



**The
FW de Klerk
Foundation**

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2007 - 2008
was the **most**
successful year
that the Foundation
has so far
experienced.

It witnessed the growth and consolidation of the Centre for Constitutional Rights as one of the foremost actors and opinion leaders on constitutional issues. The Foundation continued to examine issues of critical importance to South Africa - such as the question of land reform; the continuing impact of our past; and the implications of the National Democratic Revolution. At the end of February, it held its most successful conference yet - on the theme of unity in diversity. During the year, the Foundation also expanded its outreach programmes to handicapped children.

The Foundation is playing an increasingly positive role in upholding the great national accord that we South Africans negotiated between 1990 and 1996. The national accord is articulated in our 1993 Interim Constitution; in the 35 immutable constitutional principles that were included in the interim constitution; and in the 1996 Constitution. Upholding the accord does not entail only the protection and promotion of the Constitution - although this is a critically important priority. It also included engaging South Africans across the political spectrum in debate on key issues confronting South Africa; it entails strategically targeted research; it requires expanded communication with all our people - and it is reflected in practical examples of looking after those - especially children - who need special care and attention.

I would like to thank the staff of the Foundation and the Centre for Constitutional Rights for the contributions they made to the successes of the 2007 – 2008 financial year. In particular, I would like to thank Mr Dave Steward for his exceptional leadership in all the activities of the Foundation. He, together with Adv Paul Hoffman SC and adv Nikki de Havilland established the Centre for Constitutional Rights as one of the leading role-players and opinion formers on constitutional issues. On behalf of the Board of Trustees I thank them for their continued dedication.

F W de Klerk CHAIRMAN

positive role



This annual report provides an overview of the main activities of the Foundation and its Centre for Constitutional Rights for the 2007-2008 financial year.

Highlights of the year - in respect of the Foundation's activities - included 'bush conferences' on the continuing impact of the past in our national life and the implications of the National Democratic Revolution. We were also able to hold our long-awaited Conference on Unity in Diversity, with the co-operation of the Konrad Adenauer Foundation. The conference was well supported by participants from the government who were able to exchange views with leading academics and community leaders. The keynote addresses were delivered by Kader Asmal, former cabinet minister, and Prof Fernand de

Varenes of Murdoch University in Western Australia.

The Foundation also commissioned and produced an authoritative study on the latest developments affecting the important question of land reform. It continued to participate actively in the national debate by means of articles in the media; radio and TV interviews; its website and its publication Consensus.

Most gratifyingly, the Foundation was able to obtain and distribute almost R500 000 to organisations caring for handicapped children - including the Alta du Toit School and the Woodside Special Care Centre for children with profound mental handicaps.

During 2007-2008 the Foundation's Centre for Constitutional Rights continued to make impressive progress. The Centre was actively involved in promoting a wide range of constitutional rights. After less than two years in existence, it succeeded in establishing itself as one of the country's leading authorities on constitutional affairs. The Centre continued to monitor any developments that might negatively affect constitutional rights - by analysing new legislation before parliament and by identifying any threatening developments in the national discourse. The Centre participated for the first time as *amicus curiae* in the Constitutional Court in the case of DH Nyathi vs the MEC for Health relating to the need for government departments to comply with court orders. It made numerous oral and written submissions to parliament and became actively involved in a wide spectrum of constitutional issues, including the independence of the judiciary; the language rights of members of the SA Police Service in the Western Cape; the right to basic education; unbalanced affirmative action - and toward the end of the financial year - the controversial white paper on the proposed expropriation bill. In the course of these activities the CFCR procured *pro bono* legal advice and assistance for a number of organisations and dealt with numerous requests from people and organisations experiencing difficulties with regard to their constitutional rights. The Centre generated articles in the national media - almost on a weekly basis - and participated in numerous radio and TV interviews on constitutional issues. It also expanded its communication via its website and publication ConsWatch - and introduced a new communication vehicle 'ConsAlert' to inform contacts of new and important developments in the constitutional debate. Finally, the Centre arranged a competition in the Western Cape to popularise the constitution among school children.

In summary: the Foundation and the Centre continue to give practical content to their vision of upholding the national accord on which the new South Africa has been founded.

