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National Heritage Council
SOUTH AFRICA

an agency of the
Department of Arts and Culture

NATIONAL HERITAGE COUNCIL

PUBLIC FUNDING POLICY

Policy : NHC Public Funding Policy

Effective Date : 2019

Foreword

The National Heritage Council has considered the reality that is experienced by heritage practitioners in South Africa. Whilst a few are fortunate to manage and coordinate successful projects, others are struggling with making ends meet. It is sad that heritage is sometimes relegated to the trivial areas of development. However, this is gradually changing and the National Heritage Council is honoured to be part of this process. We regard the under-funding of the heritage sector as part of the impediments to development.

The other critical consideration that does not dawn to the conscience of many is the importance of heritage for a nation. Similarly, the impact that preserved heritage can have to the identity, dignity and self-determination of a nation, is undermined. It is the priceless heritage that helps our people to find relevance in their living spaces, challenges life and socio-economic matters. The preservation and promotion of this heritage relies on the heritage practitioners being able to access resources from institutions.

The challenge that heritage practitioners face in today's modern world is to make their projects relevant to the national imperatives and societal needs, and more importantly projects that respond to the National Heritage Council Strategic priorities. Heritage has enormous potential to become not only viable economically, but a catalyst to nation building, social cohesion and national identity. The projects, therefore, must be creative, and sustainability is determined by the level of creativity and on-going financial independence after being funded.

The National Heritage Council will assist projects that inspire the ideals of rediscovering African heritage and preserving it for educational, socio economic or historical value. The limitations we have are financial resources at our disposal, but we hope that the intervention through this policy improves with time thereby allowing more role-players to joining hands to preserve our heritage.



Sonwabile Mancotywa
Chief Executive Officer
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A. Definitions:

- i) **NHC Act:** Refers to the National Heritage Council Act, 1999, (Act No. 11 of 1999) (hereinafter referred to as “the Act”).
- ii) **Funding:** means financial resources and related resources provided by the NHC towards heritage related projects.
- iii) **Copyright:** can be defined as a “collection” of rights vested in a person who has copyright and which allows him/her to prevent unlawful reproduction of work. Copyright in SA is governed by the Copyright Act, 1978 (Act No. 98 of 1978) as amended.
- iv) **Governance Structures:** refers to the NHC Council Statutory Committees including sub-committees and the Audit Committee.
- v) **Heritage:** as defined in the NHC is *“what is preserved from the past as the living collective memory of a people not only to inform the present about the past but also to equip successive generations to fashion their future. It is what creates a sense of identity and assures rootedness and continuity, so that what is brought out by dynamism of culture is not changed for its own sake, but it is a result of people’s conscious choice to create a better life.”* (Adopted by Council of the National Heritage Council on 24 November 2012, 1996)
- vi) **Project:** activities of a definite nature in terms of time and outcome

B. Abbreviations:

- NHC:** National Heritage Council
- SA:** South Africa
- CEO:** Chief Executive Officer
- SHI:** Strategic Heritage Interventions

1. Preamble

Informed by its mandate, that of creating access and transformation of the sector, the NHC must lobby in order to create support for the sector. The purpose of this document is to outline the Funding Policy of the NHC that guides processes of identification, assessment, awarding, monitoring and evaluation of heritage projects and any other matters connected therewith including identification of strategic partners for collaboration purposes.

Funding is one of the central factors for successful empowerment, engagements and transformation of the previously marginalised heritage sector. A process of streamlining therefore becomes critical.

2. Vision

The vision of the NHC is a nation proud of its African Heritage.

3. Objectives of the National Heritage Council are:

- To coordinate heritage management;
- To protect, preserve and promote the content and heritage which reside in 'orature' in order to make it accessible and dynamic;
- To integrate living heritage with the functions and activities of the Council and all other heritage authorities and institutions at national, provincial and local level;
- To promote and protect indigenous knowledge systems, including but not limited to enterprise and industry social upliftment, institutional framework and liberatory processes; and
- To intensify support for the promotion of the history and culture of all our people and particularly to support research and publication on enslavements in SA.

3.1 Functions, Powers and Duties of the National Heritage Council

The Council must-

Advise the Minister on:

- National Policies on heritage matters, including indigenous knowledge systems, living treasures, restitution and other relevant matters; and
- Any other matter concerning heritage which the Minister may from time to time determine;
- Advise the Minister on the allocation of core funding to the declared cultural institutions;
- Investigate ways and means of effecting the repatriation of South African heritage objects presently being held by foreign governments, public and private institutions and individuals;
- Make grants to any person, organisations or institutions in order to promote and develop national heritage activities and resources;

