CRL Rights Commission continued to inform and influence policy direction on matters related to cultural, religious and linguistic rights of communities. The research projects that were completed in the year under review, spelt out some critical recommendations which were shared with the relevant parties for their consideration. Research projects completed were centred on the following thematic areas:

- The spiritual significance of Sacred Sites in South Africa
- What is a Cultural Community and Cultural Community Rights
- What is a Religious Community and Religious Community Rights
- What is a Linguistic Community and Linguistic Community Rights

The details and rationale for the above themes are presented in part B of this report. However, a limited information is provided as each project had its own full report. It is therefore expected that for the purposes of the annual report, only limited information or a summary can be provided and whenever details of each report are required, the reader is referred to the much more detailed report as was produced by the Research Unit of the Commission.

The Commission also embarked on a capacity and capability review project which was carried over to the current financial year. However, the project was completed in the first three (3) months of the current financial year and recommendations were made for both management and staff to implement. Some major recommendations made, amongst others, are that the Commission must expand its offices to local communities in different provinces. This of course is a desirable outcome, as some of our stakeholders raised concerns for a number of years about the invisibility of the Commission in local communities. Phase 2 of the capacity and capability project is considering options in terms of actualizing some of the recommendations made.

As part of human resource management, there were two (2) disciplinary actions taken against two employees. The outcome found them guilty and were sanctioned to be suspended for a period of one (1) to three (3) months without pay. These according to disciplinary process outcome, were first offenders and a consideration was made that there was no loss of funds as goods were delivered and received as was expected by the Commission. The two (2) pending disciplinary processes were then concluded by the independent Chairperson of the disciplinary hearing.

For the Commission to continue to fulfil its mandate and run its operations, the Commission received R46 818 million in the 2022/2023 financial year as compared to R46 032 million in the previous year. The difference is R786 000 (1.71%) The Commission managed to achieve all its targets and has a surplus of R5 210 million as compared to R7 560 million. The bulk of the surplus earning which is 15% came because of under-expenditure in employee cost due to approved positions of Manager-Public Engagement and Education, Manager-Human Resources and Manager Legal Services and other positions not being filled.

The foregoing was due to resignations of previous managers on the same units, and recruitment paused due to pending capacity and capability project which was not completed yet. It would not have made a good rationale to advertise positions while the organisation has embarked on restructuring process. Other factors that contributed to the surplus is the savings on operating expenses (2%) due to lower operating activities in cell phones expenses, cons and spec and licenses. The other savings (1%) were earned because of good working relations between the external auditing work due to good working relation between the External Auditors and Commission staff.

I am greatly delighted to report that there were no new fruitless wasteful, and irregular expenditures incurred by the Commission in the year under review. In the context of executing its core mandate, the absence of regional and local offices remain an impediment for the Commission to fully achieve its constitutional mandate. Most of the communities to be served by the Commission are in far flung rural areas. To access them, the staff members and Commissioners travel long distances to get to such provinces, and on many occasions do not reach the depths of such areas but forced to centralize engagements in cities. It will be cost effective to establish the offices closer to the communities, so that they can always have access to the services rendered by the Commission. Cultural issues are dominant in the localities and communities find it difficult to lodge complaints as they are limited either by distance or lack of proper telecommunications systems. Internet system is a new enabler to get and connect people together but if it is inaccessible to ordinary people, that remains a challenge. We remain hopeful that National Treasury and the Parliament will support this vision going forward and the latter also raised concerns and advised that we be closer to communities when the matter on the same subject was discussed. Management is working on proposals to mitigate the above-mentioned challenge.

As I conclude, I again emphasise our gratitude to all our stakeholders for their support in helping the Commission attain its mandate. Our staff members and Commissioners who are always committed to forge on reaching out to cultural, religious and linguistic communities through either educating them on their rights, or collaborative research projects to resuscitate both diminished and diminishing heritages of communities, or resolving complaints as a result of violation of their rights and subject the perpetrators to processes that ensure justice to the victims. To all we say, let us continue doing a good job for our cultural, religious and linguistic communities.



Mr. TE Mafadza

Chief Executive Officer

Date: 31 July 2023

1. STRATEGIC OVERVIEW

1.1 Vision

Mutual respect amongst cultural, religious, and linguistic communities

1.2 Mission

To foster rights of cultural, religious and linguistic communities to freely observe and practise their culture, religion and language

1.3 Values

Values	Definition
Transparency	Committed to being open, honest, and straightforward in my conduct at all times when I embark in organisational operations
Professionalism	Committed to uphold high standards in self-conduct, self-presentation and adherence to the workplace policies and procedures
Responsiveness	Committed to understand the organisational, contextual and my job demands so that I can provide appropriate services on time and uphold the organisational mandate
Accountability	Committed to take full responsibility for my decisions, conduct and actions in the workplace and support and assist my colleagues to uphold the same
Integrity	Committed to and firm adherence to the code of conduct and ethics as prescribed by the organisational policies and procedures
Impartiality	Committed to unbiased, fair play and conduct in all dealings with colleagues, partners and other stakeholders in the workplace.
Respect	Committed to treating colleagues, partners and other stakeholders with appreciation and dignity always

2. CONSTITUTIONAL AND LEGISLATIVE MANDATE

2.1 Constitutional Mandate

The 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 constitutional democracy. The CRL Rights Commission was established to protect and promote the rights of cultural, religious and linguistic communities. Its mandate is achievable through both proactive and reactive approach.

In terms of sec 185 (1) the CRL Rights Commission must:

- Promote and develop peace, friendship, humanity, tolerance and national unity among cultural, religious and linguistic communities, on the basis of 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 council/councils for community/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 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, and linguistic communities and their 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 affected.
- g. Make recommendations to the appropriate organs of state regarding legislation that impacts, or may impact, on cultural, religious, and linguistic rights of communities.
- h. Establish and maintain a database of cultural, religious, and linguistic community organisations and 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 appropriate authorities or organs of state, and, where appropriate, make recommendations to such authority or organs of state in dealing 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) a Chairperson appointed by the President in terms of Section 12 and (b) no less than eleven (11) and no more than seventeen (17) members also appointed by the President in accordance with the procedure set out in Section 11.

Section 12(1) provides that the President must appoint a member of the Commission or another person satisfying the qualification set in Section 10 as the Chairperson of the Commission. Section 12(2) provides that such a person appointed must be fit and proper to hold the office of the Chairperson.

The Chairperson has powers in terms of Section 19 to decide when and where the Commission meets. In the absence of the Chairperson the Deputy Chairperson presides 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 consisting of 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 PFMA of 1999 and this act further provides clarity in terms of the functions of the Chairperson of Constitutional Institution.

Section 1.1 of the Treasury Regulations read in line with the PFMA provides functions of the Chairperson other than calling and chairing meetings. It states that an Executive Authority, the Chairperson, in relation to a constitutional institution consisting of a body of persons means the chairperson of the constitutional institution with a single office bearer - the incumbent of that office.

Members of the Commission



Prof Luka David Mosoma
Chairperson



Dr Mmamohapi Sylvia Pheto
Deputy Chairperson



Ms Nomalanga Tyamzashe
Commissioner



Mr Renier Stephanus Schoeman
Commissioner



Mr Mandla Langa
Commissioner



Ms Tsholofelo Mosala
Commissioner



Mr Sicelo Dlamini
Commissioner



Ms Ramokone Kgatla
Commissioner



Adv Richard Botha
Commissioner



Ms Sheila Khama
Commissioner

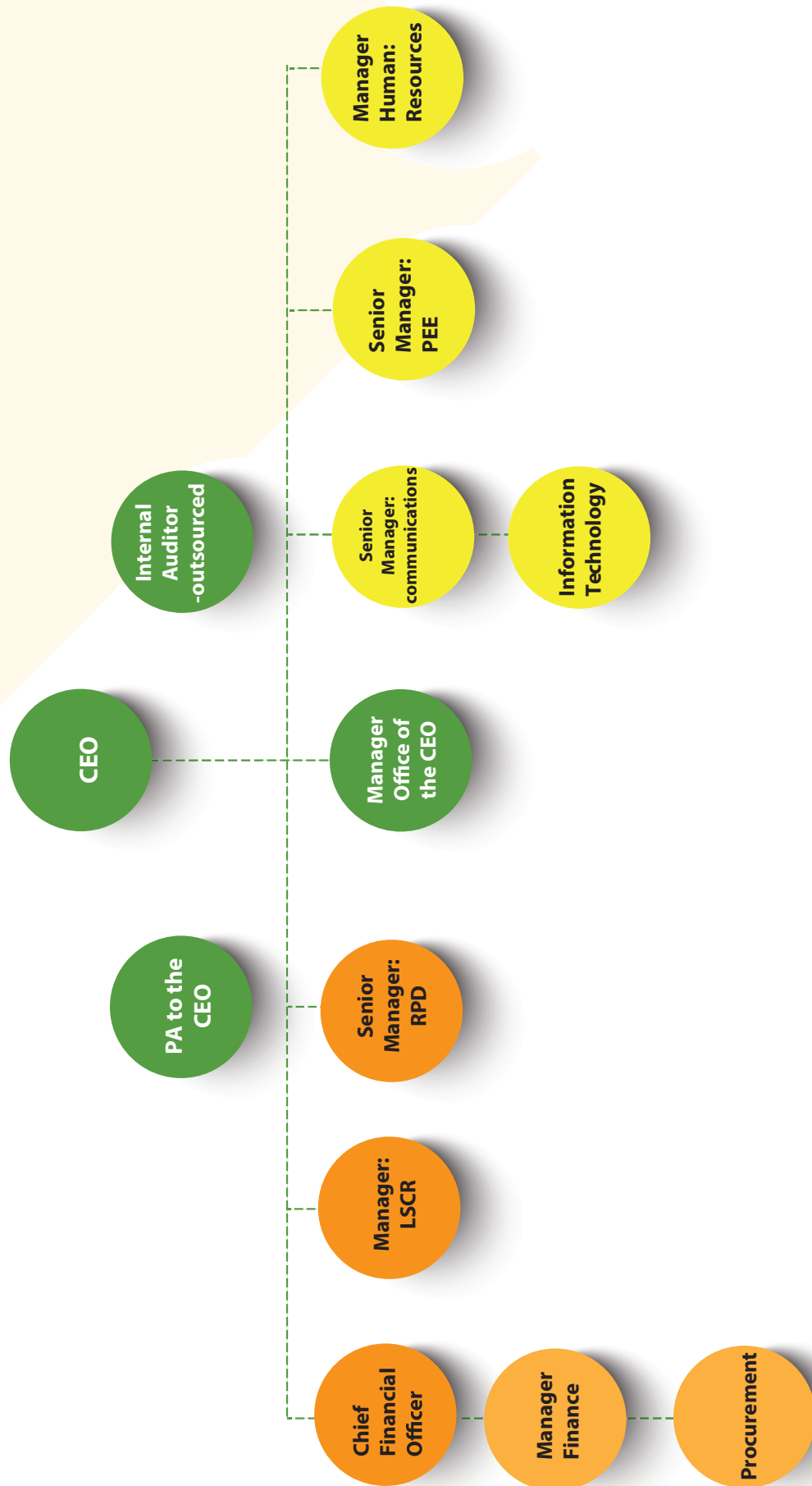


Adv Muneer Abduroaf
Commissioner

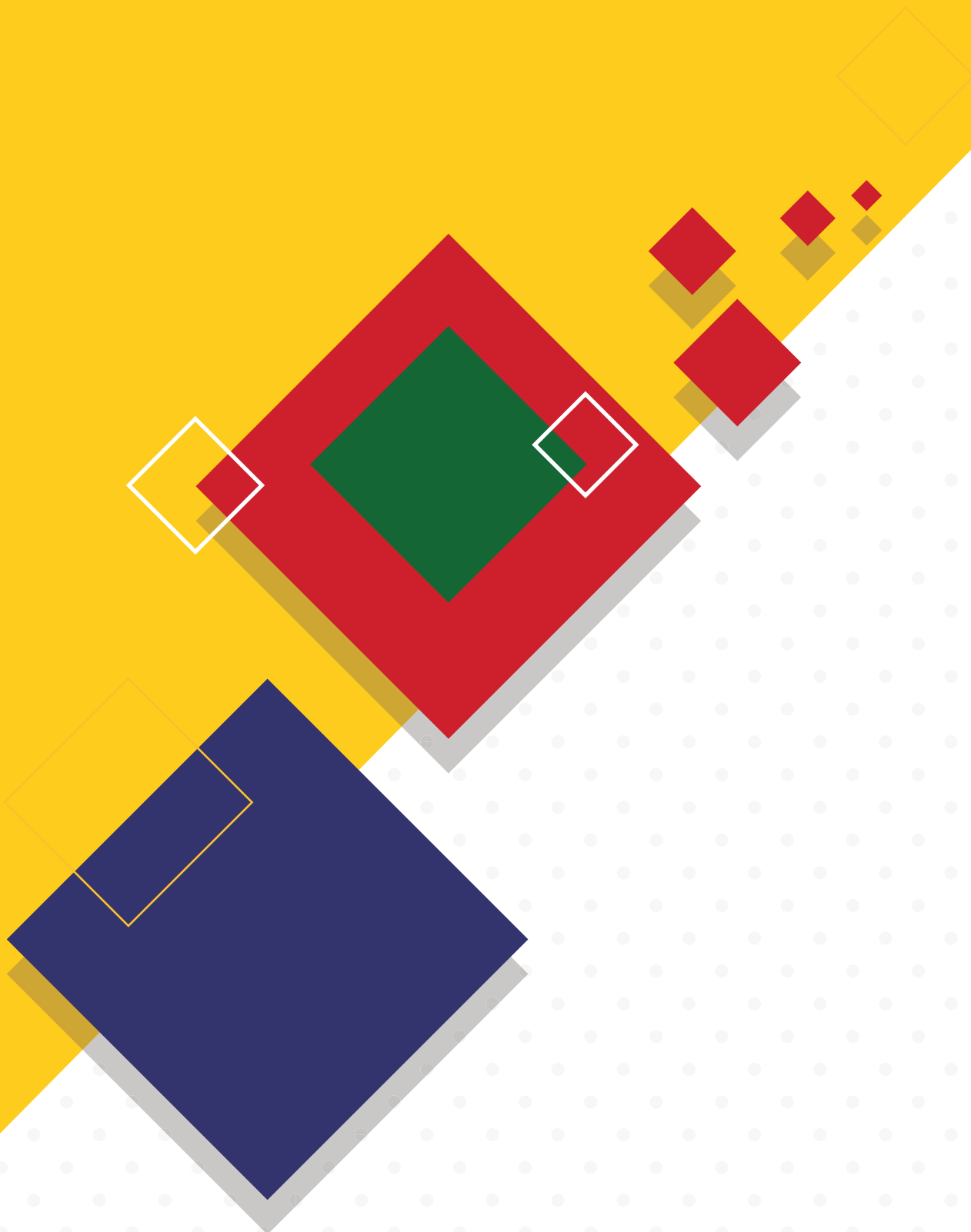
3.2. Accounting Structure and Organisational Structure

In terms of Section 30 of the CRL Act 19 of 2002 the Commission must appoint a Chief Executive Officer (the CEO). The CEO in terms of the PFMA Section 36 (2)(b) and Treasury Regulations is the Accounting Officer of the Constitutional Institution and is responsible for the administrative and financial matters of the Commission. The accounting officer is responsible for formation and development of an efficient administration, organisation, control and management of all staff and maintenance of discipline in respect of staff. He is also responsible for carrying out the decisions of the Commission and implementing 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 ended 31 March 2023

The CEO is responsible for the preparation of the institution's performance information and for the judgements made in this information.

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

In my opinion, the performance information fairly reflects the performance of the institution for the financial year ended 31 March 2023.



Mr. TE Mafadza

Chief Executive Officer

CRL Rights Commission

31 July 2023

5. OVERVIEW OF INSTITUTIONAL PERFORMANCE AND ORGANISATIONAL ENVIRONMENT

5.1 Institutional Service Delivery and Organisational Environment

The mandate of the Commission is very broad. To have its base increase annually by a minimal raise such as 2% and expect different results is very unrealistic. The Commission is entrusted with the task of ensuring peace, humility and tolerance across all cultural, religious and linguistic communities.