Dave Steward EXECUTIVE DIRECTOR



Mission

The FW de Klerk Foundation continues the philosophical and political heritage that FW de Klerk established when he was president by -

▲ Mr FW de Klerk, Dr Werner Böhler of KAS and Prof Vernand de Varennes at the Conference on Unity in Diversity.

established

- **Upholding** the constitution and the national accord on which it is based
- **Promoting** communication between leadership groups
- **Commissioning** research and communicating on topics of importance to South Africa's multicultural society
- **Promoting** the peaceful resolution of conflicts in divided societies throughout the world; and by
- **Mobilising** financial support for handicapped children

▼ The FW de Klerk Foundation, in conjunction with KidsRights International, sponsors the care for six wards of court children at the Woodside Special Care Centre.



Supporting

the constitution and the national accord on which it is based...

The Centre for Constitutional Rights

- **Promotes** the values, rights and principles in the constitution
- **Monitors** developments that might affect the constitution
- **Informs** people and organisations of their constitutional rights
- **Assists** people and organisations to claim their rights

rights

During 2007-2008 the Centre continued to establish itself as a leading and authoritative source of expertise on constitutional issues. It dealt *inter alia* with the following constitutional issues:

■ THE INDEPENDENCE OF THE JUDICIARY

- Liaison with retired judges
- Interaction with NGOs
- Analyses of appointment of judges as it affects their independence
- Written and Oral Submissions to the Select Committee on the JSC Bill
- Advice to the International Bar Council on threats to the Independence of the Judiciary
- **ARTICLES ON:** *The lot of retired judges; What to do with errant judges; Acting judges; Appointment procedures; The true centre of power; The discussion document, the assessment and the T-shirt; Judicial reforms are the real key vote; Controlling the judiciary*

■ THE DISSOLUTION OF THE SCORPIONS

- Interaction with NGOs, opposition parties and NPA
- Advice to litigant in the case to save the Scorpions
- Attendance of conferences on the future of the Scorpions
- **ARTICLES AND LETTERS:** *Save our Scorpions (on the proposed disbandment of the Scorpions); Championing the Scorpions; In defence of the Scorpions*

■ RIGHT TO EQUALITY

- Written submissions to Parliament on the Marriage Amendment Bill and the Domestic Partnership Bill
- **ARTICLE ON:** *One of the conundrums of our new constitution*

■ THE ENFORCEMENT OF COURT ORDERS

- Intervention as *amicus curiae* in Constitutional Court case DH Nyathi vs MEC Dept of Health, Gauteng
- Identification of judgement that will assist courts to enforce orders against non-compliant public servants
- Liaison with legal community and NGOs

■ **ARTICLE 19: De Rebus**

■ LANGUAGE RIGHTS

- Continued liaison with Premier Rasool and the State Attorney regarding language policy of SAPS in the Western Cape; *Pro deo* briefing of attorneys re case against Western Cape SAPS
- Compilation of language policy for the Western Cape Medical Services
- Liaison with Eastern Cape Commissioner of Police regarding language policy

■ **ARTICLE 25: International mother language day**

■ FREEDOM OF EXPRESSION

- Submission to Parliamentary Portfolio Committee and the NCOP Select Committee on the proposed Film and Publications Amendment Bill

■ **ARTICLES 19: The courts alone cannot preserve press freedom; Press freedom in South Africa**

■ CULTURAL RIGHTS

- Discussion between Mr FW de Klerk, Pres Thabo Mbeki, Mr Dave Steward, Prof Hennie van Coller and Rev Frank Chikane regarding the Nasionale Afrikaanse Letterkundige Museum en –navorsingsentrum regarding the future of this institution
 - Constitutional advice on religious charter and meeting between FW de Klerk, CFCR and Prof Rudi Coertzen
 - Devising and advising Khoi San on strategy to claim cultural rights as primary indigenous people
-

■ THE FUTURE OF THE PROVINCES

- Participation in the Helen Suzman Foundation discussion on the future of the provinces
 - Submissions to the Dept of Provincial and Local Government on the development of a White Paper on Provincial Government and review of the White Paper on Municipal Government
 - Opinion from senior council on constitutionality of proposed single civil service
-

■ THE FUTURE OF CHAPTER IX INSTITUTIONS

- Submission to the Kader Asmal Committee on the future of Chapter IX Institutions
 - Media release
-

■ MOTHER TONGUE EDUCATION AND THE POWERS OF SCHOOL GOVERNING BODIES

- Liaison with education community, including FEDSAS, regarding the Ermelo High School case and publicizing the plight through press articles in Die Burger, Beeld and Rapport
- Close monitoring of dispute regarding Ermelo High School; close liaison with education authorities
- Advice to school governing bodies
- Close liaison with and advice to Doornfontein School on court challenge to dual medium

