**NATIONAL ASSEMBLY**

**QUESTION NO. 2192-2023**

**FOR WRITTEN REPLY**

**INTERNAL QUESTION PAPER NO.21-2023 DATED 02 JUNE 2023**

“**Mr N G Myburgh (DA) to ask the Minister of Sport, Arts and Culture:**

(1). What (a) total number of contraventions of the National Heritage Resources Act, Act 25 of 1999, were identified nationwide by the Heritage Inspector and (b) are the relevant details of the specified contraventions.

(2). what (a) total number of penalties were issued and (b) are the relevant details of the specified penalties, including the Rand value thereof.

(3). what (a) total number of cases were referred to court for prosecution and (b) are the relevant details of the specified cases? **NW2489E**

**REPLY:**

*(1). The total number of incidents received and processed by the South Africa Heritage Resources Agency (SAHRA) as part of implementing the National Heritage Resources Act, Act 25 of 1999, over the past 3 financial years (2020/2021, 2021/2022, 2022/2023) is eighty-six (86) as shown in the Table below. This includes contraventions, accidental finds, and other non-contravention complaints. Each Provincial Heritage Resources Authority (PHRA) is responsible for the management of contraventions within their respective areas of remit in implementing the National Heritage Resources Act, Act 25 of 1999. As such SAHRA does not maintain a record of contraventions where SAHRA was not the responsible authority or otherwise not involved.*

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| --- | --- | --- | --- | --- |
|  | ***2020/2021*** | ***2021/2022*** | ***2022/2023*** | ***Total*** |
| ***Incidents Reported per year*** | *17* | *25* | *44* | ***86*** |

**(2).** *In terms of Section 51 of the National Heritage Resources Act, Act 25 of 1999, SAHRA does not administer penalties as this fall within the scope of the Department of Justice.*

**(3).** *Indicated in the table below is the Five (5) cases that have been escalated for further legal action in collaboration with SAHRA.*

|  |  |  |  |
| --- | --- | --- | --- |
| **Case** | **In terms of** | **Prosecution Status** | **Details** |
| Theft from the Transnet Museum in George | Theft Report | Prosecuted | The accused was found guilty and sentenced to a year in jail. |
| Albion Dog Cart | Contravention of section 32 (19) of the NHRA | Escalated to the Director of Public Prosecution’s Office and DPCI | A warrant of arrest (J51) will be filed for the accused which will be exercised should the accused enter into South Africa. The report will be filed after the 19 June 2023 |
| Nelson Mandela Collection | Contravention of section 32 (19) of the NHRA | Escalated to the Director of Public Prosecution’s Office and DPCI | Case likely to be recommended to the NPA; decision will be communicated to SAHRA in due course. |
| Beauchamp – Proctor Medals | Contravention of section 32 (19) of the NHRA | Escalated to the Director of Public Prosecution’s Office and DPCI | Decision to prosecute will be communicated by 19 June 2023 |
| Alexis Preller Artwork | Theft Report | Escalated to the Director of Public Prosecution’s Office and DPCI | DPCI recovered the painting from an auction house. The owner of the painting requested for transferral to a suitable location; artwork was handed over to Pretoria Art Gallery for Protection and Conservation |