- Coordinate activities of public institutions involved in heritage management in an integrated manner to ensure optimum use of State resources;
- Monitor and coordinate the transformation of the heritage sector, with special emphasis on the development of living heritage;
- Consult and liaise with relevant stakeholders on heritage matters;
- Generally support, nurture and develop access to institutions and programmes that promote and bring equity to heritage management;
- Promote awareness of the history of all our people, including the history of enslavement in SA;
- Lobby in order to secure funding for heritage management and to create a great public aware of the importance of our nation's heritage;
- Perform such duties in respect of its objectives as the Minister may assign to it;

The objective of this Funding Policy is:

- to provide financial support to qualifying projects in line with the vision and strategic objectives of the NHC. Efforts will be made to secure reasonable and fair geographic distribution of participating organisations in all the provinces.
- The funding strategy lays down guidelines and criteria for funding projects that are within defined areas of heritage priorities with the objective of stimulating meaningful participation within the heritage sector.

4. Mission

The mission of the NHC is to transform, protect and promote heritage through the management of heritage knowledge for sustainable development.

5. Funded Initiatives

5.1 Projects must have been initiated and implemented in South Africa and support the National Heritage Council's Strategy initiatives including the National Development Plan (NDP) with preference given to projects that respond to the government's national imperatives and be heritage focused as listed below. Research projects must commission work required on the project if it is to be done outside the SA borders and be costed on the project plan budget. Primary areas of focus are biased towards the following national targets:

- Education and awareness

- Poverty alleviation
- Nation building
- Transfer of skill
- Capacity Building
- Job Creation
- Sustainable Impact
- Equity and redress of historic imbalances
- Creation of partnerships

5.2 The NHC supports categories of heritage which are not limited to the following:

- Heritage Research and Publications
- Liberation Heritage
- Education & Heritage
- Indigenous Groups heritage initiatives in the country
- Women & Heritage
- Youth & Heritage

6. Compliance

Applicants must provide all the necessary compliant documents when making applications and these are reflected on the NHC Public Funding Guidelines, NHC Public Call and NHC Application Form which must be used when making an application for funding from all nine provinces.

7. Eligibility

7.1 The following are eligible for funding:

- a) Non-Profit Companies as defined in the Companies Act, 2008 (Act No.71 of 2008) such as:
 - i) Non-Profit Companies (NPCs);
 - ii) Public Benefit Organisations (PBOs);
 - iii) Community Based Organisations (CBOs) registered with the Social Services Department;
- b) Educational Institutions participating in heritage matters;
- c) Trusts;
- d) Section 21 Companies not for gain registered in terms of the Companies Act, 1973;

- e) Individuals: In so far as individuals are concerned:
 - they should be involved in heritage research projects;
 - they should partner and enter into a formal agreement with credible and qualifying institutions for their project implementation and reporting; and
 - such institutions must not be entities listed under exclusions below.

7.2 The following business formations are excluded by the Funding Policy:

- a) Profit Companies such as those entities that had been registered in terms of the Companies Act, 1973 which continue to exist under the New Companies Act, 2008 such as:
 - i) Close Corporations (CCs)
 - ii) Public Companies (Pty)
 - iii) Private Companies (Pty) Ltd;
 - iv) Section 21 companies for gain;
 - v) Personal Liability Companies (Inc.);
 - vi) Cooperatives (Coops);
 - vii) Family Trusts;
- b) Government entities i.e. Departments at all levels and municipalities;
- c) Organisations/entities receiving funds from the Department of Arts & Culture;
- d) Employees of the NHC and their immediate families;
- e) Members of NHC Governance structures (e.g. NHC Council and its committees);
- f) NHC Heritage Funding Committee Members;
- g) Active Projects: these are projects currently funded by the NHC and still have to submit closing report, end product and Audited Financial Statements.

8. Process of advertising

The National Heritage Council commits to making public calls annually for applications relating to heritage projects. Advertisements are placed in both print and electronic media nationally.

9. Heritage Funding Committee

9.1 Constitution of the Heritage Funding Committee

The Heritage Funding Committee will be selected through a public process and will be subjected to vetting processes. Advertising for this Committee will be in print media.

9.2 Status of the Heritage Funding Committee

The Heritage Funding Committee is an operational structure reporting to MEXCO. The Committee is nominated to assist with the adjudication of qualifying applications and makes recommendations for funding allocations to qualifying applicants.

9.3 Heritage Funding Committee's Term of Office

9.3.1 The Heritage Funding Committee will serve a three-year (3) term of office aligned to the NHC's Committees' term of office.

10. Heritage Funding Committee's Terms of Reference

- 10.1 Receiving and considering adjudication packs;
- 10.2 Considering the report of the NHC Funding Evaluation Panel;
- 10.3 Attending sittings of the Funding Committee as and when required;
- 10.4 Assessing public heritage projects recommended and/or those deemed relevant albeit not recommended for funding by the NHC Evaluation Panel;
- 10.5 Providing written reasons in respect of each project that does not qualify;
- 10.6 Preparing an adjudication report on all assessed applications and submit to MEXCO;
- 10.7 Dealing with any matter regarding funding that may be referred to it by MEXCO;

11. Remuneration

Members of the Heritage Funding Committee will be remunerated in accordance with the NHC's payment structure informed by National Treasury Prescripts in relation to fees and remuneration for members serving in Statutory Committees and Commissions as reviewed from time to time.

