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**REPUBLIC OF SOUTH AFRICA**

# **GOVERNMENT GAZETTE**

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## **STAATSKOERANT**

**VAN DIE REPUBLIEK VAN SUID-AFRIKA**

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**OFFICE OF THE PRIME MINISTER**

**KANTOOR VAN DIE EERSTE MINISTER**

No. 817.

20 April 1983

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It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

No. 35 of 1983: Culture Promotion Act, 1983.

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 35 van 1983: Wet op Bevordering van Kultuur, 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 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.

*(Afrikaans text signed by the State President.)  
(Assented to 13 April 1983.)*

**BE IT ENACTED** by the State President and the House of Assembly of the Republic of South Africa, as follows:—

## Definitions.

1. In this Act, unless the context otherwise indicates—
  - (i) "Minister" means the Minister to whom, or the Minister to whom acting after consultation with another Minister, the administration of any provision of this Act has been assigned by proclamation issued under section 4; (ii)
  - (ii) "officer" means an officer or employee as defined in section 1 of the Public Service Act, 1957 (Act No. 54 of 1957); (i)
  - (iii) "regional council" means a regional council for cultural affairs established under section 3 (1). (iii)

## Powers of Minister.

2. (1) The Minister may—
  - (a) in order to foster culture in the Republic— 15
    - (i) acquire, develop and maintain movable and immovable property;
    - (ii) award bursaries and make grants for the undertaking of study tours to foreign countries;
  - (b) in order to foster educational and cultural relations 20 with other countries—
    - (i) award bursaries to persons in other countries for the purposes of study or research in the Republic;
    - (ii) arrange for visits by persons from other countries to the Republic, and from the Republic to other 25 countries;
    - (iii) arrange for the exhibition of art, books and other objects of culture from the Republic abroad and of art, books and other objects of culture from other countries in the Republic; 30
    - (iv) subsidize or finance a chair in a university, an association, a programme or a project in any other country having as its object the making known of the culture of the Republic;
    - (v) donate books and periodicals to libraries and simi- 35 lar institutions and to associations in other countries;

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(vi) provide such other services as he may deem necessary or expedient, or subsidize or finance the provision of services by any person.

(2) Any expenditure incurred by virtue of the provisions of subsection (1) shall be defrayed out of moneys appropriated by Parliament for the purpose. 5

(3) The Minister may—

(a) provide such services as he may deem necessary or expedient to give effect to a recommendation of a regional council in terms of section 3 (5), whether or not in co-operation with a Department of State or any person, but excluding instruction and training for an examination conducted in terms or by virtue of the provisions of any law; and 10

(b) subsidize or finance the functions contemplated in section 3 (5) or such similar functions as the Minister may deem necessary or expedient on a country-wide basis. 15

(4) Any expenditure incurred in terms of subsection (3) shall be defrayed out of moneys appropriated by Parliament for the purpose. 20

(5) A bursary or grant or a subsidy or the financing of a service in terms of subsection (1) or (3) shall be subject to such conditions as the Minister may determine, including conditions as to the holding of inspections and the submission of reports.

(6) Subject to the provisions of section 17 of the Financial Relations Act, 1976 (Act No. 65 of 1976), no person shall receive in respect of an activity referred to in subsection (1) or (3) of this section any financial assistance from the State otherwise than by virtue of the provisions of this section. 25

Establishment and functions of regional councils for cultural affairs.

3. (1) The Minister may establish for every region determined by him one or more regional councils for cultural affairs. 30

(2) A regional council shall consist of a chairman and such other persons as the Minister may, subject to the provisions of subsection (4), appoint on such conditions as he may determine.

(3) A regional council shall frame rules for the convening of, the procedure at and the quorum for a meeting of a regional council. 35

(4) A member of a regional council not in the full-time service of the State may in respect of his attendance of a meeting of the regional council be paid such remunerative and other allowances as the Minister may with the concurrence of the Minister of Finance determine. 40

(5) The functions of a regional council shall be to preserve, develop, foster or extend culture as it finds expression in the region for which it has been established and to make recommendations, either of its own accord or at the request of the Minister, as to how culture, as it finds expression in the said region, may best be preserved, developed, fostered or extended, in particular by means of non-formal out-of-school education of adults and youthful persons in the following fields: 45 50

(a) The visual arts, music and the literary arts;

(b) the acquisition, in popular fashion, of knowledge of the applied, natural and human sciences;

(c) the utilization of leisure, including physical recreative activities which are of such a nature as not to be courses of training with a view to participating in competitions; and 55

(d) such other fields as the Minister may from time to time determine.

(6) The Minister may convoke such members of regional councils as he may deem suitable and consult them in connection with the advancement, on a country-wide basis, of the activities referred to in subsection (5). 60

Administration of Act.

4. (1) The State President may by proclamation in the *Gazette* assign the administration of the provisions of this Act to any Minister, or partly to one Minister and partly to another Minister or other Ministers, or any part thereof for certain purposes 65

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to one Minister and for other purposes to another Minister, or assign to different Ministers the administration of any of the said provisions, and may in such proclamation prescribe the powers and functions which shall be exercised and performed by the several Ministers, and may further prescribe that any power or duty conferred or imposed by this Act upon the Minister shall be exercised or performed by one Minister acting after consultation with another Minister. 5

(2) The State President may from time to time amend any such proclamation. 10

Delegation of powers.

5. (1) The Minister may delegate any power conferred upon him by this Act to an officer in the department administered by him.

(2) A delegation under subsection (1) shall not prevent the exercise of the relevant power by the Minister himself. 15

Regulations.

6. (1) The Minister may make regulations as to the powers of regional councils and the performance of the secretarial work connected with the functions of a regional council.

(2) Any regulation under subsection (1) relating to State revenue or expenditure shall be made only with the concurrence of the Minister of Finance. 20

Repeal of laws.

7. The laws mentioned in the Schedule are hereby repealed to the extent set out in the third column thereof.

Short title and commencement.

8. This Act shall be called the Culture Promotion Act, 1983, and shall come into operation on a date fixed by the State President by proclamation in the *Gazette*. 25

## Schedule

## LAWS REPEALED

Number and year of law	Title	Extent of repeal
Act No. 27 of 1969 ....	National Culture Promotion Act, 1969 .....	The whole
Act No. 17 of 1977 .....	National Culture Promotion Amendment Act, 1977 .....	The whole
Act No. 11 of 1981 ....	Culture and Education Laws Amendment Act, 1981 .....	The long title in so far as it refers to the National Culture Promotion Act, 1969, section 3, section 4, section 5, and section 12 in so far as it relates to the National Culture Promotion Act, 1969