

REPUBLIC OF SOUTH AFRICA

CULTURE PROMOTION AMENDMENT BILL

*(As amended by the Portfolio Committee on Arts, Culture and Language, Science and
Technology (National Assembly))*

(MINISTER OF ARTS, CULTURE, SCIENCE AND TECHNOLOGY)

[B 63B—98]

REPUBLIEK VAN SUID-AFRIKA

WYSIGINGSWETSONTWERP OP BEVORDERING VAN KULTUUR

*(Soos gewysig deur die Portefeuljekomitee oor Kuns, Kultuur en Taal, Wetenskap en
Tegnologie (Nasionale Vergadering))*

(MINISTER VAN KUNS, KULTUUR, WETENSKAP EN TEGNOLOGIE)

[W 63B—98]

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GENERAL EXPLANATORY NOTE:

- [] Words in bold type in square brackets indicate omissions from existing enactments.
- _____ Words underlined with a solid line indicate insertions in existing enactments.
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BILL

To amend the Culture Promotion Act, 1983, so as to further regulate the powers of the Minister of Arts, Culture, Science and Technology; and to provide for matters connected therewith.

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

Amendment of section 2 of Act 35 of 1983, as amended by Proclamation No. R. 36 of 1995

1. Section 2 of the Culture Promotion Act, 1983, is hereby amended— 5
- (a) by the substitution in paragraph (a) of subsection (1) for the words preceding subparagraph (i) of the following words:
- “(a) in order to **[foster]** develop and promote arts and culture in the Republic—”;
- (b) by the addition to paragraph (a) of subsection (1) of the following 10 subparagraphs:
- “(iii) develop pilot projects in order to further the work of the Department in promoting arts and culture throughout the country;
- (iv) establish, launch or finance any organisation or project whose objects are likely to have an impact throughout the country; 15
- (v) confer honours and awards;
- (vi) assist non-formal or community-based arts education projects;
- (vii) provide such other services as are necessary or expedient, or subsidise or finance the provision of services by any person.”; and
- (c) by the substitution in paragraph (b) of subsection (1) for the words preceding 20 subparagraph (i) of the following words:
- “(b) in order to **[foster educational and]** develop and promote cultural relations with other countries—”.

Substitution of long title of Act 35 of 1983

2. The following long title is hereby substituted for the long title of the Culture 25 Promotion Act, 1983:

“ACT

To provide for the preservation, development, fostering and extension of culture in the Republic by planning, organizing, co-ordinating and providing facilities for the utilization of leisure and for non-formal education; for the **[fostering of educational and]** development and promotion of cultural relations with other countries; and for the establishment of regional councils for cultural affairs; to confer certain powers upon Ministers in order to achieve those objects; and to provide for matters connected therewith.”. 5

Short title

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3. This Act shall be called the Culture Promotion Amendment Act, 1998.

MEMORANDUM ON THE OBJECTS OF THE CULTURE PROMOTION AMENDMENT BILL, 1998

The Culture Promotion Act, 1983 (Act No. 35 of 1983), empowers the Minister of Arts, Culture, Science and Technology to carry out his or her duties and responsibilities in developing and promoting arts and culture nationally. In order to fulfill this mandate the Act authorises the Minister *inter alia* to acquire property and to award bursaries and make grants for study abroad. The Bill seeks to extend the powers of the Minister as set out in clause 1 of the Bill.

The State Law Advisers and the Department of Arts, Culture, Science and Technology are of the view that this Bill must be dealt with in accordance with the procedure established by section 76(1) or (2) of the Constitution since it falls within a functional area listed in Schedule 4 to the Constitution, to wit “Cultural Matters”.

Bodies consulted

All national departments of state.
All provincial administrations.
The Council of Cultural Ministers.
The National Arts Council.