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RESERVE FORCE COUNCIL

Representing the Reserve Force of the South African National Defence Force

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01 April 2008

The Chairperson
Hon Mr F. Bengu, MP
Portfolio Committee on Defence
Parliament
(Attn: Committee Secretary : Ms Mandy Balie)

Dear Mr Bengu,

SUBMISSION ON THE CASTLE MANAGEMENT ACT REPEAL BILL (B9-2008)

INTRODUCTION

1. The Reserve Force Council is a statutory body established in terms of section 48 of the Defence Act 2002, Act 42 of 2002. In terms of section 48(4) of the Defence Act, "The council is a consultative and advisory body representing the Reserve Force in order to promote and maintain that force as an integral part of the Defence Force and must be consulted on any legislation, policy or administrative measures affecting the Reserve Force."

2. The Castle provides the residence of the Officers messes of the The Cape Field Artillery, The Cape Garrison Artillery, The Cape Town Rifles (DUKES) as well as the Headquarters and messes of The Cape Town Highlanders and the Regional Defence Reserve Offices. The first four military units are Reserve Force Regiments and as such form part

of the constituency of the Reserve Force Council and fall within its mandate as expressed in section 48(4) of the Defence Act.

THE CASTLE MANAGEMENT ACT REPEAL BILL (B9-2008)

3. In terms of the notice to submit written submissions as well as section 2.1 of the Castle Management Act Repeal Bill (B9-2008), the Bill seeks to dissolve the Castle Control Board and transfer management and administrative responsibilities from the Department of Defence to the Department of Arts and Culture.

4. Section 5 of the Bill states that there are no vulnerable groups.

5. Section 6 of the Bill states that some consultation has taken place with the Department and Ministry of Arts and Culture and that further consultations will take place between the Department of Defence, Department of Arts and Culture and the State Law Advisor, once the Bill has been approved.

RESPONSIBILITY TO CONSULT WITH THE RESERVE FORCE COUNCIL

6. The Reserve Force Council wishes to place on record that at no stage was it consulted in the development of the Bill or on the transfer of management and administrative responsibilities, as is required by section 48 of the Defence Act, as the Reserve Force Regiments, which are its constituent members, may be affected by the proposals.

7. Consequently the Reserve Force Council is not in a position to comment on the veracity of the statement that there are no vulnerable groups as the effect of the transfer of management and administrative responsibilities is unknown to the Council as a result of the lack of consultation. In fact, the definition of vulnerable groups is not known to the Reserve Force Council, but it may include the resident Regiments in the Castle.

8. Furthermore the statement made in section 6 of the Bill is incomplete in the view of the Reserve Force Council, as no consultation was undertaken with the Reserve Force Council as required by section 48 of the Defence Act

SUBMISSION

9. The Reserve Force Council submits with respect that :

- a. the Bill should state unambiguously that the Castle is intended to remain the property of the DOD as it is

presumed that its status as a Defence Endowment Property will not be affected; and

- b. therefore as such it should be stated that the Castle should remain a building of which, as part of it, shall continue as a place of permanent military presence and culture.
- c. The Bill should undertake to guarantee the continued residence of the Regiments mentioned in paragraph 2 above.
- d. Clarity should be given in the Bill as to the management and administrative procedures that will apply to the residential military units at the Castle.

10. Finally, the Reserve Force Council requests that the Bill is passed only after the legal requirement to consult with the Reserve Force Council has been satisfied.

11. The Reserve Force Council is ready to present to Parliament should this be required.

Yours Faithfully,

(SIGNED J.L.JOB)

Colonel (Dr) J.L. Job
CHAIRMAN

DISTR

Minister of Defence
The Secretary for Defence
CSANDF
CSANDF - CCS
CSANDF - CCS (C Def Res)
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Ms Mandy Balie
Committee Secretary
Portfolio Committee for Defence
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11th April 2008

Dear Madam

Castle Management Act Repeal

I have been the Representative of the Cape Regional Chamber of Commerce and Industry on the Castle Control Board since its inception. Besides having served as Chairman of the Board for seven years, I have prepared the Annual Financial Statements for Audit each year.

For at least the last six years there has been discussion about the possibility of transferring the ultimate control of the Castle from The Department of Defence to the Department of Arts and Culture. However, what exactly is to be transferred is uncertain in the eyes of both departments.

