

# **CULTURE AND CULTURAL INSTITUTIONS**

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***Cultural Institutions Act 29 of 1969***, as amended in South Africa to January 1978.

**Summary:** This Act provides for the payment of government subsidies to cultural institutions.

**Applicability to SWA:** Section 18 states “This Act and any amendment thereof shall apply also in the territory of South West Africa, including that part of the said territory known as the Eastern Caprivi Zipfel and referred to in section 38(5) of the South West Africa Constitution Act, 1968 (Act No. 39 of 1968).”

**Transfer of administration to SWA:** The administration of this Act was transferred to SWA by the Executive Powers (National Education) Transfer Proclamation (AG 1/1978), dated 11 January 1978.

Section 3(2)(d) of the transfer proclamation excluded section 16 of the Act from the operation of section 3(1) of the General Proclamation.

There were two amendments to the Act in South Africa after the date of transfer and prior to Namibian independence, neither of which was made expressly applicable to SWA.

## **Cultural Promotion Ordinance 9 of 1980.**

**Summary:** This Ordinance provides for the promotion of culture in relation to the “white population group”.

**Amendments:** This Ordinance is amended by the Libraries Ordinance 4 of 1981 (Administration for Whites), which has since been repealed.

**Regulations:** Permanent committees are established in GN 28/1981.

## **National Art Gallery of Namibia Act 14 of 2000.**

**Summary:** This Act establishes a National Art Gallery and provides for its objects. It came into force on 10 September 2001 (GN 177/2001, GG 2603).

**Amendments:** The State-owned Enterprises Governance Act 2 of 2006, which was brought into operation by Proc. 13/2006 (GG 3733), amends section 1 and substitutes section 5.

**Regulations:** GN 178/2001 (GG 2603) sets 10 September 2001 as the date on which the National Art Gallery of Namibia must assume responsibility over the Government collection.

## **National Arts Fund of Namibia Act 1 of 2005.**

**Summary:** This Act establishes the National Arts Fund and a Council to control and manage the Fund. It was not yet in force as of 30 June 2010.

## **INTERNATIONAL LAW**

### ***Constitution of the United Nations Educational, Scientific and Cultural Organization (UNESCO), 1945***

Namibia has been a member state of this organisation since 2 November 1978.

(source: Environmental Treaties and Resource Indicators Service, <http://sedac.ciesin.org/entri>.)

### ***Convention Concerning the Protection of the World Cultural and Natural Heritage, 1972***

accession: 6 April 2000 (source: [www.epi.freedom.org/whtrty.htm](http://www.epi.freedom.org/whtrty.htm))

### ***World Heritage Convention, 1975***

accession: 6 April 2000 (source: UNESCO, [www.unesco.org/whc](http://www.unesco.org/whc))

### ***UNESCO Convention on the Protection of the Underwater Cultural Heritage, 2001***

(entered into force internationally on 2 January 2009)

ratification by Parliament: 11 March 2010 (source: Parliament)

ratification not registered with UNESCO as of June 2010 (source: UNESCO, [www.unesco.org](http://www.unesco.org))

### ***Convention for the Safeguarding of the Intangible Cultural Heritage, 2003***

(entered into force internationally on 20 April 2006)

ratification approved by Parliament: 7 November 2006

deposit: 19 September 2007; effective date: 19 December 2007

(source: UNESCO, [www.unesco.org](http://www.unesco.org))

### ***Convention on the Protection and Promotion of the Diversity of Cultural Expressions, 2005***

(entered into force internationally on 18 March 2007)

deposit: 29 November 2006 (source: UNESCO, [www.unesco.org](http://www.unesco.org))

### ***SADC Protocol on Culture, Information and Sport, 2001***

(entered into force within SADC on 7 January 2006) (source: SADC)

signature: 14 August 2001

ratification approved by Parliament: 29 October 2002 (source: Parliament)

ratification: 2 December 2002 (source: SADC)

See also **CUSTOMARY LAW**.

See also State Repudiation (Cultura 2000) Act 32 of 1991 (**FINANCE AND DEVELOPMENT**).

See also **NATIONAL HERITAGE**.