



DCSR POLICY: COMPLIANCE FRAMEWORK

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1. INTRODUCTION

The Department of Culture, Sport and Recreation (DCSR) is mandated to promote social cohesion, nation-building, cultural preservation, multilingualism, sport development, library and archival services, and institutional governance within the Province of Mpumalanga. The Department derives its mandate from the Constitution of the Republic of South Africa, 1996, together with sector-specific legislation, policies and strategic frameworks applicable to provincial government departments.

This Compliance Framework provides a structured system through which the Department will ensure adherence to all applicable constitutional, legislative, regulatory and policy requirements during the 2026/27 financial year. The Framework further promotes ethical governance, accountability, transparency, effective risk management, sound financial administration and improved service delivery.

The Framework is aligned to the Department's Annual Performance Plan (APP) 2026/27, Strategic Plan 2025–2030, Public Finance Management Act (PFMA), Treasury Regulations and broader public sector governance prescripts.

2. PURPOSE OF THE FRAMEWORK

The purpose of this Compliance Framework is to:

- Ensure compliance with applicable legislation, regulations, policies and standards;
- Promote a culture of ethical conduct and accountability;
- Strengthen governance and internal control systems;
- Provide mechanisms for monitoring and reporting compliance;
- Reduce exposure to legal, financial, operational and reputational risks;
- Improve institutional performance and service delivery;
- Support achievement of departmental strategic outcomes and APP targets;
- Promote consequence management for non-compliance.

3. OBJECTIVES

The objectives of the Compliance Framework are to:

1. Identify all applicable legislative and regulatory obligations;
2. Assign accountability for compliance management;
3. Establish compliance monitoring mechanisms;
4. Integrate compliance into risk management processes;
5. Facilitate early identification and mitigation of non-compliance risks;
6. Ensure periodic reporting to governance structures;
7. Promote continuous compliance awareness and training;
8. Strengthen institutional governance and oversight.

4. LEGISLATIVE AND REGULATORY MANDATE

The Department shall ensure compliance with all applicable constitutional, legislative, regulatory and policy mandates reflected in the 2026/27 Annual Performance Plan.

4.1 Constitutional Mandates

The Department derives its constitutional mandate from:

Constitution of the Republic of South Africa, 1996

Relevant constitutional provisions include:

- Section 6 – Promotion and development of official languages;
- Section 30 – Language and cultural rights;
- Section 31 – Rights of cultural, religious and linguistic communities;
- Schedule 5 Part A:
 - Provincial sport;
 - Provincial recreation and amenities;
 - Libraries other than national libraries;
 - Archives other than national archives;
 - Museums other than national museums.

5. APPLICABLE LEGISLATION

5.1 Governance and Administration Legislation

The Department shall comply with, amongst others:

Legislation	Compliance Focus
Public Finance Management Act, 1999 (PFMA)	Financial governance, expenditure management, reporting and accountability
Treasury Regulations	Financial management and internal controls
Public Service Act, 1994	Human resource administration
Labour Relations Act, 1995	Labour relations and dispute management
Basic Conditions of Employment Act, 1997	Employment conditions
Employment Equity Act, 1998	Equity and transformation
Occupational Health and Safety Act, 1993	Workplace health and safety

Legislation	Compliance Focus
Protection of Personal Information Act, 2013	Protection of personal information
Promotion of Access to Information Act, 2000	Access to information
Promotion of Administrative Justice Act, 2000	Administrative fairness
Protected Disclosures Act, 2000	Whistleblowing protection
Government Immovable Asset Management Act, 2007	Asset management
Disaster Management Act	Disaster preparedness and response
Preferential Procurement Policy Framework Act	SCM compliance and procurement
Tender Board Act	Procurement governance

5.2 Sector-Specific Legislation

Cultural Affairs

Legislation	Compliance Requirement
Mpumalanga Arts and Culture Council Act, 1999	Promotion and development of arts and culture
National Arts Council Act, 1997	Arts sector support
National Heritage Resources Act, 1999	Heritage preservation
National Heritage Council Act, 1999	Heritage management
Cultural Institutions Act, 1998	Cultural institution governance
Culture Promotion Act, 1983	Cultural development
South African Geographical Names Council Act, 1998	Geographical naming processes
Heraldry Act, 1962	Registration and protection of heraldic symbols
National Film and Video Foundation Act, 1997	Film industry development

Legislation	Compliance Requirement
Mpumalanga Provincial Languages Act, 2014	Promotion of multilingualism and language services
Pan South African Language Board Act, 1995	Protection and promotion of language rights

Library and Archive Services

Legislation	Compliance Requirement
Mpumalanga Archives Act, 1998	Management of provincial archives
National Library of South Africa Act, 1998	Library services and preservation
Library Ordinance Act, 1992	Public library governance
Legal Deposit Act, 1997	Preservation of documentary heritage
South African Library for the Blind Act, 1998	Accessible library services

Sport and Recreation

Legislation	Compliance Requirement
National Sport and Recreation Act, 1998	Promotion and coordination of sport
South African Institute for Drug-Free Sport Act, 1997	Anti-doping compliance
SA Boxing Act, 2001	Regulation of professional boxing
Safety at Sports and Recreational Events Act, 2010	Safety management at events

6. POLICY AND STRATEGIC ALIGNMENT

The Framework is aligned to the following policies and strategies:

- National Development Plan 2030;
- Medium Term Development Plan (2024–2029);

- Revised Framework for Strategic Plans and APPs (2019);
- White Paper on Sport and Recreation;
- White Paper on Arts, Culture and Heritage;
- Draft Social Cohesion Strategy;
- National Policy on Digitisation of Arts, Culture and Heritage;
- School Sport Policy;
- National Youth Policy (2020–2030);
- White Paper on the Rights of Persons with Disabilities (2016).