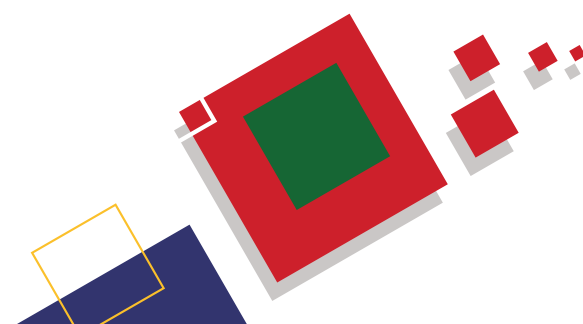
5.2 Impact Statements and Strategic Outcomes



Figure 1: Organisational Impact and Programme Outcomes

5.3 Progress towards the achievement of 5-Year 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, national unity based on equality, non-discrimination and free association.			
MTSF Priorities	Social Cohesion and Safe Communities. 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	80% of complaints handled annually
	Percentage and number of legislative reviews conducted.	67% of reviewed bills before Parliament	100% of reviewed Bills before Parliament	100% of reviewed Bills before Parliament
		64 municipal bylaws reviewed	80 municipal bylaws reviewed	16 municipal bylaws 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.	200 engagement and educational programmes conducted with cultural, religious, and linguistic communities	250 engagement and educational programmes conducted with cultural, religious, and linguistic communities	50 engagement and educational programmes conducted with cultural, religious, and linguistic communities



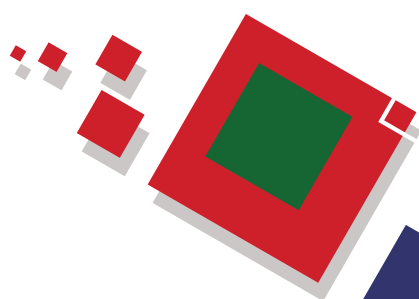
Outcomes	Outcome indicators	Baseline	Five Year Targets	Progress
Outcome 4 Research recommendations to inform evidence-based policies and sustained resuscitation of diminishing and diminished community	Number of research reports with recommendations to organs of state that seek to influence legislation and policy position.	16 research reports with recommendations produced	20 research reports with recommendations produced	4 research reports with recommendations 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	16 reports on communications, marketing and knowledge management systems produced	20 reports on communications, marketing and knowledge management systems produced	4 Reports on communications, marketing and knowledge management systems produced

Table 1: Achievements of institutional impacts and outcomes

6. 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	7	1	88%
Programme 2: Legal Services and Conflict Resolution	5	5	0	100%
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	22	1	94%

Table 2: Tabular representation of summary of results



6.1 Programme 1: Administration

Executive Office (Commissioners)

This office is responsible for provision of strategic direction and to perform oversight in terms of guiding the implementation of the Commission's mandate. It is responsible for monitoring compliance with ratified international instruments, charters and reports on progress and impact made. In addition, the office also ensures that the administration arm of the Commission performs its duties effectively and efficiently. It monitors and provides oversight to the work of the organisation through the Commission's Section 22 and Section 7 Committees. It further evaluates and approves 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 Commissioners to fulfil their oversight duties and responsibilities on the work of the Commission, subcommittees, as per Section 22 of the CRL Rights Commission have been established. In terms of this Section the Commission may establish one (1) or more committees consisting of members only or members and staff 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 Governance Committee has also been established. The function of this Committee is to support the organisation to set and achieve its objectives and to carry out, periodically, formal reviews of the competence of organisations' IT function.

Dates of Commissioners' Plenaries

Frequency	Dates
First Quarter	28 June 2022
Second Quarter	29 September 2022
Third Quarter	13 December 2022
Fourth Quarter	29 March 2023

Table 3: Date of Plenary meeting

Office of the Chief Executive Officer

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

It is responsible for addressing audit related matters including audit committee meetings and preparations for audit 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. Another function is to ensure adequate internal controls and governance processes are in place.

The Office of the Chief Executive Officer continued to implement the decisions of the Plenary. The subprogramme implemented the strategic plan, as set out by the Commissioner at the beginning of their term and has conducted monitoring and evaluation by way of providing assurance to the quarterly performance reports produced.

The unit submitted quarterly reports to the Department of Planning Monitoring and Evaluation (DPME) and National Treasury on time.

The subprogramme is responsible for request of quarterly tranche/funding from the Department of Traditional Affairs. To achieve this the subprogramme must prepare, coordinate, and consolidate documents such as quarterly reports, trial balances and financial reports that accompany the request letters as a quality assurance that the Commission still leaves up to its mandate in serving communities.

Finance and Financial Management

During the 2022/23 financial year the Finance Unit managed to achieve all its objectives. Achievements and challenges will be discussed in more detail in the following paragraphs.

Financial Management

The Finance Unit improved the quality of financial statements issued on a quarterly basis which carried through to the quality of the annual financial statements. The number of findings in respect of the Annual Financial Statements decreased to three (3) matters of housekeeping importance. The Finance Unit continues to strive for perfection and a clean audit was achieved for the third consecutive year.

Procurement

The commission continued to monitor compliance of suppliers by relying on the Central Supplier Database of National Treasury. Management have improved controls and no findings in respect of contract management were raised by the Auditor General for the review period.

Cash Management

Management of cash flow at the CRL Rights Commission is at a high standard, as the Commission managed to pay all suppliers and staff on time. The CRL Rights Commission also successfully manages delivery of services to remain in the allocated funds for the prolonged period from its inception in 2004.

The CRL Rights Commission reported a cash saving of R3, 594 million during the year under review. These funds will be used to fund once-off projects during the 2023/2024 financial year. The details of the proposed projects are currently being finalised.

6.2 Programme 2: Legal Services and Conflict Resolution

The purpose of this unit is to provide strengthened conflict resolution and legislative reviews to promote and protect cultural, religious, and linguistic rights of communities.

The unit deals with complaints/requests, provides legal advice and opinions to the Commission and to the public on cultural, religious and linguistic rights. It 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 one hundred and fifteen (115) complaints from 1 April 2022 to 31 March 2023. Thirty-two (32) complaints were on religion and eighty-three (83) on culture. There were no cases on language. Of all one hundred and fifteen (115) complaints, the unit handled and finalised one hundred and ten (110) (thirty (30) on religion, eighty (80) on culture). Five (5) cases (two (2) on religion and three (3) on culture) which were not yet finalised by 31 March 2022 will be carried over to 2023/2024.

The unit also had ten (10) cases that were carried over from the year 2021/2022 – three (3) on religion and seven (7) on culture. Of the ten (10) carried over complaints, the unit handled and finalised eight (8) complaints (two (2) on religion and six (6) on culture). Two (2) cases (one (1) religion and one (1) culture) are yet to be finalised.

The unit is expected to reach a target of 80% handled complaints (new and carried over).

On new complaints, the unit received one hundred and fifteen (115) and handled and finalised one hundred and ten (110). The unit has exceeded its target of 80% by achieving 95% handled cases in the current year.

Ten (10) complaints were carried over from the previous year (2021/2022). Eight (8) were handled and finalised. The unit met its 80% target.

Legal opinions and drafts

The unit responded to all (100%) requests received in the current year.

The unit produced legal opinions, drafts and advice as requested by the Commission.

The unit worked on, amongst others, contracts and MOUs including employment contracts, drafting of MOU between the Commission and between CRL and UNESCO UNITWIN (NET LEARNING), telephonic and written advice to members of the public on exposure of human remains near Rossenekal in Sekhukhune district alleged to have been exhumed by Eskom.

Legislative Review

Review of Bills and Legislation

The unit reviewed all (100%) of the Bills and legislation that impact on the rights of cultural, religious and linguistic communities, as well as legislation that have impact thereof as determined by the complaint.

The unit reviewed: the Basic Education Laws Amendment Bill [B 2—2022] ISBN 978-1-4850-0769-2; the Prohibition of Harmful Witchcraft Practices Bill, Registration of Muslim Marriages Bill (B30-2022), the Divorce Amendment Bill (B32-2022); Bill on the Constitution of the Republic of South Africa 18th Amendment; and KwaZulu Natal Cemetery and Crematoria Act and eThekweni Cemetery and Crematoria By-law.

Review of By-laws

The unit further produced sixteen (16) reports on the review of the bylaws that have impact on the rights of cultural, religious, and linguistic communities.

The unit reviewed the bylaws on land use for religious purposes in the following municipalities: Gauteng province - Joburg, Ekurhuleni, and Tshwane Metropolitan Municipalities; Mogale City, Midvaal, Emfuleni, Municipality, Merafong City, and Rand west Local Municipalities. KwaZulu Natal Province - eThekweni Metropolitan Municipality, KwaDukuza, Mandeni, Mthonjaneni, uMfolozi, Nkandla and uMhlathuze local Municipalities.

The unit's target is sixteen (16) reviewed metropolitan municipalities. The unit managed to meet its target by producing 16 review reports on land use for religious purposes.

6.3 Programme 3: Public Engagement and Education

This programme serves as an interface between communities and the Commission. The programme is responsible to develop information and educational programmes that facilitate public understanding of the objects of the Commission and promote respect for and protection of CRL communities. The programme further assists in the development of strategies that facilitate full and active participation of cultural, religious, and linguistic communities in nation building in the country. The programme also raises awareness among the youth in the country on the diversity of cultural, religious, and linguistic communities and their rights; The unit further assists the Commission to establish and strengthen the community councils to enhance the visibility of CRL Rights Commission in local communities. Community councils are vehicles through which the Commission can interface with communities on cultural, religious, and linguistic matters at a local level.

In the year under review the unit carried out **thirty (30) engagements** and **twenty-five (25) awareness campaigns** across the country. The details of the engagement and awareness campaigns are listed below:

Engagement with communities

Engagement with the Khoisan Communities in various provinces

In the first quarter in the year under review the Commission finalised engagements with the Khoisan Communities in the provinces that could not be visited in the previous financial year including areas such as **Hermanus, Beaufort West, Drakenstein, Oudtshoorn** and **Cape Town** in the Western Cape province, **Durban** in KwaZulu Natal and **Central Johannesburg** in Gauteng area well as **Graaf Reinet, Cradock** and **Port Elizabeth** in the Eastern Cape Province. This concluded in the second quarter of 2022/2023 financial year with the last engagements taking place in the Klerksdorp and Vryburg in the Northwest province.

The purpose of the engagements was to continue gauging how much of the heritage of the Khoisan (language and culture) was lost and what needs to be done. The Commission visited Kwa Zulu Natal, Eastern Cape and Northwest provinces and went to areas that have high concentration of the Khoisan communities. As reported previously, it could be concluded that in the provinces Limpopo, Mpumalanga, Free State, Kwa-Zulu Natal and the Northwest, the Khoisan language has completely died. It should be noted that a language like anything else, is a living organism; it develops, grows and matures and eventually dies if it is not used. The death of the language in the provinces mentioned above is attributed to the fact that there are no speech communities in those provinces. It could also be reported that the Nama and /N!uu languages are alive in the Northern Cape and that there are few schools in the province that offer 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 use the language. The challenge with other provinces is that no one speaks the language.

The main concern that came from the areas visited when concluding the roadshow was that leaders are more interested in their traditional leadership recognition, and they want to use the Commission's recognition (community council recognition) as a tool for pursuing traditional leadership recognition.

Engagement with cultural community in Phalaborwa over initiation reports– 7th September 2022

The Commission responded to a complaint and media reports regarding initiates being admitted to hospitals in the Mopani District (Limpopo Province) in the recent past. Parents of initiates voiced concerns about complications following the circumcision surgery, resulting in hospitalisation of no less than two hundred and ninety-two (292) initiates. This necessitated the Commission to investigate the matter and engage with the affected parties, mainly from the community represented by parents and guardians of initiates. The Commission engaged with communities, traditional leadership, relevant stakeholders, and customary initiation practitioners in the areas and in its intervention observed a number of challenges that are facing customary initiation practice. The engagement with the community overlapped into the new financial year and a comprehensive report was concluded with recommendations to relevant stakeholders.

Some challenges observed were

- Communication breakdown between the traditional surgeon and the traditional council. This can be attributed to the fact that the traditional leader is a woman and women are normally not involved once the initiation schools is in operation
- Pressure from the parents after admissions were closed - new entrances to the school were opened leading to loss of accountability and control over number of initiates were admitted.

Engagement with cultural and religious communities in collaboration with the Law Reform Commission

The Commission had several engagements with cultural and religious communities inclusive of traditional councils and traditional health practitioners in **Acornhoek** in Mpumalanga Province and in **Moletjie Traditional Authority** (with **Moletjie Traditional Council**, **Traditional Health Practitioners** and the **Community of Helena**) to solicit inputs on the relevance of the Witchcraft Suppression Act of 1957 as well as to get relevant stakeholder inputs on the new proposed Bill. This came after the Law Reform Commission was requested to investigate the constitutionality of the Witchcraft Suppression Act of 1953 as amended by the Witchcraft Suppression Amendment Act 50 of 1970. Following this request LRC met with different stakeholders to discuss the contents of the act and submissions were made. The CRL Rights Commission per its legislative mandate has a responsibility in terms of Section 5(1)(c) of the CRL Act to '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 and further to make recommendations to the appropriate organ of state regarding legislation that impacts, or may impact, on the rights of cultural, religious and linguistic communities", as per Section 5(1) (i). Section 6 of the CRL Act gives authority to the CRL Rights Commission to cooperate with other Constitutional Institutions and organs of the state to assist in performing any of its functions.

After all engagements it was clear that the Act in its current form has to be amended as it has a negative impact on traditional health practitioners. They are not against regulation of such but require that definitions be present as to distinguish the harmful witchcraft related practices from the rest of the African traditional healers or herbalists. From the discussions and engagements, the LRC came up with a new Bill to repeal the old Act. This new Bill criminalises witch-hunts and accusing a person of being a witch or practising witchcraft.

Stakeholder Engagement with the cultural and religious communities within school communities

The Commission had several other engagements with cultural and religious communities within the school environment in the third quarter of the year under review. Engagements took place in **Hoedspruit Limpopo, Stateng (Mahikeng) and in Barolong at the Rapulana in Northwest and Johannesburg**, and **Evaton** in Gauteng and in **Sasolburg, Daneysville, Oranjeville and Beverly Hills** in the Free State Provinces. These were prompted by various concerns raised relating to learners becoming too religious and others feeling the urge to be training in traditional healing. School authorities and leaders were unsure how to proceed and felt that the best solution for the school authorities was to call Christian spiritual leaders within their communities to come an offer prayer with an attempt to cast out demons. This put Christian communities and traditional healing communities at loggerheads. A more inclusive national stakeholder engagement is scheduled to take place before the end of the third quarter in the current financial year and a full report with recommendations will be shared once the dialogue is held.

Preliminary challenges observed were the following:

- Initiation of young children into traditional healing leading to interruption of learning and teaching
- No authentication and validation of the spirits that attack the youngsters.
- School authorities are ill equipped to deal with spiritual manifestation.
- Religious attire worn by learners in schools disrupts learning and teaching.
- Learning wearing long hair those from the Shembe Church continue to be discriminated against.

Engagement with Capitec Bank

The Commission's engagement with Capitec Bank after receiving a complaint from the bank's employees who felt their cultural rights were violated. through the banks new dress code policy. The Bank introduced a new dress code that states that religious and or traditional accessories are allowed but should not be visible; they can be worn however they should always be covered and can be worn underneath clothes. They complaint was that the new dress code infringes on their religious and cultural rights and in a way discriminatory towards them as traditional healers as some of their beads cannot be worn in a way they are completely covered and out of sight.

The Capitec matter was referred to the Public Engagement and Education Unit for further engagement and to provide further education to the Bank authorities on the cultural and religious rights of communities. One of the things that were pointed out to the bank where the provision of the constitution as outlined in Section 15 that spell out that everyone has the freedom of religion, belief and opinion as well as Section 30 and 31 which guarantees cultural, religious and linguistic rights; that persons belonging to a cultural, religious and linguistic community may not be denied the right with other members of that community; to enjoy their culture and practise their religion.

At the end of the engagement there was a consensus reached that there is still lot to learn and education to be conducted.

- The Bank made a recommitment to ensuring their employees that it has their interest at heart and that it will promote and protect their cultural, religious and linguistic rights.
- That the employees should be encouraged to work together with their line manager, an individual should take the responsibility to inform the manager of the process she or he is going through and what it will entail especially how the outcome will affect the employer and clients which the bank services.
- That the policies should be more accommodative of cultural and religious rights.
- There needs to be a national campaign aimed at capacitating all structures of the bank on promoting and protecting Cultural and Religious rights.

