

Culture Promotion Act 35 of 1983 (CPA)

Topic: Culture

IN A CALABASH

Introduction

In order to preserve and promote culture within a country, legislative measures have to be taken to establish responsible bodies and forums that will promote and preserve a country's culture and to provide certain norms and standards, to be applied by these bodies and forums throughout the country.

Objectives of the Act

The Culture Promotion Act 35 of 1983 (CPA) provides for the preservation, development, fostering and extension of culture in South Africa.

This is done through the planning, organising, co-ordinating and providing facilities–

- for the utilisation of leisure and for non-formal education;
 - for the development and promotion of cultural relations with other countries; and
 - for the establishment of regional councils for cultural affairs.
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Application of the Act and its implication to Tourism

The Act applies to any person who makes use of cultural activities, organisations and facilities in South Africa.

Summary of the provisions of the Act

Activities

In terms of the Act and in order to develop and promote arts and culture in the Republic, the Minister may–

- acquire, develop and maintain movable and immovable property;

- award bursaries and make grants for the undertaking of study tours to foreign countries;
- develop pilot projects in order to further the work of the Department in promoting arts and culture throughout the country;
- establish, launch or finance any organisation or project whose objects are likely to have an impact throughout the country;
- confer honours and awards;
- assist non-formal or community-based arts education projects;
- provide such other services as are necessary or expedient or subsidise or finance the provision of services by any person.

Develop and promote cultural relations with other countries



In order to achieve the objectives of the Act and develop and promote cultural relations with other countries, the Minister may—

- award bursaries to persons in other countries for the purposes of study or research in the Republic;
- arrange for visits by persons from other countries to the Republic and from the Republic to other countries;
- 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;
- subsidise or finance a chair in a university, association, programme or project in any other country whose object is to make known the culture of the Republic;
- donate books and periodicals to libraries and similar institutions and to associations in other countries;
- provide such other services as he or she may deem necessary or expedient or subsidise or finance the provision of services by any person.

Furthermore, the Minister may provide such services as he or she may deem necessary or expedient in connection with the preservation, development, fosterage or extension of culture on a country-wide basis, 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.

The Minister may also provide, subsidise or finance the functions to preserve, develop, foster or extend culture as he or she may deem necessary or expedient on a country-wide basis.

Expenses

Any expenditure incurred as a result of the exercise of the above powers shall be defrayed out of moneys appropriated by Parliament for this purpose.

Conditions attaching to bursary, grant or subsidy

A bursary, grant or subsidy or the financing of a service referred to above is subject to such conditions as the Minister may determine, including conditions as to the holding of inspections and the submission of reports.

Regional councils for cultural affairs

The Minister may establish, for every region determined by him or her, one or more regional councils for cultural affairs.

The functions of a regional council is 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 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 visual arts, music and the literary arts;
- the acquisition of knowledge of the applied, natural and human sciences;
- the utilisation of leisure, including physical recreational activities but not courses of training with a view to participating in competitions; and
- such other fields as the Minister may determine from time to time.



WHAT HAPPENS IF YOU DO NOT COMPLY?

There are no penalties for non-compliance with the Act, but promotion of South African culture can only expand and grow the tourism industry.



RECOMMENDED ACTIONS OR CONTROLS WHICH SHOULD BE IMPLEMENTED BY THE TARGET AUDIENCE TO ENSURE COMPLIANCE WITH THE ACT

- Awareness of the objectives of the Act only.

FURTHER INFORMATION

Regulator

Minister of Arts and Culture

Website

www.dac.gov.za