■ **ARTICLE 25: The Ermelo High School Judgement**

■ RIGHT TO BASIC EDUCATION

- Joint brief with the HRC to the Johannesburg Bar regarding the failure to deliver the right to basic education
 - Intervention in the Education Laws Amendment Bill and the power of school governing bodies through a speech at the AGM of the SGB Association in Rondebosch
 - Liaison with Unicef and Department of Education re training of principals
 - Attendance of national conference on principal training
 - Identification of "Learning to Lead" as principal training service provider
 - Securing of funding for training programme for school principals in the Western Cape and Gauteng and service provider
 - Written submission on the proposed schools' pledge
 - Drafting of alternative pledge for schools
- **ARTICLES ON: *The need for proper assessment of teachers' programmes; What is at stake in Education? Reforming basic education; Letters to the editor on dysfunctional educational system; The Schools' Pledge (Cape Times); Radio interviews on SAFM***

■ AFFIRMATIVE ACTION AND THE REQUIREMENT FOR DEMOGRAPHIC REPRESENTIVITY

- Liaison with Comair concerning constitutionality of affirmative measures
 - Presentation of the annual FW de Klerk Lecture at UNW (on affirmative action)
 - Brief to Senior Counsel on the constitutionality of present AA implementation practices
 - Advice to the National Association of Welfare Non-Governmental Organisations (NAWONGO) that stand to lose state subsidies unless they become demographically representative
 - Facilitation of legal opinion
 - Liaison with government with a view to holding a bosberaad between welfare departments and civil society
 - Advice to citizens regarding alleged affirmative action infringements
- **ARTICLES ON: *Equality and Is BEE working?***

■ PROPERTY RIGHTS AND LAND REFORM

- Advice on Lutzville land claim
 - Speech to Malmesbury Farmer's Association AGM on Land reform
 - Publication of a definitive study on the present situation with regard to land reform
 - Media launch of the research document
 - Advising Khoi San on land claim
 - Procuring *pro bono* legal assistance for Khoi San land claim challenge
 - Advising landowners on Salem land claim
 - Procuring Eastern Cape Legal assistance for land owners
 - Monitoring of white paper on new Expropriation legislation
- **ARTICLES ON: *Ominous Land Reform Changes***

■ PUBLIC PROMOTION OF THE CONSTITUTION AND THE BILL OF RIGHTS

- Schools competition in the Western Cape to promote the Bill of Rights
- **ARTICLES ON: *Have you hugged your Constitution today?; The antidote of residual racism***

■ CRIME

- Liaison with civil society organisations in Cape Town to focus attention on crime – including constitutional remedies and promotion of a Provincial Commission of Enquiry
 - Compilation of 13 point plan to combat crime
 - Co-operation with the Human Rights Commission at national and provincial level on anti-crime strategies
- **ARTICLE ON: *Are criminals getting the upper hand?***

Promoting

the peaceful resolution of conflicts in divided societies throughout the world

The Foundation has shared South Africa's experience with peaceful transformation with people in a number of countries that have experienced cultural, religious or racial conflict - including Northern Ireland, Israel/Palestine and Cyprus. FW de Klerk attends numerous international conferences and makes speeches throughout the world in which he deals with problems of inter-community relations; peace and development.

In the course of the year Mr De Klerk addressed the following audiences:

- PSG Konsult National Conference, Sun City
- Salisbury University, Maryland, USA
- The Beth Israel Congregation, Houston, USA
- The University Of Nevada
- The World Presidents Organisation, Detroit
- The 7th Doha Forum On Democracy, Doha, U.A.E.
- Buzzi Unicem, Cape Town
- UCI B World Championships Opening statement
- The National Credit Indaba, Sandton
- The Stern-Stewart Institute, Germany
- Aardklop Arts Festival, Potchefstroom
- The Fourth KidsRights Gala Evening in Rotterdam
- The Athens University Of Economics & Business, Athens
- The Kennedy School of Government, Harvard
- The Interlaken Alpen Symposium, Interlaken, Switzerland
- The First Global Forum On New Democracies, Taipei
- Launch of commemorative medallions, Gold Reef City
- Conference On Unity In Diversity, Radisson Hotel, Granger Bay, Cape Town

Promoting communication between leadership groups.....