It should be mentioned that the Department of Defence has exercised diminishing responsibility towards the management of the Castle for the following reasons:

1. An Audit Committee has not been appointed. There is no Internal Audit Function
2. A chief executive officer has not been appointed
3. A vice Chairman has not been appointed
4. Since 2004 there have been four different Chairmen, none of whom have been appointed in terms of the Act.
5. There has been no Human Resources Policy for the six members of staff
6. No Supply Chain Management Policy has been drawn up
7. The Castle Manager's position was previously that of a Colonel, then a Major and now it is a Captain.

The above matters have all addressed as a matter of urgency at the last Castle Control Board meeting.

Despite the Auditor General's report containing a number of matters of emphasis, the report has not been qualified in respect of any major matter. The Castle has managed to create an annual surplus even though it has been necessary to spend funds on Building Maintenance, which is normally the responsibility of the Department of Public Works. The current year's surplus will be in excess of R1, 600,000.

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As mentioned earlier, there is uncertainty as to what is desired to be transferred. The Castle Control Board is required to manage only those areas of the Castle, which are not occupied by the Military or the William Fehr Collection. When the Castle Management Act came into being, no fixed assets were transferred to the Castle Control Board. As a result the Castle Control Board has a responsibility in respect of those assets in areas of the Castle under its control, although those assets might belong to the Department of Defence, the William Fehr Collection, the Military Heritage Trust, the State or on loan.

In my opinion, the Castle has been managed well and as required by the Act, it does strive to optimize its tourism potential and accessibility to the community in addition to preserving and protecting its cultural and military heritage. I believe that as in the United Kingdom and other European countries, military establishments such as Castles or Forts should fall under the Department of Defence and not the Department of Arts and Culture. I appreciate that the responsibility of the running of a Castle is not the core business of the Department of Defence, but it is for that reason that the Castle Management Act 1993 came into existence. The members of the Board not only represent the stakeholders of the community, but also experts on Defence and Museum management.

In my opinion, the Department of Arts and Culture have done insufficient research into the proposed transfer of the management of the Castle. In addition, should it become part of Isiko Museums, I do not believe that there is the necessary infrastructure to take on the management of the Castle. It should be mentioned that one third of the Gate Takings at the Castle is paid over to Isiko Museums and this represents the majority of all income received by Isiko Museums in the Western Cape.

My recommendation would be that the management of the Castle remains with the Department of Defence and the Castle Management Act be retained with some minor amendments.

Yours faithfully

R M Hudson-Bennett CA (SA)
Vice Chairman: Castle Control Board

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13 April 2008

Mr F. Bengu MP
Chairman, Portfolio Committee on Defence
For attention: Committee Secretary : Ms Mandy Balie, mbalie@parliament.gov.za

Attachment: Short CV of W P Steenkamp.

Dear Mr Bengu,

CONSIDERATIONS REGARDING A CHANGE OF MANAGEMENT AT THE CASTLE

As the designated spokesman for a group of concerned citizens of Cape Town, various of whom are experts in the fields of military and social history, heritage and architecture, I have been asked to express certain reservations and ask certain questions about the impending repeal of the Castle Management Act and the lack of clarity about what will happen to the Castle of Good Hope.

It is not the intention of this memorandum to re-visit all the contentions that have been made about the desirability or otherwise of transferring the Castle to the Department of Arts and Culture. However, it was felt that the following comments and questions should be considered by your committee:

1. Lack of due process and discussion

It appears, from documentation in the public domain which has come into the group's possession, that due process has not been followed in this matter, in that a statutory body – the Reserve Force Council – has not been consulted as required by law, and that there have been no detailed discussions of the type that one would expect in the case of a building and historical institution as unique as the Castle.

The Castle, after all, is not merely another of the many buildings occupied by the South African National Defence Force. Neither is it a "colonial" building, having been built long before the start of the colonial process which eventually led to the founding of South Africa as we know it today; it would not be going too far to say that its construction was an early manifestation of the world globalisation process, which actually began in the 17th Century with a massive growth in the exchange of goods, services and often vocabulary and cuisine between Western Europe and the Far East.

It might be added that, apart from being the oldest extant building in South Africa, it is also virtually the only pristine example of 17th-Century military architecture to survive from the East Indian trade era.

On a more parochial level, the Castle is a veritable military-historical crossroads to which many paths in our common history eventually lead. In addition, it does not even belong to the SANDF, but in terms of the 1923 Defence Endowment Act was entrusted to the Minister of Defence personally.