12. Constitution of the Evaluation/Compliance Panel

This is a compliance evaluation team constituted internally and approved by the Executive Office during the public funding advertising period. This Evaluation Panel comprises of delegated NHC Officials both at management and non-management level and evaluates all received applications and make recommendations through MEXCO for adjudication by the Funding Committee.

12.1 Terms of Reference for the Evaluation/Compliance Panel

The main function of the Evaluation/Compliance Panel is to verify if proposals do meet all administrative and compliance requirements and be heritage focused to qualify for adjudication.

13. Models of Funding

13.1 Complimentary Funding

The fund is intended to fill gaps that exist, create momentum where there are blockages, makes small investment that could have significant impact. The fund is not intended to replace other funding and support.

13.2 Collaborative Funding

Heritage organisations may be encouraged to have joint ventures/projects. Inter-organisational task teams can be formed to collaborate on some efforts. New programmes could be merged with ongoing efforts with the same objectives. Here the effort is to foster integration, promote efficiency and build effective networks for service delivery. This method of funding will assist towards avoidance of duplication as all funding programmes will be coordinated in an integrated manner so that the best use of funds can be guaranteed. This will be made possible through inter-institutional funding committees to establish the areas of priorities with the heritage sector.

13.3 Cost Sharing

There may be diverse ways to share costs – in kind and in terms of financial resources and expertise sharing. Making organisational commitment to the allocation of resources to project efforts even beyond the term of funding programmes through Memoranda of Agreement.

14. Strategic Heritage Interventions

- 14.1 Strategic Heritage Interventions (SHI) shall be deemed as unsolicited partnership seeking proposals that are aligned to a specific objective of promoting and/or preserving heritage.
- 14.2 The NHC makes provision to consider funding SHIs if it meets the requirements that will be set in the SHI Guidelines and Procedures.
- 14.3 The NHC has no obligation to fund SHI proposals and shall reserve the right to reject proposals and withdraw funding from a funded project.
- 14.4 All the SHI proposals shall be assessed by a Committee that will be appointed by the Chief Executive Officer to serve for a period equivalent to a Financial Year.

15. Review Processes of funded projects

A team constituted of the following will be in place to address the review process:

- a) A legal expert drawn from the sector; and/or
- b) An independent area expert
- c) Chair of the NHC Heritage Funding Committee

- 15.1 A person applying for review must make a written submission to the Executive Office outlining grounds for their application for review. The Executive Office shall, after verifying the processes of approval, forward the application for review to the

Chair of the constituted Review Committee. The application for review, together with the notice of application for review and any supporting documents shall then be presented to the Review Committee for investigation and adjudication. The decision of the Review Committee shall be final.

16. Integrity in Research and Key Principles

Researchers funded by the NHC are expected to adhere to the following research principles:

- Honesty in proposing, performing and reporting on research;
- Recognition of prior work;
- Disclosure of potential conflicts of interest;
- A letter permitting research work/documentary from the affected subjects;
- Compliance with institutional and/or sponsor requirements;
- Protection of human subjects and humane care of animals in the conduct of research;
- Submission of consent form for any research work;
- Signing of Ethical Conduct Form;
- Expect produced work to be peer reviewed;
- Collegiality in scholarly interactions and sharing of resources.

17. Declaration

The NHC employees, NHC Council Members and any other person directly or indirectly involved in the NHC activities/processes or are custodians of processes with the NHC (guided by the NHC Code of Conduct), must sign a declaration of conflict and/or interest when involved in the funding process. This process dictates that they declare upfront any interest they may have in any application for funding from the NHC, and recuse themselves from all decision-making processes aligned to the application, if they have any interest or been placed in a position of conflict.

18. Intellectual Property Rights

Copyright in SA is governed by the Copyright Act, 1978 (Act No. 98 of 1978), as amended. The Copyright Act defines the author of the work as the owner of the copyright, unless the person is in the employment of the NHC and the work is created during the scope of engagement/project, in which case the NHC holds the copyright. It is, however, possible for the copyright holder to contractually assign, in writing, the copyright or part thereof, to one or many persons for a specific purpose or a limited period. The assignee then becomes the holder of the copyright and is entitled to various rights and remedies.

On this basis, any work assigned and funded by the NHC becomes the property of the NHC on the basis outlined in the Contractual Agreement entered by and between the NHC and applicant. (All NHC funded projects will be required to acknowledge the NHC in the funded product i.e. publications, documentaries, exhibitions and research etc.)

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