7. GOVERNANCE STRUCTURE FOR COMPLIANCE MANAGEMENT

7.1 Accounting Officer

The Accounting Officer shall:

- Ensure effective and efficient compliance management systems;
- Promote ethical leadership and accountability;
- Ensure implementation of internal controls;
- Report material non-compliance to relevant oversight structures.

7.2 Ethics and Risk Management Committee

The Committee shall:

- Monitor compliance risks;
- Ensure integration of compliance into risk management processes;
- Review mitigation plans for non-compliance.

7.3 Internal Audit

Internal Audit shall:

- Conduct independent compliance audits;
- Assess effectiveness of controls;
- Provide assurance to management and the Audit Committee.

7.4 Audit Committee

The Audit Committee shall:

- Provide oversight over governance and compliance;
- Review internal audit findings;
- Monitor implementation of corrective actions.

7.5 Line Managers

Managers shall:

- Ensure compliance within their operational areas;
- Monitor implementation of controls;
- Report non-compliance incidents.

7.6 Employees

Employees shall:

- Comply with all applicable laws, policies and procedures;
- Report unethical or unlawful conduct;
- Participate in compliance training initiatives.

8. COMPLIANCE RISK MANAGEMENT

The Department shall integrate compliance management into its Enterprise Risk Management Framework through:

- Identification of compliance obligations;
- Compliance risk assessments;
- Development of mitigation plans;
- Monitoring of emerging legislative risks;
- Quarterly compliance reviews;
- Maintenance of compliance registers.

High-risk compliance areas shall include:

- Financial management;
- Supply chain management;
- Infrastructure delivery;
- Human resource management;
- Information management;
- Sport event safety;
- Heritage and archival preservation;
- Protection of personal information.

9. COMPLIANCE MANAGEMENT PROCESS

The Department shall implement the following compliance management cycle:

Step	Activity	Due date
1	Conduct a Legislative Compliance Assessment	Quarter 1
2	Update the Policy register	Quarter 1

Step	Activity	Due date
3	Update the Compliance Matrix	Quarter 1
4	Compliance risk assessment	Quarter 2
5	Development a Compliance Risk Register	Quarter 2
6	Monitoring and testing	Quarterly
7	Reporting and corrective action	Quarterly
8	Continuous improvement	Quarterly

10. COMPLIANCE MONITORING AND REPORTING

10.1 Monitoring Mechanisms

The Department shall implement:

- Quarterly compliance reviews;
- Internal control assessments;
- Compliance self-assessments;
- Internal audit reviews;
- Management performance reviews;
- Risk assessments;
- Policy compliance monitoring.

10.2 Reporting

Compliance reporting shall be submitted:

Structure	Reporting Frequency
Executive Management Committee	Quarterly
Risk Management Committee	Quarterly
Audit Committee	Quarterly
Provincial Treasury	As required
Legislature and Oversight Bodies	As required

11. ETHICS MANAGEMENT

The Department shall promote ethical governance through:

- Implementation of the Code of Conduct for Public Servants;
- Financial disclosure processes;
- Ethics awareness programmes;
- Fraud prevention initiatives;
- Conflict of interest management;
- Whistleblowing mechanisms;
- Anti-corruption initiatives.

The National Anti-Corruption Hotline and Protected Disclosures mechanisms shall be promoted across the Department.

12. CONSEQUENCE MANAGEMENT

Non-compliance shall result in appropriate corrective and disciplinary measures, including:

- Corrective action plans;
- Disciplinary action;
- Recovery of losses;
- Reporting to law enforcement agencies where necessary;
- Performance management interventions.

Repeated or material non-compliance shall be escalated to the Accounting Officer and relevant oversight structures.

13. CAPACITY BUILDING AND AWARENESS

The Department shall ensure ongoing compliance awareness through:

- Induction programmes;
- Legislative awareness workshops;
- Ethics training;
- SCM compliance training;
- POPIA awareness;
- Records management training;
- Occupational health and safety training.

14. RECORD MANAGEMENT

All compliance records shall be:

- Properly maintained;
- Safeguarded;

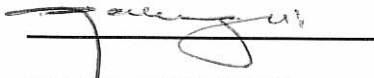
- Accessible for audit and oversight purposes;
- Retained in accordance with applicable records management legislation and archival prescripts.

15. REVIEW OF THE FRAMEWORK

This framework must be reviewed at least once every three (3) years or as required by legislative or organisational changes.

16. APPROVAL

This Compliance Framework is approved for implementation for the 2026/27 financial year and shall apply across all programmes and sub-programmes of the Department of Culture, Sport and Recreation.



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