Awareness Campaigns

The theme of campaigns in the year under review was to spread the role of the CR Rights Commission in promoting and protecting the rights of religious and cultural practices. Through the Unit the Commission conducted awareness campaigns in the first quarter in areas of **Mabheje**, **Tekwini** and **Thebeni** in the Eastern Cape, **Morokwaneng**, **Ganyesa**, **Dithakwaneng** and **Taung** in the Northwest and in **Ga-Seleka**, **Seshego** and in **Polokwane** in Limpopo province. These areas especially in the Eastern Cape and Northwest were targeted mainly because high rate on initiation fatalities during the initiation season.

The following concerns were raised:

- Unemployed youth operate illegal initiation schools for purposes of generating income for themselves. They view such activities as a form of commercialisation of the cultural initiation practice.
- Young boys are lured or attracted to initiation schools as a passage of manhood for a variety of wrong assertions such as: they qualify to sit in traditional courts, they are regarded as fully-fledged men, they have the right to smoke, drink and have girlfriends.
- Initiation schools are seen as breeding grounds for drug and gang related crimes.

- Those running initiation schools are feared because they are viewed dangerous by the community.
- It is said young initiates are law unto themselves as they run gangs to beat community members to validate their newly found manhood.
- Communities are alleging that members of the South Africa Police Service who intervenes where challenges are at legal and illegal initiations should themselves be compliant and should have undergone initiation passage themselves when they are called in to assist.

Other awareness campaigns were conducted with communities in the following areas: **Xikundu**, **Madimbo** and **Tshimpupfe village** in Collin Chabane and Musina municipalities respectively, in **Thabo Mbeki village** in Lephalale municipality in Limpopo as well as in **Mhluzi** and **Hendrina** townships in Steve Tshwete municipality in Mpumalanga. The sole purpose of this campaign was to bring the service of the Commission closer to areas that the Commission has never been.

A major issue that came from Hendrina in Steve Tshwete municipality in Mpumalanga relating to the lack of access of communities to ancestral graves. Some community members indicated that they were forcefully removed and were forced to exhume some of the graves and re-bury remains in the local residential areas. Some concerns raised were that the Commission did not care about traditional healing and did nothing to capacitate their members.

Of concern was the lack of visibility of the Commission in local areas unlike other Commissions. This forced communities to seek help elsewhere for work which could be done by the Commission.

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

The programme is responsible for developing research 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 undertake projects that support the promotion, rediscovery, restoration and development of historically diminished heritage.

It develops 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 the RPD this programme carried out the following research projects:

- a. Spiritual Significance of Sacred Sites in South Africa
- b. What is a Cultural Community and what are Cultural Community Rights
- c. What is a Religious Community and what are Religious Community Rights
- d. What is a Linguistic Community and what are Linguistic Community Rights

The Spiritual Significance of Sacred Sites in South Africa

The CRL Rights Commission has in the past received complaints from communities about the refusal by either organs of state or private farm owners to grant access to places like caves, rivers and mountains which have spiritual significance to their belief systems. To try and understand the matter better and be in a position to make recommendations, the RPD Unit embarked on a research and visitation of some sites which have a spiritual significance to communities.

The objectives of this research were:

- To investigate the significance and challenges faced by the CRL communities in accessing caves, rivers, and mountains for spiritual reasons.
- To learn about different ritual practices and spiritual benefits that happen in these sacred sites.
- To find out the challenges that cultural, religious, and linguistic communities face when accessing these sacred sites and how can the CRL rights commission can assist.
- To ensure the CRL community rights to religious freedom are promoted and protected.
- To identify and highlight some known sacred sites used by the communities.

This report makes the following recommendations:

- The Department of Sports, Arts, and Culture, the South African Heritage Resources Agency (SAHRA), municipalities, and organisations that deal with sacred site issues should collaborate to transform sacred sites into national or provincial heritage sites that will be used to educate the public about the history and significance of these sacred sites. This can result in job creation and economic growth for the members of the community.
- Municipalities should hire security to help with access control and safeguarding sacred sites.
- Municipalities and provincial departments should work out a deal with private landowners to allow access for practitioners to conduct their ritual practices.
- Municipalities should grant legal custody of sacred sites to local cultural communities to run them as museums and heritage centres and thus benefit from the tourism or economic spinoffs of the places.
- Development and implementation of the custodianship management plan of sacred sites should be handed over to the affected communities.
- There should be an establishment of the association for sacred sites that will train and educate community members on environmental care and management pertaining to sacred sites.
- Sites like the Giant Footprint, Adams Calendar, Cradle of Life and Genesis should be declared heritage sites by the National Department of Sports, Arts and Culture.

What is a Cultural Community and what are Cultural Community Rights Report?

According to the CRL Act, the CRL Rights Commission is mandated to promote and protect the cultural rights of communities. However, when one looks at the CRL Act it is silent on what a cultural community is and what are cultural community rights. The RPD Unit held dialogues in all nine (9) provinces with cultural communities and hear how the cultural communities describe themselves.

The objectives of the dialogue were:

- To come up with a working definition of the term “cultural community” in the context of the CRL Rights Commission.
- To understand how different communities define their cultural community rights.

Definition of a cultural community

The participants defined a cultural community as:

- A way of life guided by elders and shaped by community laws passed down through generations.
- A group of people sharing the same geographical location, along with a common set of values, beliefs, and religion. In this context, the governance of a cultural community is entrusted to elders and the customary laws specific to that community, which are passed down from one generation to the next.
- Encompassing the diversity of beliefs based on race or ethnic groups. Some participants also emphasised that cultural communities undergo evolution and change over time instead of remaining static.
- The collective beliefs of a community, reflecting their diverse perspectives. The most prevalent definition among the participants was that a cultural community constitutes a way of life.

Recommendations

The participants recommended that:

- The Department of Arts, Culture and Recreation must establish cultural offices in all provinces to assist individuals who require it with promotion and protection of their cultures and traditions.
- Municipalities should pass bylaws that will protect traditional healers and cultural communities that practice their cultures especially in cities.
- The relevant organs of state should carry out education and awareness campaigns about cultures and customs with the aim of teaching the South African society about the other people's cultures and customs.
- The Department of Traditional Affairs should conduct workshops that introduce updated approaches to the living customary law to enable cultural communities to understand and employ strategies that will help them assert their rights to their living resources by utilising customary law effectively.

What is a Religious Community and what are Religious Community Rights Report?

According to the CRL Act, the CRL Rights Commission is mandated to promote and protect the religious rights of communities. However, when one looks at the page that deals with definitions, the CRL Act is more about what a religious community is and what religious community rights are. The RPD Unit held dialogues in all nine (9) provinces with the religious communities and hear how the religious communities describe themselves.

The objectives of the dialogue were:

- To come up with a working definition of the term "religious community" in the context of the CRL Rights Commission.
- To understand how different communities define their religious community rights.

Definition of a Religious Community

According to the participants, a religious community is:

- A gathering of like-minded people which has to do with respect for each other's convictions. These people recognise faith as the common denominator in all that they do. It is also a group who share religious beliefs and adhere to a particular order or way of life, even though their doctrines may vary. A religious community believes in a higher power and order and have leaders or individuals who should show high morality and values of character and attitude. .
- A community with a distinct identity, formal structures, led by a leadership which is guided by high values and standards. It is an agency and foundation of knowledge which respects every religion and belief, with a primary aim of building a better society, nation, and country.
- A council of believers formed by various faith beliefs. Some went further to add that a religious community is a group of people with common belief systems based on a biblical principle for example the Christian community believes in Jesus Christ. A religious community is also a group of people who hold a specific belief in the name of their God/Gods - the belief in the manner they worship or perform their rituals within the borders of South Africa.
- A gathering of individuals who have common religious beliefs, habits, practices, and ideologies. In describing a religious community to employ 'community' as a description of any group of people is to characterise the quality of their togetherness and not simply to provide a description of their gathering. Though frequently the term is used as a synonym for orders, residential religious groups, congregations, churches, synagogues, or missions, religious communities are not simply spaces where religious rituals happen or organisational entities of religious life. Some further alluded that the use of the term religious community often implies an account of the type of religious culture that is valued and sometimes a kind of romanticism about the quality of relationships among members of the gathering.

Recommendations

The participants recommended the upholding of the constitutional rights:

- To gather to observe one's religious belief, freedom of expression regarding religion.
- To make choices according to their convictions.
- To change their faith and not be forced into other religions.
- To educate their children in accordance with their philosophical and religious convictions.
- To be allocated land specifically to build churches, synagogues, mosques, temples, chapels, etc for worship.
- To evangelise anywhere in the country.
- To lodge objections or to open cases concerning religious activities.
- To practice their religion without any form of intimidation.

What is a Linguistic Community and What Are Linguistic Community Rights?

According to the CRL Act, the CRL Rights Commission is mandated to promote and protect the cultural rights of communities. However, when one looks at the CRL Act is silent about what a linguistic community is and what linguistic community rights are. The RPD Unit held dialogues in all nine (9) provinces with linguistic communities and heard how the linguistic communities describe themselves.

The objectives of the dialogue were:

- To come up with a working definition of the term 'linguistic community' in the context of the CRL Rights Commission.
- To understand how different communities define their linguistic community rights.

Definition of a linguistic community

- Different language communities defined a linguistic community as a group of people who share a common language as a means of self-identification, regardless of the size of the group. They further recognised that linguistic communities are not limited to large groups of people, and that even small groups can identify with a particular language and use it to express their culture and identity.
- Some went on to add that a language community is a title given to a homogenous group of people bound together by a common language or similar linguistic habits.
- A linguistic community is a group of people who share a common language, including specific linguistic features such as dialects, accents, and unique vocabulary. This can also extend to cultural practices and customs associated with the language.

Recommendations

In the end, the communities made the following recommendations that:

- Provincial and local governments should standardise and embrace the various dialects found in all provinces to celebrate and appreciate the diversity of languages present in our country. This approach would not only foster a sense of unity and pride within linguistic communities but would also ensure that these dialects are understood and valued by future generations.
- Places such as courts, health facilities and other government offices should accord members of communities the right to express themselves in their preferred dialect or language and not be forced to communicate in English.
- Departments of Recreation, Arts and Culture and PanSALB, should proactively undertake the development and translation of all dialects found across the nine (9) provinces of South Africa. This would promote linguistic diversity and inclusion and ensure that all linguistic communities have access to resources in their preferred language.

6.5. Programme 5: Communication, Marketing, IT and Linkages (CML)

The Communication, Marketing, IT and Linkages Unit has continued to ensure successful profiling and repositioning of the Commission through various communication platforms as well as through stakeholder engagements and exhibitions.

The Commission managed to significantly impact the communication discourse and enhance ongoing dialogues through print, broadcast, and online platforms regarding various issues related to the Cultural, Religious and Linguistic communities. Notably, the impact of enhanced communication and marketing function was confirmed through media tracking and the analysis service which the Commission has put in place in order to monitor the media and general public discourse related to its work and mandate. Furthermore, this monitoring platform has enabled the Commission to follow up issues that impacted the implementation of its programmes. The Unit has continued to strengthen its relationship with various media platforms resulting in balanced reporting of the Commission's work within and among religious, cultural, and linguistic communities.

Marketing activities in the year under review

The Communication and Marketing Unit is expected to identify and create opportunities to raise the Commission's profile. To realise this goal, the Unit is expected to continuously explore opportunities to raise awareness among other things through exhibitions and other forms of support to the different CRL Rights Units. For this reason, this Unit participated in the following exhibition/events:

Exhibitions undertaken

- 13 – 18 April 2022 Rand Show, which took two (2) years' break due to Covid-19 restrictions during the lockdown. The aim of participating at this show was to reach out to the cultural, religious, and linguistic communities as the show is visited by many people from local and provincial communities.
- August 2022 – Female Traditional Leaders Stakeholder Engagement in Durban, KwaZulu Natal Province.
- 17 September 2022 – Jabulani Hostel community outreach in Gauteng.
- 23 – 25 September 2022 – Durban Business Fair in KwaZulu Natal Province.
- 24 September 2022 – Boulders Mall Heritage Day Celebration in Gauteng.
- 5 -9 December 2022 – Mapungubwe Arts Festival hosted by Department of Sports Arts & Culture at the Library Gardens, Polokwane, Limpopo.
- 21 March 2023 – Human Rights Day commemoration hosted by Department of Sports Arts & Culture in Gauteng Province at the Sharpeville George Thabe Stadium. The Commission's official was joined by Commissioner Dlamini, a member of Communication and Marketing Section 22 Committee. The exhibition was a success as the Commission's representatives were able to meet with different groups on culture, religion, and linguistics communities. Visitors to the stand were mostly addressed in groups as the stadium was overcrowded, and a few individuals were addressed privately as they were relating their personal matters regarding culture and religion. The Commission's stand was also visited with excitement by groups which are already part of our community councils.

Some of the materials and publications shared with visitors included the CRL Act no 19 of 2002; Information Card, Complaint Form, and the Community Councils Registration Form.

Support services provided to the core function of the Commission.

During June 2022, the Unit together with Public Education and Engagement Unit visited the KwaZulu Natal Province, eThekweni Municipality in response to the floods which happened in the province during April and May 2022. Among other stakeholders, the Commission had a briefing session with the eThekweni Municipality Disaster Management Team which was tasked to provide urgent assistance to the affected families and individuals. The purpose of the meeting was for the Commission to listen to Disaster Management regarding the impact of the floods. The Commission needed to engage with the cultural and religious communities and community councils regarding the impact of the floods in their respective areas. This engagement was aimed at ascertaining the needs and the gaps which were to be shared with the disaster management team.

Community outreach and awareness campaigns

The Communication and Marketing Unit collaborated with the Public Education and Engagement Unit on community outreach programmes and engagements including

- Community outreach with the Khoi and San in the Western Cape on 20-24 June 2022. Among other things this engagement was aimed at promoting the Nama and !N/uu languages which are mainly spoken by the Khoi and San community, listening to their concerns related to cultural, religious and linguistic matters; Conscientizing KhoiSan communities of their constitutional rights; Identification of common cultural, religious and linguistic values to build social cohesion stability and national reconciliation.
- 26–28 October 2022: Free State, Setsoto Local Municipality: Marquard, Clocolan and Ficksburg.
- The two (2) units jointly conducted an outreach programme for Community Councils in the Free State Province 22–24 November 2022: Free State, Metsimahalo Local Municipality: Sasolburg, Deneysville and Oranjeville.
- 13–15 December 2022: Gauteng: Sedibeng, Evaton and Kagiso.
- 14–16 February 2023: Limpopo, Hoedspruit – Maruleng Local Municipality in Makgaung, Hlohlowe and Sedawa.
- 23– 24 February 2023: Northwest - Mahikeng in Disanang and Madibogo.
- 7–9 March 2023: Free State - Moqhaka Local Municipality: Sasolburg in Steynsrus and Matlwangtlwang.

A follow-up meeting was hosted by the CRL Rights Commission at which Kgoshi Malatji of Ba-Maseko Traditional Authority and Mr Mahasha (an initiation Surgeon) responded in respect of the injuries and challenges experienced by about two hundred and ninety-two (292) at an initiation school in Phalaborwa.

Media and social media activities

Mainstream media

- 16 May 2022 - Condolence message on the passing of South African gospel singer Dr Debra Fraser.
- 29 May 2022-The CRL rights commission welcomes the Constitutional Amendment Bill for South African sign language as an official language.
- 06 June 2022 - Statement issued by the CRL Rights Commission condemning the action of pastor Mbali which allegedly led to the death of a child as well as another incident in the Northwest Province where it is alleged that some elderly members were found naked in a church and in the presence of children.
- 15 June 2022 - Media Statement on youth commemoration demystifying myth on cultural practices and traditional healing, GBV and substance abuse.
- 29 June 2022 - Message of condolences issued by the CRL Rights Commission to a 15-year-old sangoma learner who passed away after her suspension from Nombika High School because of her traditional attire to school.
- 29 June 2022 - Media statement issued by the CRL Rights Commission condemning the circumstances that led to the death of Mbalenhle Ngobese.
- 22 August 2022 - Statement issued by the CRL Rights Commission celebrating the recognition and ascendancy to the throne of his Majesty King Misuzulu ka-Zwelithini.
- 08 September 2022 - Media statement issued by the CR Rights Commission in response to a decision by Greytown High School to suspend a Grade 11 learner, Mr Mohammed Godhi.
- September 2022 - Media invite to attend a dialogue by the CRL Rights Commission on religious communities and their rights.
- September 2022 - Media invite to attend a dialogue by the CRL Rights Commission on religious communities and their rights.
- 05 September 2022 - statement issued by the CRL Rights Commission condemning the circumstances that led to injuries experienced by more than two hundred (200) young men at an initiation school in Phalaborwa.
- 24 October 2022 - Media statement issued by the CRL Rights Commission in support of the Hindu festival of Diwali.
- 03 November 2022 - Media statement issued by the CRL Rights Commission condemning the attack at Holiness Ministries where five (5) gunmen stormed the church and fatally wounded the pastor during a robbery.
- 09 November - Media statement on the latest update of the upcoming initiation season in the Eastern cape.
- 29 November 2022 - Media statement issued by the CRL Rights Commission condemning the attack on the Seven-Day Adventist church by thugs in central Johannesburg.
- 06 December 2022 - Media invite to a colloquium on gender-based violence.
- 05 December 2022 - Media statement issued by the CRL Rights Commission to extend its deepest condolence to the family of 14 people of Masowe church who were swept away in Juksei River during the baptism ritual on Saturday 03 December 2022.
- 13 February 2023 - Media advisory released by the CRL Rights Commission in respect to its community outreach in Maruleng local municipality and Matlwangtlwang Free State.