During the year the Foundation organized the following conferences:

■ DEALING WITH A DIVIDED PAST - WORKING FOR A COMMON FUTURE

The Foundation convened a Bosberaad on 2 and 3 March 2007 at Intundla near Pretoria to discuss South Africa's divided past and ways of moving forward to the achievement of common goals in the future. Participants included Mr Moeletsi Mbeki, Dr Fazel Randera, Mr Jaco Theunissen, Dr Dirk Hermann of Solidarity, Ms Reanette Taljaard of the Helen Suzman Foundation and representatives of the Foundation. The meeting considered the following questions:

- Do we have different versions of the past, and if so, what are the implications?
- Collective guilt - unto what generation and what are the implications?
- Is it possible to reach agreement on the past?
- what can we do to promote reconciliation?

■ THE IMPLICATIONS OF THE NATIONAL DEMOCRATIC REVOLUTION

On 27 and 28 July 2007 the Foundation held a second bosberaad at Intundla to discuss the implications of the National Democratic Revolution and the forthcoming ANC National Conference in Polokwane. Participants included experts on the NDR and representatives of the Helen Suzman Foundation, Solidarity, AfriForum, the Free Market Foundation, the CFCR and the FW de Klerk Foundation.

■ CONFERENCE ON UNITY IN DIVERSITY

The Foundation and the Konrad Adenauer Foundation of Germany organized a major conference on Unity in Diversity in Cape Town on 28 February 2008. Representatives of government and of civil society exchanged views on how South Africans can promote their rich cultural diversity on the one hand, while working for national unity on the other. With the assistance of the Office of the President, the Foundation succeeded in achieving high level participation of government representatives in the conference - including Naledi Pandor, Minister of Education, Dr Pallo Jordan, Minister of Arts and Culture and Prof Kader Asmal, former Minister of Education and of Water Affairs, Prof Fernand de Varennes from Australia - who is a world-renowned expert on multiculturalism - was the international keynote speaker.

The Conference included panel discussions on the role of the Constitution, Education, Language Policy and Sport in promoting cultural diversity and national unity. The Foundation will produce a publication on the Conference, in collaboration with the Konrad Adenauer Foundation.



▲ Prof Francois Venter of the NWU, Mr Johan Kruger, Board Member of the FW de Klerk Foundation, and Prof WAM Carstens of the NWU at the Conference on Unity in Diversity.

Research and communication

on topics of importance to multicultural societies

■ Study on land reform

The Foundation published a comprehensive study of the latest developments affecting land reform. The study was launched at a media conference in May 2007 and elicited widespread publicity and positive comment. The Foundation liaised closely with AgriSA in the preparation and dissemination of the study which was also posted on its website.

■ The implications of the national democratic revolution

The Foundation conducted a thorough analysis of the ANC's Strategy & Tactics documents with a view to assessing the nature, scope and implications of the National Democratic Revolution - with particular reference to its constitutional implications. The study provided the basis for a bosberaad that the Foundation convened on this topic - and also for briefings to other interested organizations.

■ The media

■ ARTICLES IN THE PRESS

During the year, the Foundation published articles on the following topics in the national and international media: 'We will, we will rock you' (on the De La Rey song); The tyranny of the majority (in response to an article by Pallo Jordan); 'Crying wolf?' (regarding threats to the judiciary); Mandela's speech from the dock (for the Manchester Guardian); Proportionality - and not representivity; The future of the provinces; 'The Cape Town Archipelago' (for the Argus series on Cape Town); White privilege (on affirmative action); Amnesty; Equality; Finding the truth in infinite shades of grey; The Asmal report; Press freedom, Press responsibility; Jimmy Manyi should think again; The Springbok Rugby World Cup victory (about representivity in sport); The causes of the skills shortage; Ian Douglas Smith (obituary).

■ MEDIA INTERVIEWS

The Foundation continued to utilise the various media to convey its messages and numerous interviews on radio and television, including the national broadcaster, MNet and e.tv, were conducted. Regular press releases were issued on the Foundation's activities while articles on topical issues were published in all the major daily and weekly newspapers.

■ WEBSITE

The Foundation website is regularly updated and plays an integral role in its communication strategy. It includes the Foundation's publications, articles, press releases and the speeches. Visits to the Foundation's website varied between 3 000 and 6 300 per month.

communication



■ Consensus

Three editions of Consensus were published during the year. The newsletter publishes information about the activities of the Foundation. The newsletter is distributed to donors, the national and international media, institutions and corporations. It is also published on the Foundation's website and is distributed to more than 800 e-mail recipients.

