

REPUBLIC OF SOUTH AFRICA

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**PORTFOLIO COMMITTEE AMENDMENTS  
TO  
NATIONAL FILM AND VIDEO  
FOUNDATION BILL**

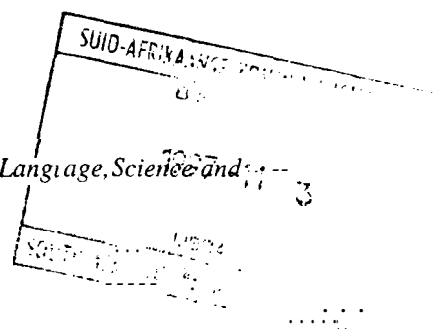
[B 17-97]

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

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[B 17A-97]



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REPUBLIEK VAN SUID-AFRIKA

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**PORTEFEULJESKOMITEE-AMENDEMENTE  
OP  
WETSONTWERP OP DIE  
NASIONALE STIGTING VIR  
ROLPRENTE EN VIDEO'S**

[w 17-97]

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

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[W 17A-97]

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**AMENDMENTS AGREED TO**  
**NATIONAL FILM AND VIDEO FOUNDATION BILL**  
**[B 17—97]**

CLAUSE 3

Clause rejected.

NEW CLAUSE

1. That the following be a new Clause to follow Clause 2:

**Objects of Foundation .**

**3.** The objects of the Foundation are—

- (a) to develop and promote the film and video industry;
- (b) to provide, and encourage the provision of, opportunities for persons, especially from disadvantaged communities, to get involved in the film and video industry;
- (c) to encourage the development and distribution of local film and video products;
- (d) to support the nurturing and development of and access to the film and video industry; and
- (e) in respect of the film and video industry, to address historical imbalances in the infrastructure and distribution of skills and resources.

CLAUSE 4

1. On page 4, in line 16, after “grants” to insert “and grant loans”.
2. On page 4, after line 35, to insert the following paragraphs:
  - (e) in conjunction with the Departments of Trade and Industry and of Education, investigate the viability of establishing a national film school;
  - (f) promote the distribution and showing of local films and videos throughout the Republic and the showing of local films and videos on television;
  - (g) liaise with the Independent Broadcasting Authority to encourage the use of local content programmes on television; and

CLAUSE 6

Clause rejected.

CLAUSE 7

1. On page 6, from line 14, to omit paragraph (c).
2. On page 6, from line 16, to omit subsection (4) and to substitute:

(4) (a) The chairperson of the Council shall be appointed by the Minister from amongst the members of the Council and such person shall be the chairperson for the period for which he or she was appointed as a member of the Council.

(b) If the position of chairperson becomes vacant the Minister shall, subject to paragraph (a), appoint another member as chairperson.

(c) If the chairperson is absent from a meeting of the Council, the members present shall elect one of their members to preside at that meeting.

3. On page 6, in line 32, to omit "relevant".

#### CLAUSE 8

1. On page 6, in line 43, to omit subparagraph (i).
2. On page 6, in line 51, to omit subparagraph (ii).
3. On page 6, in line 52, to omit subparagraph (iii) and to substitute:
  - (iii) South African population.

#### CLAUSE 9

1. On page 8, after line 22, to add the following subsection:

(5) A member of the Council shall not vote or in any manner participate in the proceedings at any meeting of the Council nor be present at the venue where such a meeting is held, if, in relation to any matter before the Council, he or she has any interest which precludes him or her from performing his or her functions as a member of the Council in a fair, unbiased and proper manner.

#### CLAUSE 12

1. On page 10, from line 15, to omit subsection (10) and to substitute:

(10) A member of an advisory panel shall not vote or in any manner participate in the proceedings at any meeting of the advisory panel nor be present at the venue where such a meeting is held, if, in relation to any matter before the advisory panel, he or she has any interest which precludes him or her from participating as a member of the advisory panel in a fair, unbiased and proper manner.

#### CLAUSE 13

Clause rejected.

#### NEW CLAUSE

1. That the following be a new Clause to follow Clause 12:

#### **Right of appeal**

**13. (1)** Any person who feels aggrieved at any action or decision

that the Council has taken or made in terms of this Act may, within 30 days from the date on which the action or decision in question was taken or made known by the Council, and after having given notice to the Council as prescribed, appeal to the Minister in the prescribed manner.

(2) The Minister shall appoint one or more independent assessors with knowledge of the film and video industry to assist him or her.

(3) The Minister may, after consultation with the assessors, confirm, set aside or amend any action or decision contemplated in subsection (1).

CLAUSE 16

1. On page 12, in lines 13 and 14, to omit "it may deem fit" and to substitute:  
may be prescribed by the Minister with the concurrence of the Minister of Finance

CLAUSE 21

1. On page 16, in line 18, after "determine" to insert:  
, but excluding the power to make grants and to grant loans

CLAUSE 22

Clause rejected.