- February 2023 - Media advisory released by the CRL Rights Commission in respect to its community outreach in Disang and Madibogo Northwest.
- 01 March 2023-Media invite to attend a dialogue by the CRL Rights Commission on the religious communities and their rights in Cape Town.
- 22 March 2023 - media invite to attend a dialogue by the CRL Rights Commission on the religious communities and their rights in Mafikeng Northwest

Social media activities: Facebook and Twitter

First Quarter

Facebook has improved and gained one thousand eight hundred (1800) new followers

Facebook has thirteen thousand seven hundred (13700) likes.

13581 people following the CRL Facebook Page.

Twitter has two thousand two hundred and ninety-five (2295) followers with nine (9) updates posts.

Second Quarter

Facebook has improved and gained two thousand (2000) new followers

Facebook has thirteen thousand five hundred (13500) likes.

Thirteen thousand five hundred and eighty (13580) people following the CRL Facebook Page.

Twitter has two thousand two hundred and ninety (2290) new followers with eight (8) updates posts.

Third Quarter

Facebook has improved and gained two thousand (2000) new followers

Facebook has thirteen thousand eight hundred (13800) likes.

Thirteen thousand five hundred and eighty-one (13581) people following the CRL Facebook Page.

Twitter has two thousand two hundred and ninety-five (2295) new followers with nine (9) updates posts.

Fourth Quarter

Facebook has improved and gained new followers.

Facebook has thirteen thousand four hundred (13400) likes.

Thirteen thousand (13000) people are following the CRL Facebook Page.

Twitter has two thousand three hundred and seventy-four (2,374) followers with ten (10) updates posts.

Information and Communication Technologies (ICT) Activities

The Commission appointed external consultants to provide full support for its applications, however the IT unit also provides some support for applications including Sage evolution, payroll and Jarrison Time. Some functions provided to support business of the Commission are:

- Reset of passwords for users
- Monitored backups for Sage Evolution database.
- Installed and setup Jarrison Time for HR department.
- Troubleshoot errors for Sage Evolution log on.
- Installed Sage Evolution.
- Payroll and Sage Evolution server installations
- Adjusted access rights on Sage Evolution
- Grant consultants' access to Sage Evolution and payroll servers
- Installed Jarrison Time application on the server (biometric system)
- Continuous support for the Commission's network
- IT continued to provide support for servers and the network in the commission including installing updates on the servers, ensuring availability of the internet to all users in the commission.
- Providing support for VPN.
- Setting up VPN for users
- Monitoring the running of backups according to schedules
- Performed backup restoration tests.
- Enrolled on the storvault cloud backup solution.
- Restored all servers after the virus attack.
- Assisted external auditors with internet connectivity.
- Continuous support for Microsoft 365 applications
- Troubleshoot synchronization errors on Azure Active directory.
- Provided continuous support for emails.
- Setup emails for users on new laptops
- Installed all required Office 365 applications for users.
- Provide support for Printer equipment.
- Attended to all logged printer faults and distributed toners to users as per requests.
- Installed printers for users on new allocated laptops.

7. Performance Information tables

Programme 1: Administration: Organisational Development and Support Services										
Outcome	Output	Output Indicator	Audited Actual Performance 2020/2021	Audited Actual Performance 2021/22	Planned Annual Target 2022/2023	Actual Performance 2022/2023	Deviation from planned target to actual achievement	Reasons for deviation		
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 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	8 recommendations made from Plenary and oversight committee meetings held per annum	Achieved	No deviation		
		Number of quarterly performance reports reviewed per annum	4 quarterly reports were reviewed by the CEO within thirty (30) days after the start of the new quarter	4 reviewed quarterly performance reports per annum	4 reviewed performance reports per annum	4 reviewed performance reports per annum	4 reviewed performance reports per annum	Achieved	No deviation	
		Number of quarterly financial statements reviewed per annum	4 quarterly financial statement reviewed per annum	4 quarterly financial statement reviewed per annum	4 quarterly financial statement reviewed per annum	4 quarterly financial statement 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 per annum	4 quarterly internal audit reports per annum	4 quarterly internal audit reports per annum	4 quarterly internal audit reports per annum	Achieved	No deviation	
		Percentage of approved performance agreements aligned to the strategy and the structure annually	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	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	100% approved annual performance agreements aligned to the strategy and the structure annually	Achieved	No deviation

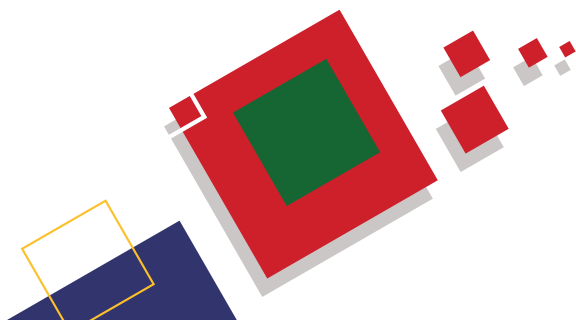
Programme 1: Administration: Organisational Development and Support Services								
Outcome	Output	Output Indicator	Audited Actual Performance 2020/2021	Audited Actual Performance 2021/22	Planned Annual Target 2022/2023	Actual Performance 2022/2023	Deviation from planned target to actual achievement	Reasons for deviation
		Percentage of workplace skills development plan implemented per annum	Approved workplace skills development plan	155% of workplace skills development plan implemented per annum	100% of workplace skills development plan implemented per annum	100% of workplace skills development plan implemented per annum	Achieved	No deviation
		Percentage of queries on internal and external audit findings resolved annually	Updated audit findings register and resolved queries per annum	83.75 % of all queries on internal and external audit findings resolved annually	100% of all queries on internal and external audit findings resolved annually.	81.48% of all queries on internal and external audit findings resolved annually	Not achieved	Remaining queries have been processed and awaits confirmations from 3rd parties.
		Number of reports on implemented risk management strategy per annum	Updated risk register and approved risk management policy	1 report on implemented risk management strategies per annum	4 reports on implemented risk management strategies per annum	4 reports on implemented risk management strategies per annum	Achieved	No deviation

Programme 2: Legal Services and Conflict Resolution								
Outcome	Output	Output Indicator	Audited Actual Performance 2020/2021	Audited Actual Performance 2021/22	Planned Annual Target 2022/2023	Actual Performance 2022/2023	Deviation from planned target to actual achievement	Reasons for deviation
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	80% of complaints (new and carried over) handled annually	85% of new complaints handled annually	80% of new complaints handled annually	95% of new complaints handled annually	Overachieved	Increased human resources capacity
	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 legal advice and opinion requests annually	100% response to all legal advice/ opinion requests annually	100% response to all legal advice/ opinion requests annually	100% response to all legal advice/ opinion requests annually	Achieved	No deviation
Strengthened conflict resolution and legislative reviews to promote and protect cultural, religious and linguistic rights of communities	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	Report on the Bills before Parliament and recommendations on legislation that impacts on the mandate of the CRL Rights Commission as guided by received complainant s/ requests per annum	67% of reviewed Bills before Parliament that impact on cultural, religious and linguistic rights of communities as guided by received complaints	Review 100% 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	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	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	Report on the Bills before Parliament and recommendations on legislation that impacts on the mandate of the CRL Rights Commission as guided by received complainant s/ requests per annum	15 Review reports on metropolitan municipalities bylaws 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	16 Reviewed municipal By-Laws that impact cultural, religious and linguistic rights of communities per annum	16 Reviewed municipal By-Laws that impact cultural, religious and linguistic rights of communities per annum	Achieved

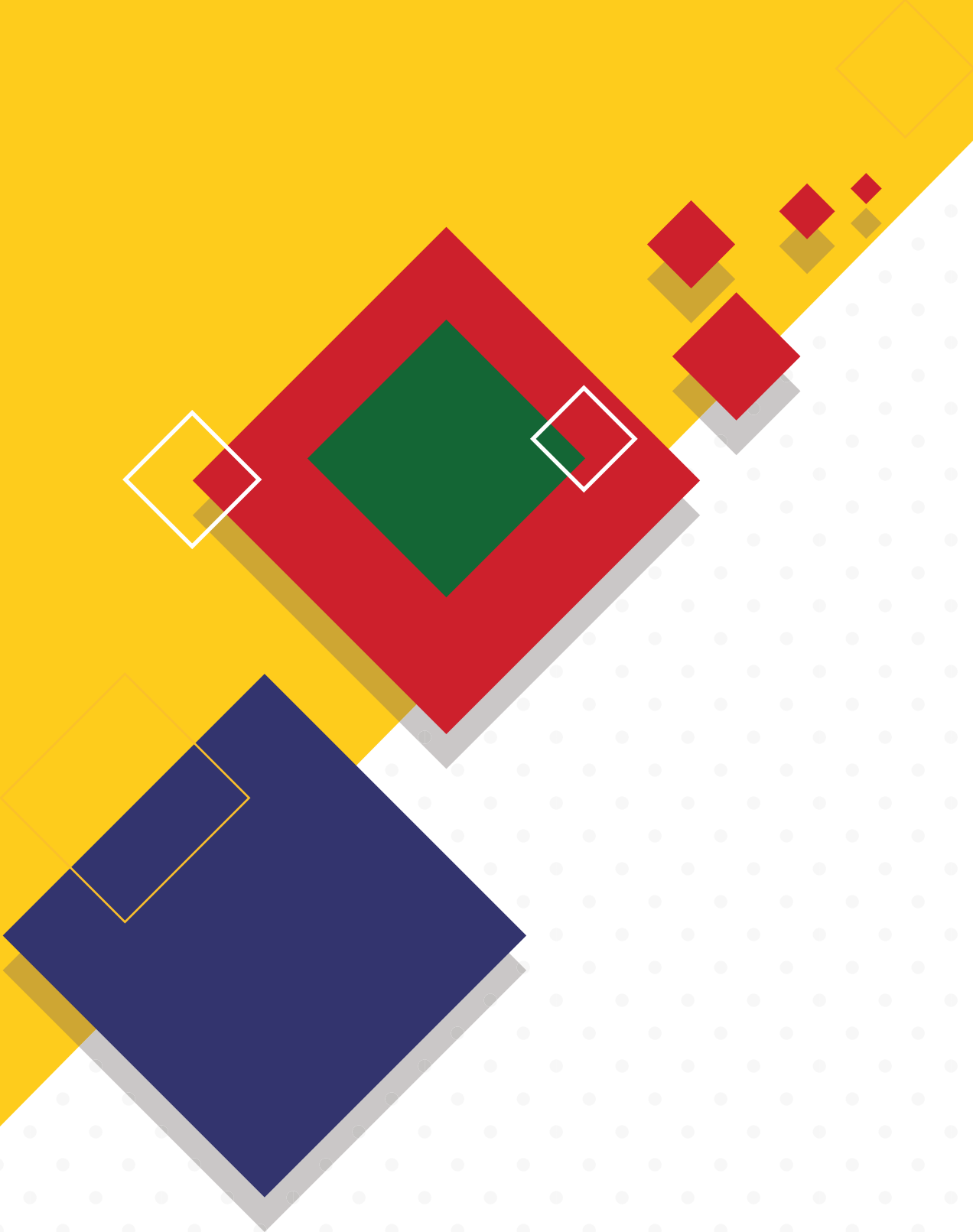
Programme 3: Public Engagement and Education (PEE)								
Outcome	Output	Output Indicator	Audited Actual Performance 2020/2021	Audited Actual Performance 2021/22	Planned Annual Target 2022/2023	Actual Performance 2022/2023	Deviation from planned target to actual achievement	Reasons for deviation
Effective, 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	24 engagements on cultural, religious and linguistic rights of communities per annum	27 engagements with communities on cultural, religious and linguistic rights of communities conducted per annum	30 engagements with communities on cultural, religious and linguistic rights of communities per annum	30 engagements with communities on cultural, religious and linguistic rights of communities per annum	Achieved	No deviation
	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	20 public educational 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	25 public educational awareness campaigns on cultural, religious and linguistic rights of communities conducted	25 public educational awareness campaigns on cultural, religious and linguistic rights of communities conducted	Achieved	No deviation
	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	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 maintained database of community organisation and institutions per annum	1 updated maintained database of community organisation and institutions per annum	Achieved	No deviation
Programme 4: Research and Policy Development								
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	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	4 research reports on cultural, religious and linguistic rights produced per annum	Achieved	No deviation

Table 4: Performance Information tables

Programme 5: Communication, Marketing, IT and Linkages								
Outcome	Output	Output Indicator	Audited Actual Performance 2020/2021	Audited Actual Performance 2021/22	Planned Annual Target 2022/2023	Actual Performance 2022/2023	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	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	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	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	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 platform per annum	4 reports of activities on social media platform per annum	4 reports of activities on social media platform per annum	4 reports on activities on social media platform per annum	4 reports on activities on social media platform per annum	Achieved	No deviation



PART C: GOVERNANCE



8. Introduction

Corporate governance (made up of Commissioners serving in various committees including Plenary) for purpose of King IV 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; to approve policy and planning; ensure accountability for organisational performance and oversee and monitor implementation and execution of strategy by management.

The King IV provides for a 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 have a risk management policy and strategy is in place. Risk assessments is done annually with quarterly progress reports in respect of 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 mitigation and oversight. The same is shared with the governing body to keep it abreast with any emerging risk that would need to be dealt with headlong.

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 there and that fraud is prevented, investigated and where necessary, perpetrators prosecuted. The primary measure used by the Commission to ensure that fraudulent activities are reduced to a minimum is ensuring that a system of control and risk management is in place to give best possible assurance that no person can perpetrate a fraud and cover it up.

Employees, commissioners and other interested parties can report fraud anonymously through the hotline of the Public Service Commission (0800 701 701). The hotline is communicated widely via electronic means. The Commission has put a plan in place to workshop its employees to understand fraud, the different types of fraud, the triggers, red flags and how fraud can be prevented. The Commission checks with the Public Service Commission on a quarterly basis to appraise the Audit and Risk Committee on any corrupt activities that might be reported. To date no cases were 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, including SCM officials, on appointment and on an annual basis, with amendments during the year where relevant, and all suppliers, declare their interests in every procurement instance.

If a conflict is 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 to provide the required goods or services.

12. Code of conduct

The Commission continues to subscribe to a good code of conduct provided by the Public Service Regulations. The Commission believes in corrective disciplinary measures and providing support to all employees. The process of disciplinary action includes giving verbal and written warnings), a final warning and suspension with full salary or suspension with no salary and consequently 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 general wellbeing and infuses higher employment moral. 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 risk 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 Zoom 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 5: Portfolio Committee meetings

15. Internal Audit and Audit and Risk Committee (ARC)

The Internal Audit and the Audit and Risk Committee are independent structures whose functions are to provide oversight roles on governance, the systems of controls and risk management. Internal Controls and good governance are critical to ensure that the CRL Rights Commission functions according to required accounting and auditing standards. Internal controls speak to policies and procedures put by management to ensure that, among other things, organisations' financial statements are reliable. It is to ensure internal controls relevant to audit include back reconciliations, passwords control systems for accounting software and inventory observations.

16. Audit and Risk Committee Report 2022/2023

The ARC is an independent statutory committee appointed by the Accounting Officer of the CRL Commission for a renewable period of 3-years and is pleased to present its report for the financial year ended 31 March 2023. Its duties and responsibilities as documented in the approved Charter are referenced in this report.

Audit and Risk Committee responsibilities

The ARC 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 and Risk Committee for national and provincial government entities.