Communication



■ ConsWatch

Four editions of ConsWatch, the newsletter of the Centre for Constitutional Rights, were published during the year under review. Each edition was dedicated to a specific topic including press freedom in South Africa, constitutional concerns, crime and the Scorpions. ConsWatch also reports on constitutional court cases, parliamentary developments and other matters of constitutional interest.



■ ConsAlert

ConsAlert is a new addition to the Foundation's communications programme and is used to distribute urgent messages to the media, the Foundation's sponsors and other related organisations. It is distributed to more than 800 e-mail recipients. The Centre continued to communicate by way of its publication ConsWatch and by means of newly introduced ConsAlerts. It continued to expand its website as a growing source of information on constitutional issues.

■ Website

The Centre's website (www.cfcr.org.za) is regularly updated and plays an integral role in its communication strategy. It provides access to the Centre's publications, articles, and constitutional analyses. Visits to the site varied between 2 200 and 3 300 per month.



www.cfcr.org.za

Panel meetings

During 2007-2008 the CFCR Panel of Experts met on two occasions - on 29 June 2007 Wanderers Club, Johannesburg and on 20 February 2008, also at the Wanderers Club. Adv Brian Spilg joined the Panel and Adv Frances Bosman and Dr Matthews Phosa announced their resignations (in Dr Phosa's case because of his recent appoint as Treasurer-General of the ANC).

Mobilising resources for handicapped children



▲ The FW de Klerk Foundation and KidsRights International presented the Alta du Toit School in Kuilsriver with a brand new bus to transport their learners between their school and homes. At the presentation ceremony were from left, Mrs Marietjie du Toit, principal of the Alta du Toit School, Mr Gerhard Botha, chairman of the Alta du Toit School Governing Body, and Mr FW and Mrs Elita de Klerk.



▲ Mr FW de Klerk listens as one of the participants in the arts competition describes her entry. Sitting is Zanele Lwana and with her is Nonqaba Mtshoro, the first prize winner.

The Foundation continued with its activities in support of selected charitable organisations involved with education and handicapped children. The Foundation succeeded in securing a grant from KidsRights International of the Netherlands which, together with funds from its own resources, it distributed in the following manner:

| | |
|-------------------------------|------------------|
| Alta du Toit School | R 255 936 |
| Woodside Special Care Centre | R 210 000 |
| Children's Rights competition | R 3 350 |
| Die Herberg Kinderhuis | R 5 000 |
| TOTAL | R 474 286 |



▲ Mrs Elita De Klerk with some of the learners of the Alta du Toit School during the handing over ceremony of a new school bus on behalf of KidsRights International of the Netherlands and the FW de Klerk Foundation.



▲ The FW de Klerk Foundation, in conjunction with Kids Rights International, sponsors the care for six wards of court children at the Woodside Special Care Centre. Here Mr De Klerk presents the donation to the Centre.

▼ Munirah Isaacs receives her prize from Mr FW de Klerk as part of the Arts Competition organized by the Foundation.



Administration and fundraising



▲ Mrs Elita de Klerk and Mrs Brenda Bedborough draw the name of a lucky prize winner at the special fund raising concert of The 39 Steps in the Theatre on the Bay.

Fundraising

Mrs Brenda Bedborough continued her fundraising efforts and arranged numerous meetings with Mr FW de Klerk in Cape Town, Johannesburg and Durban with a variety of possible donors. Efforts to canvas financial support overseas also continued.

A fundraising concert, The 39 Steps, was held at the Theatre on the Bay to raise funds for the Foundation's activities. Negotiations with the Sunshine Tour were commenced to establish a special golf day to raise funds for the Foundation.

Mr De Klerk again kindly agreed to donate the royalties received from the Mint of Norway on the sale of commemorative gold coins to the Foundation.

The board of trustees

The Board of Trustees welcomed Mr Kgosi Maepa as a new member in February 2008.

The Board held meetings at the Meerendal Wine Estate in Durbanville on 11 May 2007 and at the Wanderers Club in Johannesburg on 19 November 2007.

▼ Mr Kgosi Maepa joined the board on 28 February 2008.



support

Interns

The Foundation hosted Ms Monique Mugnier from the Council of Women World Leaders in the USA as an intern. She was instrumental in research support services and also initiated the Childrens' Arts Competition run by the Foundation. Ms Lindsay Harris, a student from the University of Stellenbosch, was also employed at the Foundation for a seven week period and she coordinated arrangements for the Conference on Unity in Diversity which was held at the end of February 2008.