The ARC reports that it has adopted appropriate formal terms of reference as its Charter and has regulated its affairs in compliance thereto. 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 ARC has discharged all its responsibilities as contained therein and has reviewed the appropriateness of accounting policies and practices.

Audit and Risk Committee Members and Attendance

The Audit and Risk Committee consists of three (3) members as depicted on 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 Pooe	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 6: 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 provided by management, and discussions with the external auditors, the ARC is of the opinion that CRL Rights Commission's internal controls and risk management systems are effective and formed a sound basis for the preparation of reliable Annual Financial Statements for 2022/23 financial year.

Internal Audit

The ARC 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 effectively discharge its duties. The Internal Audit Charter, the Internal Audit Annual Plan and 3-year strategic rolling risk-based internal audit plan were reviewed and approved by the ARC for implementation.

The internal audit function provided reasonable assurance to management and the ARC 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 highlighted to management and ARC for enhancement and resolution.

Enterprise Risk Management

Risk Management is an integral part of good governance at the CRL Rights 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 CRL Rights Commission monitors risks through the ARC. The Committee exercises and oversight role on risk, governance and control within the CRL Rights Commission. It recommends to the Commission risk strategies and policies 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 ARC 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 2023 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 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 be accepted and read together with the report of the Auditor-General.

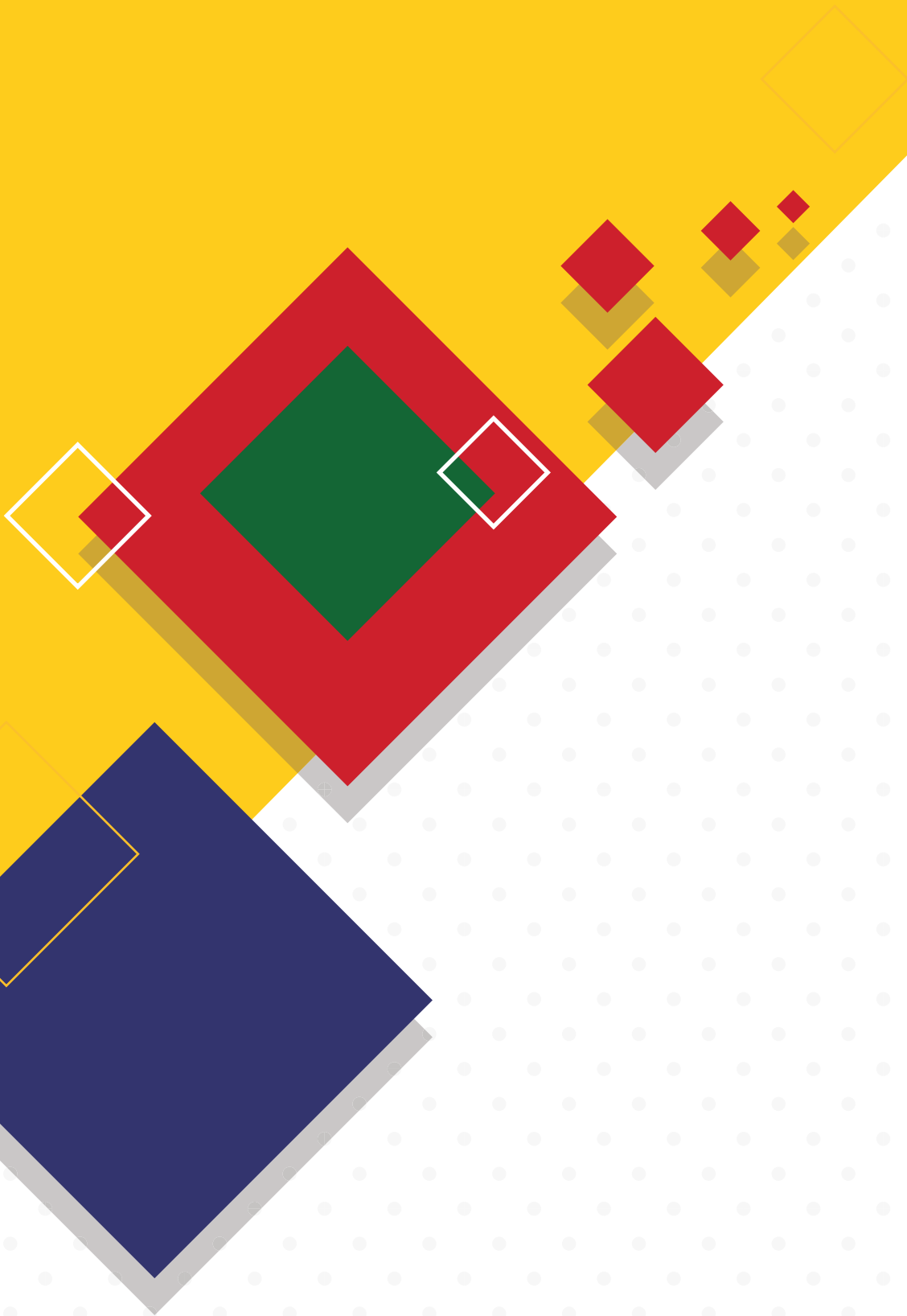
Meeting with the Auditor-General of South Africa

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



Margaret Phiri
Chairperson of the Audit and Risk Committee
30 July 2023

PART D: HUMAN RESOURCES MANAGEMENT



17. Introduction

In the 2022/2023 financial year, the CRL Rights Commission continued with the project on capacity and capability review to ensure the capability of its human resource to deliver on the revised corporate strategy. The primary objective was, amongst others, to identify performance gaps and recommend the best interventions required to enable the Commission to deliver on its mandate and to ensure effective and efficient service to its stakeholders.

One of the interventions sought was to reconfigure the organisational structure towards a 'fit' for purpose establishment. This exercise culminated in a rigorous description of the structure, its decomposition into subsystems, the guiding principles for the design and evolution of the organisation. The rationale behind the reconfiguration of the structure was to expand its presence at provincial and local community level and to strengthen its capacity to strengthen its capacity within core functions.

As the Commission worked through some of the recommended interventions, it was essential that a review and alignment of the Human Resource policies was undertaken to ensure support to the organisational strategy and operational plans. Similarly, a review and updating of job descriptions of all positions in the newly proposed organisational structure was undertaken.

18. Overview of Human Resource projects

Part of the Human Resource (HR) priorities for the 2022/23 financial year included filling of vacancies in the proposed organisational structure. In accordance with the operational plan of the Unit, HR facilitated the job evaluation of all positions in the structure to determine job levels. All positions were graded, and the functional structure was subsequently approved by the Executive Authority. In the filling of vacant positions, Management resolved that priority will be given to positions within core functions once the project for matching and placement is finalised.

The primary objective behind the Matching and Placement exercise was about re-organisation of existing staffing structures to meet the operational objectives of the Commission. Employees with qualifications gaps have been recommended to be taken through Recognition of Prior Learning for assessment of the acquired set skills and checking if they match the qualification required in the job. Management is finalising the implementation plan of the matching and placement report.

Employee performance within the CRL Rights Commission was managed in line with the approved Performance Management & Development System (PMDS) where 100% of the performance agreements were submitted to the Human Resource department. The moderation of performance assessments was deferred to the 2023/24 performance cycle.

Implementing the Employee Health and Wellness Programme remains one of the priorities for Human Resources to ensure that the working environment is conducive for productive performance. The programme is designed to support employees with daily challenges and proactively get them on their feet to improve productivity in the workplace and lower absenteeism. A total of 18 employees undertook to participate in the health risk assessment which included both non-members and members of the CRL medical aid scheme.

During the period under review, the Commission undertook workplace skills development for all employees and Commissioners. The breakdown of the training expenditure was limited to vocational and workshops. A total of R122 000.00 was spent on skills development training in 2022/23.

19. Human Resources Oversight Statistics

19.1 Personnel Related Expenditures

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

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

Table 7: Personnel expenditure by programme for the period 1 April 2022 to March 2023

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)
Office of the Chairperson	5 467	5 467	0	0	20.9%	1 366
Office of the Chief Executive Officer	2 594	2 594	0	0	9.9%	864 666
Communications and Marketing	3 229	3 229	0	0	12.3%	807 250
Office of the Chief Financial Officer	5 933	5 933	0	0	22.7%	659 222
Corporate Services	3 330	2 595	471 660	264 000	8.6%	432 500
Legal Services & Conflict Management	2 246	2 246	0	0	8.6%	561 500
Research & Policy Development	2 482	2 482	0	0	9.5%	527 333
Public Education and Engagement	1 567	1 567	0	0	6%	522333
Total	26 878	26 113	471 660	264 000	98.66%	725 361

Table 8: Personnel costs by salary band for the period 1 April 2022 to March 2023

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)	971	3,72	6	161.83
Skilled (level 3-5)	1 089	4,17	4	272 250
Highly skilled production (levels 6-8)	3 707	14,2	11	337 000
Highly skilled supervision (levels 9-12)	12 431	47,6	24	517 958
Senior and Top management (levels 13-16)	7 903	30, 26	6	1 317, 16
Total	26 101	100	51	51 178

Table 9: Salaries, overtime, homeowners' allowance and medical aid by programme for the period 1 April 2022 to March 2023

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
Office of the Chairperson	5 174	19.81	15	0.05	37	0.14	241	0.92
Office of the Chief Executive Officer	2 555	9.78	-	-	3	0.01	36	0.14
Communications and Marketing	3 025	11.58	3	0.01	55	0.21	146	0.56
Office of the Chief Financial Officer	5 577	21.36	2	0.01	94	0.36	260	0.10
Corporate Services	2 375	9.09	-	-	94	0.36	126	0.48
Legal Services & Conflict Management	2 112	8.08	-	-	39	0.15	95	0.36
Research & Policy Development	2 398	5.35	-	-	19	0.07	65	0.25
Public Education and Engagement	1 507	5.76	2	0.01	19	0.07	39	0.15
Total	24 723	90.88	22	0.07	360	1.38	1 008	3.86

Table 10: Salaries, overtime, homeowners' allowance, and medical aid by salary band for the period 1 April 2022 to March 2023

Salary band	Salaries		Overtime		Homeowners Allowance		Medical Aid	
	Amount R'000	Salaries as per a % of personnel costs	Amount R'000	Amount as a % of personnel costs	Amount R'000	HOA as a % of personnel costs	Amount R'000	Medicals aid as a % of personnel costs
Lower Skilled (level 1-2)	5 174	19.81	15	0.05	37	0.14	241	0.92
Skilled (level 3-5)	2 555	9.78	-	-	3	0.01	36	0.14
Highly skilled production (levels 6-8)	3 025	11.58	3	0.01	55	0.21	146	0.56
Highly skilled supervision (levels 9-12)	5 577	21.36	2	0.01	94	0.36	260	0.10
Senior management (level 13-16)	2 375	9.09	-	-	94	0.36	126	0.48
Total	2 112	8.08	-	-	39	0.15	95	0.36

Table 11: Employment and vacancies by programme as of 31 March 2023

This table summarises the number of posts on the establishment, the number of employees, the vacancy rate and whether there are any staff members that are additional to the establishment. The information is presented in terms of three (3) key variables.

- programme
- salary band
- critical occupations

Programme	Number of posts on approved establishment	Number of posts filled	Vacancy rate	Number of employees additional to the establishment
Office of the Chairperson	4	4	0%	0
Office of the Chief Executive Officer	3	3	0%	0
Communications and Marketing	5	3	40%	1
Office of the Chief Financial Officer	8	8	0%	1
Corporate Services	6	5	16.6%	1
Legal Services & Conflict Management	3	2	33.33%	2
Research & Policy Development	2	2	0%	1
Public Education and Engagement	2	1	50%	2
Total	33	28	15.15%	8

Table 12: Employment and vacancies by salary band as on 31 March 2023

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%	3
Skilled(3-5)	2	2	0%	1
Highly skilled production (6-8)	4	3	25%	0
Highly skilled supervision (9-12)	18	15	16.66%	4
Senior management (13-16)	7	6	14.28%	0
Total	33	28	15.15%	8

Table 13: Employment and vacancies by critical occupations as on 31 March 2023

Critical occupation	Number of posts on approved establishment	Number of posts filled	Vacancy rate	Number of employees additional to the establishment
Administrative Related	6	5	16.66%	2
Building & Other property caretakers	1	1	0	0
Clerks & Related Personnel	4	4	0	0
Client Information Clerks (Switchboard/ Receptionist)	1	1	0	0
Communication and Information Related	1	1	0	0
Finance & Economics Related	1	1	0	0
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	2	1	50%	1
Information Technology Personnel	2	1	50%	0
Legal Related	2	1	50%	1
Senior Management	4	3	25%	0
Logistical Support Personnel	3	3	0	1
Member of Executive Council	2	2	0	0
Other Administrative & Related Clerks & Organizers	0	0	0	3
Total	33	28	15.15%	8

The below tables provide information on employment and vacancies relating to members of the Senior Management Service by salary level. They also provide information on advertising and filling of SMS posts, reasons for not complying with prescribed timeframes and disciplinary steps taken.

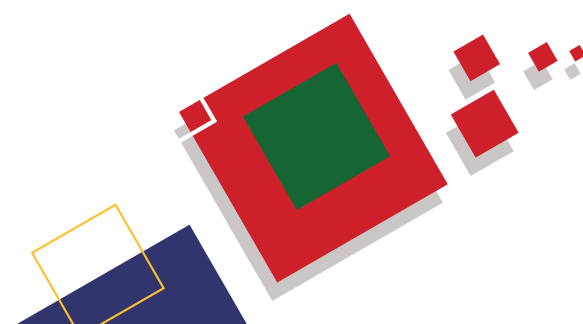


Table 14: SMS post information as on 31 March 2023

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 15: SMS post information as of 30 September 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 16: Advertising and filling of SMS posts for the period 1 April 2022 to March 2023

Salary levels	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 15	0	0	0
Salary Level 13	0	0	0
Total	0	0	0

Table 17: Reasons for not having complied with the filling of funded vacant SMS positions – advertised within six (6) months and filled within twelve (12) months after becoming vacant for the period 1 April 2022 to March 2023

Reasons for vacancies not advertised within six (6) months
The Commission is still in the process of finalising the restructuring process and have suspended the Advertising and Filling of all vacancies.

Table 18: Reasons for vacancies not filled within six (6) months

Reasons for vacancies not advertised within six (6) months
The Commission is still in the process of finalising the restructuring process and have suspended the Advertising and Filling of all vacancies.

Disciplinary steps taken for not complying with prescribed timeframes for filling SMS posts with twelve (12) months for the period 1 April 2022 to March 2023

Reasons for vacancies not advertised within six (6) months
Not applicable

Job evaluation

In terms of the Regulations all vacancies on salary levels 9 and higher must be evaluated before they are filled. The following table summarises the number of jobs that were evaluated during the year under review. The table also provides statistics on the number of posts that were upgraded or downgraded.

Table 19: Job evaluation by salary band for the period 1 April 2022 to March 2023

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)	2	2	100%	0	0%	0	0
Skilled (Levels 3-5)	2	2	100%	0	0%	0	0
Highly skilled production (Levels 6-8)	4	4	100%	0	0%	1	25%
Highly skilled supervision (Levels 9-12)	18	18	100%	0	0%	3	16.6%
Senior Management Service Band A	4	4	100%	0	0%	0	0
Senior Management Service Band B	2	1	50%	1	0%	0	0
Senior Management Service Band C	0	0	100%	0	0%	0	0
Senior Management Service Band D	1	0	0%	0	0%	0	0
Total	33	31	93.9%	1	0%	3	9.09%

The tables below provide a summary of the number of employees whose positions were upgraded due to their post being upgraded. The number of employees might differ from the number of posts upgraded since not all employees are automatically absorbed into the new posts and some of the posts upgraded could also be vacant.

Table 20: Profile of employees whose positions were upgraded for the 1 April 2022 to March 2023

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

Employees with disability	0
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The following table summarises the number of cases where remuneration bands exceeded the grade determined by job evaluation. Reasons for the deviation are provided in each case.

Table 21: Employees with salary levels higher than those determined by job evaluations by occupation for the period 1 April 2022 to March 2023

Occupation	Number of employees	Job evaluation level	Remuneration level	Reason for deviation
Administrative Related	3	7	9	Restructuring Process
Financial Clerks & Credit Controllers	1	6	7	Restructuring Process
Total number of employees whose salaries exceeded the level determined by job evaluation				4
Percentage of total employed				12.12%

The tables below summarise the beneficiaries of the above in terms of race, gender, and disability.

Table 22: Profile of employees who have salary levels higher than those determined by job evaluation for the period 1 April 2022 to March 2023

Gender	African	Asian	Coloured	White	Total
Female	5	0	0	0	5
Male	0	0	0	0	0
Total	5	0	0	0	5

Employees with a disability	0	0	0	0	0
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Total number of Employees whose salaries exceeded the grades determine by job evaluation	5
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Employment changes

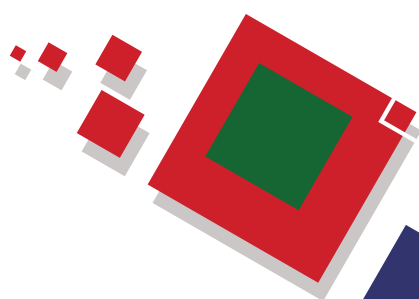


Table 23: Annual turnover rates by salary band for the period 1 April 2022 to March 2023

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	0	0	0
Skilled (Levels3-5)	2	0	0	0
Highly skilled production (Levels 6-8)	4	1	1	25%
Highly skilled supervision (Levels 9-12)	16	0	2	12.5%
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	10	1	3	30%
Total	40	2	6	15%

Table 24: Annual turnover rates by critical occupation for the period 1 April 2022 to March 2023

Critical occupation	Number of employees at beginning of period- April 2022	Appointments and transfers into the department	Terminations and transfers out of the department	Turnover rate
Administrative Related	6	1	4	66.6%
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	2	0	0	0
Information Technology Personnel	2	0	1	50%
Legal Related Personnel	3	0	0	0
Logistical Support Personnel	3	0	0	0
Member of Executive Council	3	0	0	0
Other Administrative & Related Clerks & Organisers	2	0	0	0
Senior Managers	4	0	1	25%
TOTAL	40	0	6	15%

Table 25: Reasons why staff left the organisation for the period 1 April 2022 to March 2023

Termination Type	Number	% of Total Resignations
Death	0	0
Resignation	3	7.5%
Expiry of contract	2	5%
Dismissal – operational changes	0	0
Dismissal – misconduct	0	0
Dismissal – inefficiency	0	0
Discharged due to ill-health	0	0
Retirement	1	10%
Transfer to other Public Service Departments	0	0
Other	0	0
Total	6	15%
Total number of employees who left as a % of total employment	15%	

Table 26: Promotions by critical occupation for the period 1 April 2022 to March 2023

Occupation	Employees 1 April 2022	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 27: Promotions by salary band for the period 1 April 2022 to March 2023

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 (Levels3-5)	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 28: Total number of employees (including employees with disabilities) in each of the following occupational categories as of 31 March 2023

Occupational category	Male				Female				Total
	African	Coloured	Indian	White	African	Coloured	Indian	White	
Legislators, senior officials and managers	4	0	0	1	0	0	0	0	6
Professionals	0	0	0	0	0	0	0	0	0
Technicians and associate professionals	3	1	0	0	9	0	0	0	13
Clerks	2	0	0	0	0	0	0	0	0
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	10	1	0	1	22	0	1	1	36
Employees with disabilities	0	0	0	0	0	0	0	0	0

Table 29: Total number of employees (including employees with disabilities) in each of the following occupational bands as of 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	3	1	0	0	13	0	1	1	19
Skilled technical and academically qualified workers, junior management, supervisors, foreman and superintendents	1	0	0	0	2	0	0	0	3
Semi-skilled and discretionary decision making	2	0	0	0	1	0	0	0	3
Unskilled and defined decision making	0	0	0	0	5	0	0	0	5
Total	10	1	0	1	22	0	1	1	36

Table 30: Recruitment for the period 1 April 2022 to March 2023

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	2	0	0	0	6
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	1	0	0	0	1
Unskilled and defined decision making	0	0	0	0	0	1	0	0	1
Total	0	0	0	0	2	0	0	0	0
Employees with disabilities	0	0	0	0	0	0	0	0	0

Table 31: Promotion for the period 1 April 2022 to March 2023

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 32: Terminations for the period 1 April 2021 to 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	0	0	0	3	0	0	0	3
Skilled technical and academically qualified workers, junior management, supervisors, foreman and superintendents	1	0	0	0	0	0	0	0	1
Semi-skilled and discretionary decision making	0	0	0	0	0	0	0	0	0
Unskilled and defined decision making	0	0	0	0	1	0	0	0	1
Total	2	0	0	0	4	0	0	0	6
Employees with Disabilities	0	0	0	0	0	0	0	0	0

Table 33: Disciplinary action for the period 1 April 2022 to March 2023

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 34: Skills development for the period 1 April 2022 to March 2023

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	3	1	0	0	10	0	1	1	16
Clerks	3	0	0	0	9	0	0	0	12
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	11	1	0	1	22	0	1	1	37
Employees with disabilities	0	0	0	0	0	0	0	0	0

All members of the SMS concluded and sign performance agreements within specific timeframes. Information regarding the signing of performance agreements by SMS members, the reasons for not complying within the prescribed timeframes and disciplinary steps taken is presented here.

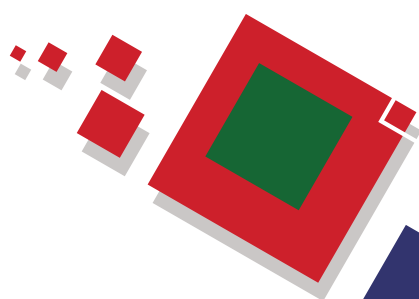


Table 35: Signing of performance agreements by SMS members as of 31 May 2022

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	100%
Salary Level 16	0	0	0	0
Salary Level 15	0	0	0	0
Salary Level 14	0	0	0	0
Salary Level 13	3	3	3	100%
Total	4	4	4	100%

Table 36: Reasons for not having concluded performance agreements for all SMS members as of 31 March 2021

Reasons
Not applicable

Table 37: Disciplinary steps taken against SMS members for not having concluded performance agreements as of 31 March 2023

Reasons
Not applicable

Performance Rewards

To encourage good performance, the Commission has granted the following performance rewards during the year under review. The information is presented in terms of race, gender, disability, salary bands and critical occupations (see definition in notes below).

Table 38: Performance Rewards by race, gender and disability for the period 1 April 2022 to 31 March 2023

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 39: Performance Rewards by salary band for personnel below Senior Management Service for the period 1 April 2022 and 31 March 2023

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 40: Performance rewards by critical occupation for the period 1 April 2022 to March 2023

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 41: Performance related rewards (cash bonus), by salary band for Senior Management Service for the period 1 April 2022 to March 2023

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

The tables below summarise the employment of foreign nationals in the department in terms of salary band and major occupation.

Table 42: Foreign workers by salary band for the period 1 April 2021 to 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 43: Foreign workers by major occupation for the period 1 April 2022 to March 2023

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

Leave utilisation

The Public Service Commission identified the need for careful monitoring of sick leave within the public service. The following tables provide an indication of the use of sick leave and disability leave. In both cases, the estimated cost of the leave is also provided

Table 44: Sick leave for the period 1 April 2022 to March 2023

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)	19	15.7%	4	10%	4.75	R6 059.81
Skilled (levels 3-5)	70	90%	3	7.5%	23.3	R35 813.65
Highly skilled production (levels 6-8)	19	15.7%	4	10%	4.75	R159 508.35
Highly skilled supervision (levels 9 -12)	135	46.6%	18	45%	7.5	R182 271.76
Top and Senior management (levels 13-16)	11	100%	1	2.5%	11	R34 320.00
Total	254		30	75%	6.35	R417 973.57

Table 45: Disability leave (temporary and permanent) for the period 1 April 2022 to 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)	57	100%	1	2.5%	57	R68 235.09
Senior management (Levels 13-16)	0	0	0	0	0	0
Total	57	100%	1	2.5%	0	R68 235.09

The table below summarises the utilisation of annual leave. The wage agreement concluded with trade unions in the PSCBC in 2000 requires management of annual leave to prevent high levels of accrued leave being paid at the time of termination of service.

Table 46: Annual leave for the period 1 April 2022 to March 2023

Salary band	Total days taken	Number of Employees using annual leave	Average per employee
Lower skilled (Levels 1-2)	100	6	16.66
Skilled Levels 3-5)	37	3	12.33
Highly skilled production (Levels 6-8)	75	4	18.75
Highly skilled supervision(Levels 9-12)	411.5	19	21.65
Senior management (Levels 13- 16)	61	4	15.25
Total	684.5	36	19.01

Table 47: Capped leave for the period 1 April 2022 to March 2023

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 48: Leave pay-outs for the period 1 April 2022 to March 2023

Reason	Total amount (R'000)	Number of employees	Average per employee (R'000)
Leave payout for 2021/22 due to non-utilisation 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	R59 513.82	6	R9 918.97
Total	R59 513.82	6	R9 918.97

HIV/AIDS & Health Promotion Programmes

Table 49: 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	0

Table 50: 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 well-being 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		Acting Manager: Human Resources
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) that they represent		X	
5. Has the department reviewed its employment policies and practices to ensure that these do not unfairly discriminate against employees on the basis of their HIV status? If so, list the employment policies/practices so reviewed.	X		
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 that you have achieved.		X	Employees are encouraged to undergo VCT, during the wellness day events
8. Has the department developed measures/indicators to monitor & evaluate the impact of its health promotion programme? If so, list these measures/indicators.	X		

Table 51: Collective agreements for the period 1 April 2022 to March 2023

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 2022
DPSA Circular No. 13 of 2022: Improvement in Conditions of Service for SMS Members	November 2022

Total number of collective agreements	None
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The following table summarises the outcome of disciplinary hearings conducted within the Commission for the year under review.

Table 52: Misconduct and disciplinary hearings finalised for the period 1 April 2022 to March 2023

Outcomes of disciplinary hearings	Number	% of total
Correctional counselling	0	0
Verbal warning	0	0
Written warning	1	2.77%
Final written warning	1	2.77%
Suspended without pay	2	5.55%
Fine	0	0
Demotion	0	0
Dismissal	0	0
Not guilty	0	0
Case withdrawn	0	0
Total	4	11.11%

Total number of Disciplinary Hearing finalised	None
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Table 53: Types of misconduct addressed at disciplinary hearings for the period 1 April 2022 to March 2023

Type of misconduct	Number	% of total
Fraud and corruption	2	6%
Total	2	6%

Table 54: Grievances logged for the period 1 April 2022 to March 2023

Grievances	Number	% of Total
Number of grievances resolved	1	2.77%
Number of grievances not resolved	0	0
Total number of grievances lodged	1	2.77%

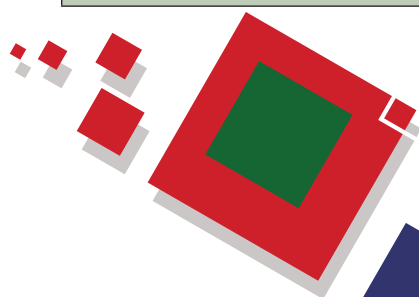


Table 55: Disputes logged with Councils for the period 1 April 2021 to March 2022

Disputes	Number	% of Total
Number of disputes upheld	0	0
Number of disputes dismissed	0	0
Total number of disputes lodged	0	0

Table 56: Strike actions for the period 1 April 2021 to 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 57: Precautionary suspensions for the period 1 April 2021 to 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 58: Training needs identified for the period 1 April 2022 to March 2023

Occupational category	Gender	Number of employees as of 1 April 2021	Training needs identified at start of the reporting period			
			Learnerships	Skills Programmes & other short courses	Other forms of training	Total
Legislators, senior officials and managers	Female	1	0	0	13	13
	Male	5	0	0	6	6
Professionals	Female	0	0	0	0	0
	Male	0	0	0	0	0
Technicians and associate professionals	Female	7	0	0	15	15
	Male	4	0	0	12	12
Clerks	Female	14	0	0	13	13
	Male	3	0	0	6	6
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	0	2	2
	Male	1	0	0	2	2
Sub Total	Female	24	0	0	43	43
	Male	13	0	0	26	26

Table 59: Training provided for the period 1 April 2021 and 31 March 2022

Occupational category	Gender	Number of employees as of 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	2	2
	Male	5	0	0	10	10
Professionals	Female	0	0	0	0	0
	Male	0	0	0	0	0
Technicians and associate professionals	Female	7	0	0	14	14
	Male	4	0	0	8	8
Clerks	Female	14	0	0	28	28
	Male	3	0	0	6	6
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	0	4	4
	Male	1	0	0	2	2
Sub Total	Female	24	0	0	48	48
	Male	13	0	0	26	26
Total		37	0	0	74	74

Table 60: 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%

Utilisation of consultants

The following tables relates information on the utilisation of consultants in the department.

In terms of the Public Service Regulations “consultant’ means a natural or juristic person or a partnership who or which provides in terms of a specific contract on an ad hoc basis any of the following professional services to a department against remuneration received from any source:

- a) The rendering of expert advice.
- b) The drafting of proposals for the execution of specific tasks; and
- c) The execution of a specific task which is of a technical or intellectual nature but excludes an employee of a department.

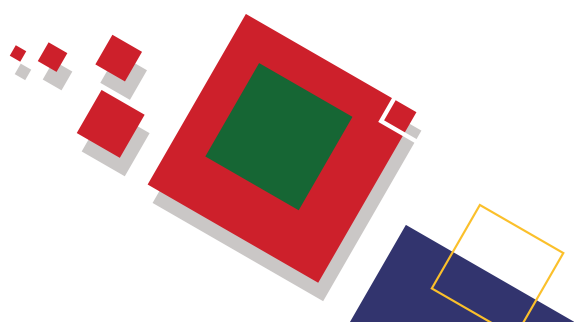


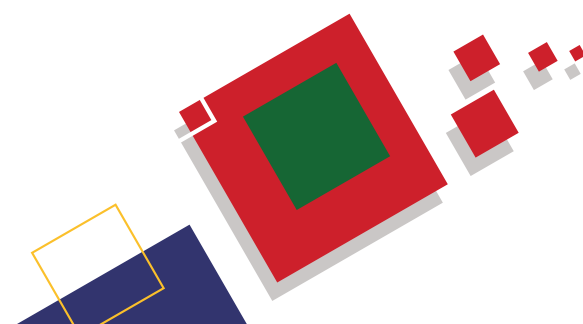
Table 61: Report on consultant appointments using appropriated funds for the period 1 April 2022 to 31 March 2023

Project title	Total number of consultants that worked on project	Duration (workdays)	Contract value in Rand
Capacity and Capability Review Project	1	251	R1 904 929.00
Website Support and maintenance	1	36 months	R179 400.00
Caseware Support	1	36 months	R268 686.46
Telephone system support and voice contract	1	36 months	R433 403.21 Voice based on usage
Travel Management Services	1	55 months	Based on usage
Pastel Evolution and Payroll Support & Maintenance	1	36 months	R201 825.00
Risk Management and Review	1	36 months	R271 700.00
Internal Audit Services	1	36 months	R2 176 133.10