Staff

Mrs Frouwien Bosman resigned to take up a new position elsewhere after completing a major research project on land reform. Miss Irene Saunders joined the Foundation on 1 January 2008 as research assistant and is working on an affirmative action research project.

Report of the Independent Auditors

To the trustees of FW De Klerk Foundation Trust

We have audited the accompanying annual financial statements of FW De Klerk Foundation Trust, which comprise the balance sheet as at 29 February 2008, the income statement, statement of changes in equity and cashflow statement for the year then ended and a summary of significant accounting policies and other explanatory notes.

Responsibility for the annual financial statements

The trust's trustees are responsible for the preparation and fair presentation of these financial statements in accordance with South African Statements of Generally Accepted Accounting Practice. This responsibility includes: designing, implementing and maintaining internal control relevant to the preparation and fair presentation of financial statements that are free from misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

Auditor's responsibility

Our responsibility is to express an opinion on these annual financial statements based on our audit. We conducted our audit in accordance with International Standards on Auditing. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the annual financial statements are free of material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risk of material misstatement of the financial statements, whether due to fraud or error. In making those assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements 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 entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall financial statement presentation.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Qualification

In common with similar organisations, it is not feasible for the foundation to institute accounting controls over cash collections prior to the initial entry in the accounting records. Accordingly it was impractical for us to extend our examination beyond the receipts actually recorded.

Opinion

In our opinion, the annual financial statements present fairly, in all material respects, the financial position of the trust at 29 February 2008 and of its financial performance and its cash flows for the year then ended in accordance with South African Statements of Generally Accepted Accounting Practice, and in the manner required by the the Companies Act.

Accounting and secretarial duties

We draw your attention to the fact that with the written consent of all trustees, we have performed certain accounting and secretarial duties.

**Nolands
Chartered Accountants (S.A.)
Registered Auditors**

**Per: Ferdinand Cloete
Cape Town**

report of auditors

FW De Klerk Foundation Trust
Annual Financial Statements for the year ended 29 February 2008

Balance Sheet

| Figures in Rand | Note(s) | 2008 | 2007 |
|-------------------------------------|---------|------------------|------------------|
| ASSETS | | | |
| Non-Current Assets | | | |
| Fixed assets | 2 | 151 460 | 197 907 |
| Intangible assets | 3 | 7 877 | 7 877 |
| | | 159 337 | 205 784 |
| Current Assets | | | |
| Receivables | 4 | 240 607 | 46 204 |
| Cash and cash equivalents | 5 | 2 765 998 | 2 512 267 |
| | | 3 006 605 | 2 558 471 |
| TOTAL ASSETS | | 3 165 942 | 2 764 255 |
| EQUITY AND LIABILITIES | | | |
| EQUITY | | | |
| Trust capital | 6 | 5 000 | 5 000 |
| Accumulated surplus | | 3 134 473 | 2 759 255 |
| | | 3 139 473 | 2 764 255 |
| LIABILITIES | | | |
| Current Liabilities | | | |
| Payables | 7 | 26 469 | - |
| TOTAL EQUITY AND LIABILITIES | | 3 165 942 | 2 764 255 |

balance sheet

FW De Klerk Foundation Trust
Annual Financial Statements for the year ended 29 February 2008

Income Statement

| Figures in Rand | Note(s) | 2008 | 2007 |
|------------------------------------|---------|------------------|----------------|
| Other income | | 3 788 158 | 3 307 317 |
| Operating expenses | | (3 922 678) | (2 922 761) |
| Operating (deficit) surplus | 8 | (134 520) | 384 556 |
| Investment revenue | 9 | 240 113 | 147 828 |
| Finance costs | 10 | (704) | (10) |
| Surplus for the period | | 104 889 | 532 374 |

income statement

**FW De Klerk Foundation Trust
Annual Financial Statements for the year ended 29 February 2008**

Changes in Equity

| Figures in Rand | Trust capital | Accumulated surplus | Total equity |
|------------------------------------|---------------|---------------------|------------------|
| Balance at 01 March 2006 | 5 000 | 2 226 879 | 2 231 879 |
| Surplus for the year | - | 532 374 | 532 374 |
| Balance at 01 March 2007 | 5 000 | 2 759 253 | 2 764 253 |
| Surplus for the year | - | 104 889 | 104 889 |
| Prior period VAT refunds | - | 270 331 | 270 331 |
| Balance at 29 February 2008 | 5 000 | 3 134 473 | 3 139 473 |

changes in equity

**FW De Klerk Foundation Trust
Annual Financial Statements for the year ended 29 February 2008**

Cash Flow Statement

| Figures in Rand | Note(s) | 2008 | 2007 |
|--|---------|------------------|------------------|
| Cash flows from operating activities | | | |
| Cash (used in) generated from operations | 13 | (230 328) | 420 593 |
| Interest income | | 240 113 | 147 828 |
| Finance costs | | (704) | (10) |
| Net cash from operating activities | | 9 081 | 568 411 |
| Cash flows from investing activities | | | |
| Additions to property, plant and equipment | 2 | (25 679) | (242 645) |
| Prior year VAT refunds | | 270 331 | - |
| Net cash from investing activities | | 244 652 | (242 645) |
| Net cash movement for the period | | 253 733 | 325 766 |
| Cash and cash equivalents at the beginning of the period | | 2 512 267 | 2 186 503 |
| Cash and cash equivalents at end of the period | | 2 766 000 | 2 512 269 |

cash flow statement

FW De Klerk Foundation Trust
Annual Financial Statements for the year ended 29 February 2008

Notes to the Annual Financial Statements

Figures in Rand

2008

2007

1. Fixed assets

| | 2008 | | | 2007 | | |
|------------------------|----------------|--------------------------|----------------|----------------|--------------------------|----------------|
| | Cost | Accumulated depreciation | Carrying value | Cost | Accumulated depreciation | Carrying value |
| Computer equipment | 114 057 | (61 453) | 52 604 | 99 883 | (28 391) | 71 492 |
| Furniture and fittings | 136 727 | (76 026) | 60 701 | 127 542 | (64 436) | 63 106 |
| Office equipment | 54 062 | (39 580) | 14 482 | 51 743 | (35 776) | 15 967 |
| Law Library | 71 013 | (47 340) | 23 673 | 71 013 | (23 671) | 47 342 |
| Total | 375 859 | (224 399) | 151 460 | 350 181 | (152 274) | 197 907 |

Reconciliation of fixed assets - 2008

| | Opening Balance | Additions | Depreciation | Total |
|------------------------|-----------------|---------------|-----------------|----------------|
| Computer equipment | 71 492 | 14 174 | (33 062) | 52 604 |
| Furniture and fittings | 63 106 | 9 185 | (11 590) | 60 701 |
| Office equipment | 15 967 | 2 320 | (3 805) | 14 482 |
| Law Library | 47 342 | - | (23 669) | 23 673 |
| | 197 907 | 25 679 | (72 126) | 151 460 |

Reconciliation of fixed assets - 2007

| | Opening Balance | Additions | Depreciation | Total |
|------------------------|-----------------|----------------|-----------------|----------------|
| Computer equipment | 7 938 | 83 711 | (20 157) | 71 492 |
| Furniture and fittings | 9 346 | 71 978 | (18 218) | 63 106 |
| Office equipment | 6 228 | 15 942 | (6 203) | 15 967 |
| Law Library | - | 71 014 | (23 672) | 47 342 |
| | 23 512 | 242 645 | (68 250) | 197 907 |

2. Intangible assets

| | 2008 | | | 2007 | | |
|---------|------------------|--------------------------|----------------|------------------|--------------------------|----------------|
| | Cost / Valuation | Accumulated amortisation | Carrying value | Cost / Valuation | Accumulated amortisation | Carrying value |
| Website | 7 877 | - | 7 877 | 7 877 | - | 7 877 |

3. Receivables

| | | | |
|--------------------|--|----------------|---------------|
| Prepayments | | 46 317 | - |
| Deposits | | 45 206 | 45 206 |
| VAT | | 60 582 | - |
| Sundry receivables | | 88 502 | 998 |
| | | 240 607 | 46 204 |