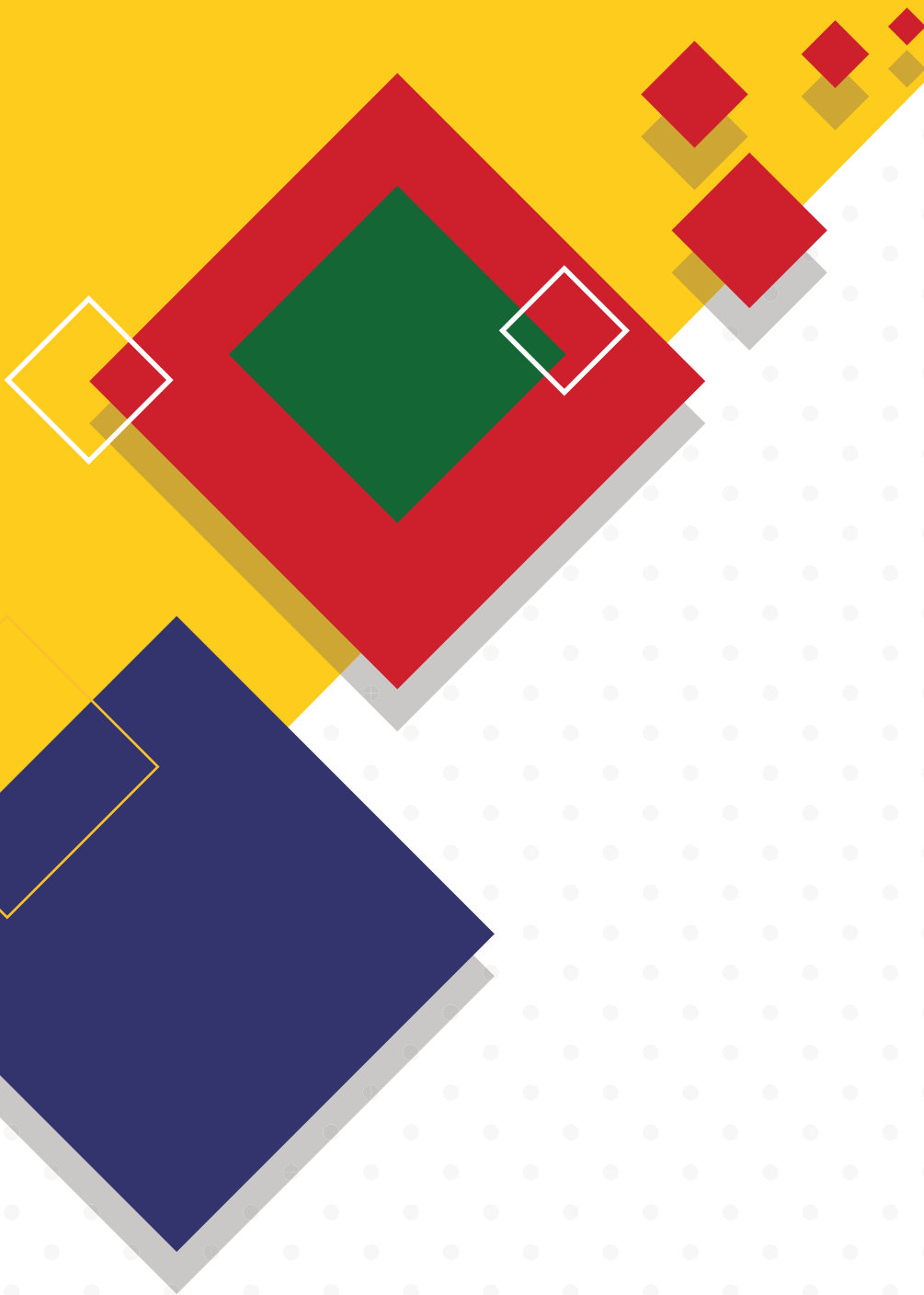
Total number of projects	Total individual consultants	Total duration Workdays	Total contract value in Rand
Human Resources: 1	1	251 days	R1 904 929.00
Information Technology: 7	7	235 months	R3 531 147.77

Table 62: Analysis of consultant appointments using appropriated funds, in terms of Historically Disadvantaged Individuals (HDIs) for the period 1 April 2022 to 31 March 2023

Project title	Percentage ownership by HDI groups	Percentage management by HDI groups	Number of consultants from HDI groups that work on the project
Capacity and Capability Review Project	100%	100%	1
Website support and maintenance	100%	100%	1
Caseware Support	38.13%	61.8%	1
Telephone system support and voice contract	100%	100%	1
Travel Management Services	57%	57%	1
Pastel Evolution and Payroll Support & Maintenance	51%	51%	1
Risk Management and Review	100%	100%	1
Internal Audit Services	100%	36%	1



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 85 - 111, which comprise the statement of financial position as at 31 March 2023, statement of financial performance, statement of changes in net assets, cash flow statement 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 2023, and its financial performance and cash flows for the year then ended in accordance with the 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 responsibilities of the auditor-general 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.

Other matters

6. I draw attention to the matters below. My opinion is not modified in respect of these matters

National Treasury Instruction Note No. 4 of 2022-23: PFMA Compliance and Reporting Framework

7. On 23 December 2022 National Treasury issued Instruction Note No. 4: PFMA Compliance and Reporting Framework of 2022-23 in terms of section 76(1)(b), (e) and (f), 2(e) and (4)(a) and (c) of the PFMA, which came into effect on 3 January 2023. The PFMA Compliance and Reporting Framework also addresses the disclosure of unauthorised expenditure, irregular expenditure and fruitless and wasteful expenditure. Among the effects of this framework is that irregular and fruitless and wasteful expenditure incurred in previous financial years and not addressed is no longer required to be disclosed in the disclosure notes of the annual financial statements, only the current year and prior year figures are no longer required to be disclosed in note 22 and 23 to the financial statements. The movements in respect of irregular expenditure and fruitless and wasteful expenditure are no longer required to be disclosed in the notes to the annual financial statements of Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities. The disclosure of these movements (e.g. condoned, recoverable, removed, written off, under assessment, under determination and under investigation) are now required to be included as part of other information in the annual report of the auditees.
8. I do not express an opinion on the disclosure of irregular expenditure and fruitless and wasteful expenditure in the annual report.

Responsibilities of the accounting officer for the financial statements

9. 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.
10. In preparing the financial statements, the accounting officer is responsible for assessing the Commission for the of 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 Institution or to cease operations, or has no realistic alternative but to do so.

Responsibilities of the auditor-general for the audit of the financial statements

11. 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.
12. 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 audit of the annual performance report

13. In accordance with the Public Audit Act 25 of 2004 (PAA) and the general notice issued in terms thereof, I must audit and report on the usefulness and reliability of the reported performance against predetermined objectives for selected programme presented in the annual performance report. The accounting officer is responsible for the preparation of the annual performance report.
14. I selected the following programme presented in the annual performance report for the year ended 31 March 2023 for auditing. I selected programme 2 that measures the Constitutional Institution's performance on its primary mandated functions and that are of significant national, community or public interest.

Programme	Page numbers	Purpose
Programme 2: Legal Services and Conflict Resolution	29 and 43	<ol style="list-style-type: none"> 1. Resolution of conflict among and within cultural, religious and linguistic communities: 2. Provision of legal advice and opinions to the Commission; and to the public on cultural, religious and linguistic rights. 3. Review of Bills and legislation that impacts on the rights of CRL communities (and mandate). Discover and comment on Bills before Parliament.

15. I evaluated the reported performance information for the selected programme against the criteria developed from the performance management and reporting framework, as defined in the general notice. When an annual performance report is prepared using these criteria, it provides useful and reliable information and insights to users on Constitutional Institution's planning and delivery on its mandate and objectives.
16. I performed procedures to test whether:
 - the indicators used for planning and reporting on performance can be linked directly to the Constitutional Institution's mandate and the achievement of its planned objectives
 - the indicators are well defined and verifiable to ensure that they are easy to understand and apply consistently and that I can confirm the methods and processes to be used for measuring achievements
 - the targets can be linked directly to the achievement of the indicators and are specific, time bound and measurable to ensure that it is easy to understand what should be delivered and by when, the required level of performance as well as how performance will be evaluated
 - the indicators and targets reported on in the annual performance report are the same as what was committed to in the approved initial or revised planning documents
 - the reported performance information is presented in the annual performance report in the prescribed manner
 - there are adequate supporting evidence for the achievements reported and for the reasons provided for any over- or underachievement of targets.
17. I performed the procedures for the purpose of reporting material findings only; and not to express an assurance opinion.
18. I did not identify any material findings on the reported performance information of Legal Services and Conflict Resolution of selected subject matter.

Report on compliance with legislation

19. In accordance with the PAA and the general notice issued in terms thereof, I must audit and report on 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.
20. I performed procedures to test compliance with selected requirements in key legislation in accordance with the findings engagement methodology of the Auditor-General of South Africa (AGSA). This engagement is not an assurance engagement. Accordingly, I do not express an assurance opinion or conclusion.
21. Through an established AGSA process, 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 readily available to report in an understandable manner. The selected legislative requirements are included in the annexure to this auditor's report.
22. I did not identify any material non-compliance with the selected legislative requirements.

Other information in the annual report

23. The accounting officer is responsible for the other information included in the annual report. The other information referred to does not include the financial statements, the auditor's report and those selected programmes presented in the annual performance report that have been specifically reported on in this auditor's report.
24. My opinion on the financial statements, the report on the audit of the annual performance report and the report on compliance with legislation, do not cover the other information included in the annual report and I do not express an audit opinion or any form of assurance conclusion on it.
25. My responsibility is to read this other information and, in doing so, consider whether it is materially inconsistent with the financial statements and the selected programmes presented in the annual performance report, or my knowledge obtained in the audit, or otherwise appears to be materially misstated.
26. I did not receive the other information prior to the date of this auditor's report. When I do receive and read this information, and if I conclude that there is 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

27. I considered internal control relevant to my audit of the financial statements, annual performance report 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 2023



AUDITOR - GENERAL
SOUTH AFRICA

Auditing to build public confidence

Auditing to build public confidence

Annexure to the Auditor General's report

The annexure includes the following:

- the auditor-general's responsibility for the audit
- the selected legislative requirements for compliance testing.

Auditor-general's responsibility for the audit

Professional judgement and professional scepticism

As part of an audit in accordance with the ISAs, I exercise professional judgement and maintain professional scepticism throughout my audit of the financial statements and the procedures performed on reported performance information for selected programmes and on the Constitutional Institution's compliance with selected requirements in key legislation.

Financial statements

In addition to my responsibility for the audit of the financial statements as described in this auditor's report, I also:

- identify and assess the risks 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 in 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 made
- conclude on the appropriateness of the 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 Constitutional Institution 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 statements 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

I communicate with the accounting officer regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

I also provide the accounting officer with a statement that I have complied with relevant ethical requirements regarding independence and to communicate with 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.

Compliance with legislation – selected legislative requirements

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) TR 18.2; TR 17.1.1; TR 19.8.4
Preferential Procurement Policy Framework Act 5 of 2000 (PPPFA)	Sections 1(i); 2.1(a),(b) and (f)
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; 4.4; 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 01 of 2021-22	Par 4.1
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 03 of 2021/22	Par 4.1; Par. 4.2 (b); 4.3; 4.4 (c); 4.4 (c)
NT SCM Instruction Note 05 of 2020/21	Par 3.2; 3.7; 4.3; 4.6; 4.8; 4.9; 5.3
NT Instruction No 5 of 2020/21	Par 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); 3.2.4 (b); 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
CIDB Act)	Section 18(1
CIDB reg. 17	
CIDB reg. 25	Par 7A
SBD 6.2 issued in 2015/16	
Practice Note 5 of 2009/10	Par 3.3

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 ended 31 March 2023 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 to perform 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 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 that he is ultimately responsible for the system of internal financial control established by the CRL Rights Commission and place considerable importance on maintaining a strong control environment. To enable the Accounting Officer to meet these responsibilities, the Audit and Risk Committee sets 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 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 on for the preparation of the annual financial statements for the year ended 31 March 2023. However, any system of internal financial control can only provide reasonable, and not absolute, assurance against material misstatement or loss.

The Accounting Officer has reviewed the entity's cash flow forecast for the year ending 31 March 2024 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 the 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 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 4 to 31 and were approved by the Accounting Officer on the 31 July 2023.



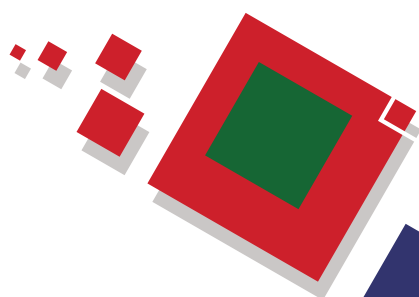
Accounting Officer
31 July 2023

Statement of Financial Position as at 31 March 2023

	Note	2023 R '000	2022 R '000
Assets			
Current Assets			
Trade and other receivables from exchange transactions	7	128	170
Prepayments	6	1 370	1 040
Cash and cash equivalents	8	19 677	16 083
		21 175	17 293
Non-Current Assets			
Property, plant and equipment	3	3 807	3 544
Intangible assets	4	380	835
Trade and other receivables from exchange transactions	7	332	332
Prepayments	6	-	799
		4 519	5 510
Total Assets		25 694	22 803
Liabilities			
Current Liabilities			
Operating lease liability	5	455	57
Trade and other payables from exchange transactions	11	650	2 635
Provisions	10	886	1 019
		1 991	3 711
Non-Current Liabilities			
Operating lease liability	5	83	673
Total Liabilities		2 074	4 384
Net Assets		23 620	18 419
Accumulated surplus	9	23 620	18 419
Total Net Assets		25 694	22 803

Statement of Financial Performance for the year ended 31 March 2023

	Note	2023 R '000	2022 R '000
Revenue			
Revenue from exchange transactions			
Other income	12	1 628	374
Revenue from non-exchange transactions			
Transfer from the Department of Cooperative Governance and Traditional Affairs	13	46 818	46 032
Total revenue		48 446	46 406
Expenditure			
Employee costs	14	(25 929)	(26 003)
Depreciation and amortisation	15	(1 207)	(1 088)
Administrative expenditure	17	(3 863)	(3 469)
Auditors fees	18	(1 574)	(1 618)
Other operating expenses	16	(10 672)	(6 666)
Total expenditure		(43 245)	(38 844)
Surplus for the year		5 201	7 562



Statement of Changes in Net Assets

	Accumulat- ed surplus / deficit R '000	Total net assets R '000
Balance at 01 April 2021	11 036	11 036
Adjustment in respect of software licences	(177)	(177)
Net income (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 01 April 2022	18 419	18 419
Surplus for the year	5 201	5 201
Total recognised income and expenses for the year	5 201	5 201
Balance at 31 March 2023	23 620	23 620

Cash Flow Statement

	Note	2023 R '000	2022 R '000
Cash flows from operating activities			
Receipts			
Proceeds from insurance		515	-
Disposal income	12	67	-
Cash receipts from transfer payments	13	46 818	46 032
Interest received	12	858	348
		48 258	46 380
Payments			
Employee costs		(23 045)	(23 895)
Suppliers		(20 066)	(17 912)
		(43 110)	(41 816)
Net cash flows from operating activities	19	5 148	4 564
Cash flows from investing activities			
Purchase of property, plant, and equipment	3	(1 554)	(459)
Purchase of other intangible assets	4	-	(1 098)
Net cash flows from investing activities		(1 554)	(1 557)
Net increase/(decrease) in cash and cash equivalents		3 593	3 007
Cash and cash equivalents at the beginning of the year		16 085	13 076
Cash and cash equivalents at the end of the year	8	19 678	16 083

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 budget and actual	Reference
	R '000	R '000	R '000	R '000	R '000	
Statement of Financial Performance						
Revenue						
Revenue from non-exchange transactions						
Other income	348	-	348	1 628	468 %	1.
Transfer revenue						
Transfer from the Department of Co-operative Governance and Traditional Affairs	46 818	-	46 818	46 818	-	
Total revenue from exchange and non-exchange transactions	4 166	-	47 166	48 446	-	
Expenditure						
Personnel	(31 644)	-	(31 644)	(25 929)	15%	2.
Depreciation and amortisation	-	-	-	(1 207)		
Administrative expenditure	(3 196)	-	(3 196)	(3 863)	-26%	3.
Operating Expenditure	(10 730)	-	(10 730)	(10 672)	2%	4.
Audit fees	(1 596)	-	(1 596)	(1 574)	1%	5.
Total expenditure	(47 166)	-	(47 166)	(43 245)	0	
Actual amount on Comparable-Basis As Presented in the Budget and Actual Comparative Statement	-	-	-	5 201	-	

Analysis of variances

1. Other income.

Proceeds from disposal.

Proceeds were from disposal of old property, plant and equipment.

Proceeds from insurance.

Insurance proceeds as a result of claims for stolen motor vehicle and a laptop.

Finance income

The increase in investment was due to interest earned in cash held due to less expenditure incurred during the reporting period and prior reporting period.

Assets taken at fair value

Assets taken at fair value represents portion of market value of the cellphones which was not paid for by the Commission.

2. The 15% under expenditure in employee costs is due to approved positions of Manager Senior Public Engagement and Education HR and Manager Legal Service not filled for financial period under review and other vacancies.
3. The over expenditure of 26% on administrative expenses was due to increase in internal auditing, catering, stationary & printing and venues & facilities during the financial period under review.
4. The 2% savings on operating expenses was due to lower operating activity in respect of, cell phones expenses, cons & specs and software licence in particular.
5. The 1% savings on external auditing was due to good working relation between external auditors and CRL Commission staff .

Accounting Policies

1. Presentation of Annual Financial Statements.

1.1 Basis of preparation

The annual financial statements have been prepared in accordance with 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 explicitly state otherwise. 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.

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 constitute 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.

Accounting Policies

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 for recognition 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 the 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 expensed when incurred.

Operating leases are those leases that do not fall within the scope of the above definition. Operating leases are recognised on the 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 recognised as an expense over the lease term on the same basis as the lease revenue.