**FW De Klerk Foundation Trust
Annual Financial Statements for the year ended 29 February 2008**

Notes to the Annual Financial Statements

Figures in Rand

| | 2008 | 2007 |
|---|------------------|------------------|
| 4. Cash and cash equivalents | | |
| Cash and cash equivalents consist of: | | |
| Bank balances | 867 197 | 780 422 |
| Short-term deposits | 1 898 801 | 1 731 845 |
| | 2 765 998 | 2 512 267 |
| The trust has an overdraft facility of R 40 000 with ABSA bank. | | |
| 5. Trust capital | | |
| Trust capital | | |
| Balance at beginning of year | 5 000 | 5 000 |
| 6. Payables | | |
| Amounts received in advance | 19 052 | - |
| Sundry payables | 7 417 | - |
| | 26 469 | - |
| 7. Operating surplus | | |
| Operating surplus for the year is stated after accounting for the following: | | |
| Operating lease charges | | |
| Premises | | |
| • Premises | 230 349 | 333 690 |
| Depreciation on property, plant and equipment | 72 126 | 68 250 |
| Employee costs | 2 133 571 | 1 444 006 |
| 8. Investment revenue | | |
| Bank | 2 382 | - |
| Short term deposits | 237 731 | 147 828 |
| | 240 113 | 147 828 |
| 9. Finance costs | | |
| Bank overdrafts and acceptances | 704 | 10 |
| 10. Taxation | | |
| No provision has been made for taxation as the trust is exempt therefrom in terms of section 10(1)(cN) of the Income Tax Act. | | |
| 11. Auditors' remuneration | | |
| Fees | 14 357 | 12 400 |

notes to statements

FW De Klerk Foundation Trust
Annual Financial Statements for the year ended 29 February 2008

Notes to the Annual Financial Statements

Figures in Rand

| | 2008 | 2007 |
|---|------------------|----------------|
| 12. Cash (used in) generated from operations | | |
| Surplus for the year: | 104 889 | 532 374 |
| Adjustments for: | | |
| Depreciation and amortisation | 72 126 | 68 250 |
| Interest received | (240 113) | (147 828) |
| Finance costs | 704 | 10 |
| Changes in working capital: | | |
| Receivables | (194 403) | (7 313) |
| Payables | 26 469 | (24 900) |
| | (230 328) | 420 593 |

13. Contingencies

ABSA Private Bank holds a guarantee to the amount of R 15 887.00 for the benefit of Tygerhill Office Park.

14. Going concern

The annual financial statements have been prepared on the basis of accounting policies applicable to a going concern. This basis presumes that funds will be available to finance future operations and that the realisation of assets and settlement of liabilities, contingent obligations and commitments will occur in the ordinary course of business.

FW De Klerk Foundation Trust
Annual Financial Statements for the year ended 29 February 2008

Detailed Income statement

| Figures in Rand | Note(s) | 2008 | 2007 |
|--|---------|------------------|------------------|
| Other income | | | |
| Golf day fundraising income | | - | 268 918 |
| Donation income | | 3 699 656 | 3 038 399 |
| Reimbursement of conference expenditure | | 88 502 | - |
| Interest received | 9 | 240 113 | 147 828 |
| | | 4 028 271 | 3 455 145 |
| Operating expenses | | | |
| Accounting fees | | - | 775 |
| Advertising | | - | 60 443 |
| Auditors remuneration | 12 | 14 357 | 12 400 |
| Bank charges | | 9 678 | 13 389 |
| Computer expenses | | 14 514 | 14 103 |
| Conference UID | | 73 271 | - |
| Consulting and professional fees | | 355 144 | 66 389 |
| Conference venue expenses | | 24 648 | 122 949 |
| Depreciation, amortisation and impairments | | 72 126 | 68 250 |
| Donations | | 477 736 | 413 500 |
| Employee costs | | 2 133 571 | 1 444 006 |
| Entertainment | | 11 914 | 11 806 |
| Fundraising and Conference Expenditure | | 23 157 | - |
| Fund raising commission | | 85 150 | - |
| General expenses | | 8 304 | 15 366 |
| Internet costs | | 12 369 | 7 459 |
| Insurance | | 7 728 | 3 429 |
| Lease rentals on operating lease (net) | | 230 349 | 333 690 |
| Legal expenses | | 19 121 | - |
| Petrol and oil | | 9 834 | 2 878 |
| Postage | | 8 892 | 7 388 |
| Printing and stationery | | 68 157 | 58 869 |
| Repairs and maintenance | | 7 476 | 12 655 |
| Relocation costs | | - | 69 985 |
| Security | | 5 371 | 8 206 |
| Staff welfare | | 3 820 | - |
| Subscriptions | | 52 065 | 12 179 |
| Telephone and fax | | 48 190 | 39 778 |
| Training | | - | 2 115 |
| Travel - local | | 143 196 | 120 754 |
| Website maintenance | | 2 540 | - |
| | | 3 922 678 | 2 922 761 |
| Operating surplus | 8 | 105 593 | 532 384 |
| Finance costs | 10 | 704 | 10 |
| Surplus for the period | | 104 889 | 532 374 |

detailed
income statement