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 are recognised as an operating lease asset or liability.

Accounting Policies

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 its acquisition date. The cost of an item of property, plant, and equipment is the purchase price and other costs attributable to bring the asset to the location and 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 assets on the date acquired.

The cost of an item of property, plant and equipment acquired in exchange for non-monetary assets or monetary asset, 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 is 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 subsequent expenditure will flow to the entity and 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 the 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.

Accounting Policies

1.7 Property, plant and equipment (continued)

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 assess assets to be cash generating, when the asset is used with the objective to generate commercial return. The CRL Rights Commission assess 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 reporting date to determine whether there is any indication that an asset may be impaired. If there is any indication that the 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 assess at 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.

Accounting Policies

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, or 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	3 years

De-recognition of intangible assets

An intangible asset is derecognised when the separate item of intangible asset is disposed off or withdrawn from service or replaced. The gain or loss from de-recognition of intangible assets are determined as the difference between the proceeds, if any, and 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 method 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 includes 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 that are directly attributable to the acquisition or issue of the financial asset or financial liability.

Accounting Policies

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 asset 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 restriction 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.

Accounting Policies

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 company by average monthly working days multiplied by the leave days that has actually accrued to that employee.

Leave provision for employees that are not on a structured salary package 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 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 the 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 increase 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 was 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 21".

1.14 Related parties

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

Accounting Policies

1.14 Related parties (continued)

Transactions with key management personnel are recognised as related party transactions. Key management personnel is defined as being individuals with the authority and responsibility for planning, directing and controlling activities of the CRL Rights Commission. All individuals from 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 20.

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 Co-operative 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 has been disclosed as such in note 27.

1.15 Fruitless and wasteful expenditure

Fruitless and wasteful expenditure is expenditure that was made in vain and would 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 2022/04/01 to 2023/03/31 is presented in the annual financial statements. The approved budget apply 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 at 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 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 28.

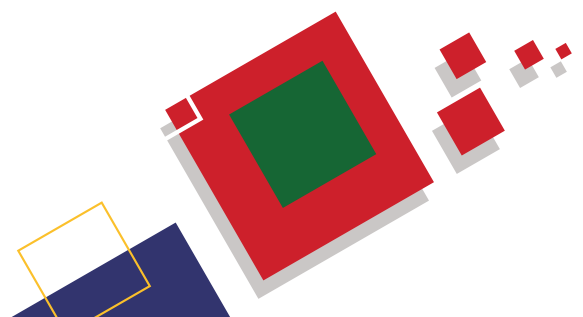
Notes to the Annual Financial Statements

2. New standards and interpretations

2.1 Standards and interpretations issued, but not yet effective

The CRL Rights Commission has not applied the following standards and interpretations, which have been published and are mandatory for the CRL Rights Commission's accounting periods beginning on or after 01 April 2023 or later periods:

Standard/ Interpretation:	Effective date: Years beginning on or after	Expected impact:
• Guideline: Guideline on Accounting for Landfill Sites	01 April 2023	Unlikely there will be a material impact
• GRAP 103 (as revised): Heritage Assets	01 April 2023	Unlikely there will be a material impact
• GRAP 25 (as revised): Employee Benefits	01 April 2023	Unlikely there will be a material impact
• iGRAP 7 (as revised): Limit on defined benefit asset, minimum funding requirements and their interaction	01 April 2023	Unlikely there will be a material impact
• Guideline: Guideline on the Application of Materiality to Financial Statements	01 April 2023	Unlikely there will be a material impact
• GRAP 104 (as revised): Financial Instruments	01 April 2025	Unlikely there will be a material impact
• iGRAP 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



Notes to the Annual Financial Statements

3. Property, plant and equipment

	2022 R '000		2023 R '000			
	Cost	Accumulated depreciation	Carrying value	Cost	Accumulated depreciation	Carrying value
Mobile Communication devices	120	(27)	93	203	(183)	20
Furniture and fixtures	2 383	(1 639)	744	2 409	(1 555)	854
Motor vehicles	996	(48)	948	841	(101)	740
Office equipment	2 496	(1 367)	1 129	2 052	(1 288)	764
Computer equipment	1 845	(968)	877	1 999	(866)	1 133
Leasehold improvements	1 001	(985)	16	1 001	(968)	33
Total	8 841	(5 034)	3 807	8 505	(4 961)	3 544

Reconciliation of property, plant and equipment - 2023

	Opening balance	Addition	Disposals	Depreciation	Total
Mobile communication devices	20	120	-	(47)	93
Furniture and fixtures	854	-	-	(110)	744
Motor vehicles	740	758	(527)	(23)	948
Office equipment	764	604	-	(239)	1 129
Computer equipment	1 133	72	(11)	(318)	876
Leasehold improvements	33	-	--	(17)-	16-
Total	3 544	1 554	(538)	(754)	3 806

Notes to the Annual Financial Statements

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

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 are fully depreciated property, plant and equipment which are still in use.

4. Intangible assets

	2023			2022		
	Cost	Accumulated amortisation Accumulated amortisation	Carrying value	Cost	Accumulated amortisation Accumulated amortisation	Carrying value
Computer software	162	(112)	50	162	(96)	66
Office 365	1 098	(768)	330	1 098	(329)	769
Total	1 260	(880)	380	1 260	(425)	835

Notes to the Annual Financial Statements

4. Intangible assets (continued)

Reconciliation of intangible assets - 2023		Opening balance	Amortisation	Total
Computer software		66	(16)	50
Office 365		769	(439)	330
		835	(455)	380

Reconciliation of intangible assets - 2022		Opening balance	Additions	Disposals	Amortisation	Total
Computer software		274	-	(191)	(17)	66
Office 365		-	1 098	-	(329)	769
Total		274	1 098	(191)	(346)	835

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

Non Current portion			
Building		75	605
Parking		8	68
Total		83	673

Current portion			
Building		410	51
Parking		45	6
Total		455	57

6. Prepayments

Current portion			
Software for accounting Caseware annual licence		96	82
Software for accounting and payroll annual licence		175	-
Building and parking operating lease payments		281	263
Training		23	-
Dogan exhibition		-	55
Microsoft Office 365		795	640
Total		1 370	1 040

Non-Current portion			
Microsoft Office 365		-	799
Total		-	799

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

Notes to the Annual Financial Statements

	2023 R '000	2022 R '000
7. Receivables from exchange transactions		
Deposits (Landlord)	332	332
Receivable from third parties	51	144
Accrued income	77	26
Total	460	502
Non-current assets	332	332
Current assets	128	170
Total	460	502

The non current receivable relate 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:		
Cash on hand	2	3
Call deposit account balance	19 664	14 954
Demand deposit account balance	11	1 126
Total	19 677	16 083

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

9. Accumulated surplus

Accumulated surplus - 2023

	Accumulated surplus	Total
Opening balance	18 419	18 419
Net surplus	5 201	5 201
Total	23 620	23 620

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
Total	18 419	18 419

Notes to the Annual Financial Statements

	2023 R '000	2022 R '000
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10. Provisions

Reconciliation of provisions - 2023

	Opening Balance	Additions	Utilised during the year	Total
Provision for leave pay	1 019	886	(1 019)	886

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)	-
Total	4 091	1 019	(4 091)	1 019

Majority of employees did utilise 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 R91 000.

11. Payables from exchange transactions

Trade payables	161	1 883
Accrued bonuses	479	532
Payroll liabilities	10	220
Total	650	2 635

12. Other income - exchange transactions

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

Finance Income	-	-
Finance income from bank accounts - Cash	858	348
Finance income from bank accounts - Accrued	77	26
Assets taken at fair value	90	-
Proceeds from insurance	536	-
Disposal income	67	-
Total	1 628	374

13. Revenue from non-exchange transactions

Transfer from the Department of Co-operative Governance and Traditional Affairs	46 818	46 032
---------------------------------------------------------------------------------	--------	--------

14. Employee costs

Basic salary	15 445	14 418
Commissioners remuneration	2 187	3 411
Unemployment Insurance fund	77	68
Skills development levy	203	191
Other non pensionable allowances	6 237	6 066
Sub-total	24 149	24 154
Pension fund - Defined benefit plan	790	760
Provident fund - Defined benefit plan	990	1 089
Sub-total	1 780	1 849
Total	25 929	26 003
Staff compliment	36	40

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 27.

Notes to the Annual Financial Statements

	2023 R '000	2022 R '000
15. Depreciation and amortisation		
Depreciation and amortisation costs	1 207	1 088
16. Other operating expenditure		
Covid - 19 Personal protective equipment	-	23
Software licenses	776	708
Consulting and professional fees	684	888
Computer expenses	717	238
Refund retained earnings	-	(3 000)
Operating lease	3 176	3 169
Travel and subsistence allowance	3 187	3 102
Marketing	657	72
Repairs and maintenance	322	156
Communication and courier cost	380	959
Staff training and development	122	201
Loss on disposal of assets	538	55
Bad debts written off	-	95
Advert Tender and related expenses	69	-
Photographic expense	44	-
Total	10 672	6 664
17. Administrative expenses		
Recruitment advertisement	14	92
Internal auditing	957	206
Insurance	2	194
Legal expenses	75	300
Catering	539	193
Stationary and printing	420	438
Venues and facilities	905	1 221
Bank charges	18	19
Water and electricity	28	43
Municipal charges	41	48
Common area electricity	634	496
Rates and Taxes	229	219
Interest paid	1	-
Total	3 863	3 469
18. Auditors' Fees		
Fees	1 574	1 618

Notes to the Annual Financial Statements

	2023 R '000	2022 R '000
19. Cash generated from operations		
Surplus	5 201	7 562
Adjustments for:		
Depreciation and amortisation	1 207	1 088
Loss on disposal of assets	538	55
Increase in provisions	(133)	(3 072)
Increase in accrual income	-	11
Bad debts written off	-	(95)
Bonus accruals	-	30
Increase (decrease) in repayments	469	(1 294)
Changes in working capital:		
(Increase)/decrease in trade and other receivables from exchange transactions	42	48
Increase (decrease) in payables from exchange transactions	(1 985)	227
Increase (decrease) in operating lease liabilities	(192)	6
Total	5 147	4 564

20. Commissioners and prescribed officer's emoluments

Commissioners

2023

	Appointment date	Basic salary	Structured Salary	Provident fund	Other benefits	Fees	Total
DL Mosoma (Chairperson)	2019/07/01	813	474	-	15	-	1 302
SM Pheto (Deputy Chairperson)	2019/07/01	691	357	104	73	-	1 225
M Abudroaf	2019/07/01	-	-	-	1	236	237
T Mosala	2019/07/01	-	-	-	1	280	281
NV Tyamzashe	2019/07/01	-	-	-	-	187	187
RS Schoeman	2019/07/01	-	-	-	-	118	118
S Dlamini	2019/07/01	-	-	-	138	163	301
FS Khama	2019/07/01	-	-	-	-	353	353
RT Kgatla	2019/07/01	-	-	-	6	215	221
RD Botha	2019/07/01	-	-	-	28	402	430
M Langa	2019/07/01	-	-	-	-	81	81
Total		1 504	831	104	262	2 035	4 736

Notes to the Annual Financial Statements

Commissioners

2022

	Appointment date	Basic salary	Structured 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 Abduroaf	2019/07/01	-	-	-	9	378	387
NV Tyamzashe	2019/07/01	-	-	-	3	366	369
RS Schoeman	2019/07/01	-	-	-	-	280	280
T Mosala	2019/07/01	-	-	-	-	219	219
ON Mndende	2019/07/01	-	-	-	141	199	340
S Dlamini	2019/07/01	-	-	-	-	484	484
FS Khama	2019/07/01	-	-	-	13	348	361
M Langa	2019/07/01	-	-	-	25	451	476
RT Kgatla	2019/07/01	-	-	-	3	69	72
RD Botha	2019/07/01	-	-	-	-	305	305
P Ntuli	2019/07/01	-	-	-	1	289	290
Total		1 504	899	104	204	3 388	6 099

* Vacancies that was created by commissioners that have resigned have not been filled.

20. Commissioners and prescribed officer's emoluments (continued)

Audit and Risk Committee

2023

	Appointment Date	Other Benefits	Fees	Total
M Phiri (Chairperson)	2019/08/01	-	68	68
T Poee	2019/12/01	-	37	37
L Mangquku	2019/12/01	-	37	37
Total		-	142	142

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
Total		-	210	215

Notes to the Annual Financial Statements

Senior Management Emoluments

2023	Appointment date	Basic salary	Structured salary	Pension/Provident fund	Other benefits	Total
Chief Executive Officer - TE Mafadza	2008/04/01	795	471	105	66	1 437
Chief Financial Officer - CM Smuts	2006/06/01	896	291	137	-	1 324
Senior Manager - B Makeketa	2008/01/14	724	417	111	21	1 273
Senior Manager - RM Mkholo	2016/12/01	672	387	102	-	1 161
Total		3 087	1 566	455	87	5 195

2022	Appointment date	Basic salary	Structured salary	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
Total		2 992	1 555	444	40	5 031

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

21. Going concern

During the current medium term expenditure framework the CRL Rights Commission is allocated a baseline allocation of R 46 998 000. 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 2024 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.

	2023 R '000	2022 R '000
22. Reconciliation of Irregular expenditure		
Opening balance as previously reported	11 979	11 979
Add: Irregular Expenditure Confirmed	2	-
Closing balance	11 981	11 979

Notes to the Annual Financial Statements

	2023 R '000	2022 R '000
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The irregular expenditure incurred in the current financial year relate to unauthorised usage of petrol card by employee of the Commission.

Reconciling notes to the financial statements disclosure

Irregular expenditure for the current year	-	-
	2	-
	2	-

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

23. Reconciliation of fruitless and wasteful expenditure

Opening balance as previously reported	1 693	1 693
Add:Fruitless and wasteful expenditure confirmed	1	-
Closing balance	1 694	1 693

The current fruitless and wasteful expenditure relates to interest charge by landlord due to a late payment of a monthly rental.

Reconciling notes to the annual financial statements

Disciplinary steps taken/criminal proceedings

Fruitless and wasteful expenditure for the current year

24. 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 - 2023	Within 1 year	Within 2 - 5 years	Total
Building	3 234	546	3 780
Parking	361	61	422
	3 595	607	4 202
Minimum lease payment - 2022	Within 1 year	Within 2 - 5 years	Total
Building	2 994	3 779	6 773
Parking	334	422	756
	3 328	4 201	7 529

25. 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.

Notes to the Annual Financial Statements

The cash deposits are held with First National Bank incorporated in South Africa.

Financial assets			
Trade and other receivables		460	502
Cash and cash equivalents		19 677	16 083
Financial liabilities			
Trade payables		-	161

Monthly maturity analysis of financial liabilities - 2023	1-3 months	4-6 months	7-9 months	10-12 months	Total
-----------------------------------------------------------	------------	------------	------------	--------------	-------

Trade payables	161	-	-	-	161
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Monthly maturity analysis of financial liabilities - 2022	1-3 months	4-6 months	7-9 months	10-12 months	Total
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Trade payables	1 848	-	-	35	1 883
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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.

25 Financial instruments (continued)

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.

Notes to the Annual Financial Statements

	2023 R '000	2022 R '000
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The maximum exposure to credit risk for the CRL Rights Commission at the end of the period were as follows:

Financial assets

Trade and other receivables

Monthly maturity analysis of financial assets - 2023	1-3 months	4-6 months	7-9 months	10-12 months	Total
Trade and other receivables	460	-	-	-	460
	460	-	-	-	460

Monthly maturity analysis of financial assets - 2022

	1-3 months	4-6 months	7-9 months	10-12 months	Total
Trade and other receivables	-	-	-	502	502
	-	-	-	502	502

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.

26. Contingencies

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

27. Related parties

Related party transactions

Aggregate amounts with related parties

Chairperson	1 302	1 360
Deputy Chairperson	1 225	1 156
Audit Committee members	142	215
Commissioners	2 209	3 583
Senior management	5 195	5 031
Department of Co-operative Governance and Traditional Affairs	46 818	46 032

Payments made to Commissioners, Audit Committee members, and Senior Management of the CRL Rights Commission 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 the Department of Co-operative Governance and Traditional Affairs and therefore the Department of Co-operative Governance and Traditional Affairs is treated as a related party and are disclosed as a related party transaction.

28. Events after the reporting date

There are no known events after reporting for the period ended 31 March 2023.



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

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RP: 209/2023

ISBN: 978-0-621-51284-7