This implies a special responsibility for looking after its best interests and preserving an important

part of our overall military culture and ambience. The word "overall" is important, because a study of South African military history shows that from the earliest times South Africans of ethno-cultural groups have been involved in the same military endeavours. This is particularly the case with the Castle, which has seen people of various ethno-cultural groups serving side by side in the military since it was completed in 1679.

These are all matters which most strongly concern this group, and give rise to the question of whether the current process, regardless of the intentions behind it, is truly in the best interests of preserving a national treasure, our single most important military-historical asset and a potential top-ranking tourist attraction.

The Castle was constructed as a military building, and continues to be best suited for this purpose. As a result it is not suitable for transformation into a general cultural centre, and any attempt to do so would inevitably water down or eradicate the layers of military history and usage – extending from its earliest days to the present - which make it what it is.

It is true that in its early days the Castle was the seat of civilian government as well as a fortress. But its civilian role ceased at least two centuries ago as administrative, legal and other functions were re-located elsewhere in Cape Town. The Castle then became a purely military installation and was the nodal point of innumerable events and occasions which have influenced our history, right up to the present era.

2. Functional utility

The Castle contains two museums and several entertainment facilities, but it is also the backbone of military activities in Cape Town. Among other things it houses the messes of four Reserve Force regiments, and the headquarters of one of them.

These units are not nominal ones. Three out of the four are preparing to participate, or already actively participating, in the external peace deployments which are a backbone of our foreign policy, and which are threatened by a scarcity of Regular Force manpower. The fourth is engaged in re-training soldiers who have transferred to it after their units were disbanded.

It should be added that all four are "traditional" regiments which have long-standing and extremely valuable links both with the city of Cape Town and its larger community, since all are representative in composition.

In addition, they all play and have played an essential role as regards both ceremonial and security duties. These duties include securing the President's "safe office" in the Castle in time of great need, and staging or participating in military tattoos, parades and similar events whose aim is to foster the general image of the SANDF and bring it closer to the general population.

Yet there has been no indication of whether or how such roles would survive into the proposed new management era, what would replace the current inputs or even whether they would still be welcome in the Castle. These matters are supposed to be discussed *after* the Castle has been handed over, an inefficient way of handling the matter which at the very least could seriously disrupt the above-mentioned regiments' contribution to national security and foreign policy, not to mention the vital tasks of securing the Castle and maintaining its tourist flow.

For example, an investigation by this group – the results of which are contained in a document which is in the possession of at least one member of your committee – showed that maintaining a modest military guard presence was the only affordable way of both securing the Castle and also providing the minimal daily ceremonial duties which attract the paying visitors who contribute so heavily to its upkeep.

So far, however, no suggestions have been put forward about the fate of the military presence or what a suitable alternative would be in the case of a department like the DAC, which is already over-stretched as regards its budget, even for its present activities.

This is so much the case that lack of funding has reduced one of the DAC's main enterprises in the Cape, the Maritime Museum in the Waterfront, from a large and impressive facility to a small office containing little more than some ship-models; another of the museum's assets, the boom defence vessel SAS Somerset, has been closed to the public.

This being the case, it is clear that a transfer of the Castle would simply add an enormous and unfair burden to a department which is already struggling to make do with what it has.

The Castle's role as a secure and extremely convenient assembly area for the military – whether for emergency purposes or high-profile ceremonial events like the Opening of Parliament – must also be noted.

3. Management capability

The above raises another issue, namely future management, about which there is a similar lack of clarity.

The SANDF and its predecessor have not been perfect guardians or administrators of the Castle. According to some reliable sources some of the funding earmarked for the complex's upkeep and running has been diverted to other military projects at times, and the military has not always been as sensitive to the Castle's needs as it might have been.

Nevertheless, over the years the military has developed a management system which involves close co-operation between the statutory Castle Control Board and the South African Army, and it has proved to be a success. As a result the Castle has retained its functional utility and has also become an internationally known tourist draw-card, which earns a substantial income by attracting tourists and letting itself be used as a venue for corporate functions.

It is true that on occasions such functions have been inappropriate to the Castle's ambience, but this has been necessary because of the need to generate income, as well as the lack of development capital.

All the above being the case, it seems pointless to jettison this proven system for one which apparently has not even been formulated or tested as yet.

It is the belief of the concerned citizens' group – which has produced the first detailed proposals for the Castle's future to be drawn up so far – that the best way forward would be one or other suitable form of non-profit public-private partnership which embodies the basic elements of the present system but expands and improves on them.

The long-term aim of the above would be to bring the Castle to the point where it is totally or largely self-sustaining, continues to enjoy the military presence which is part of its uniqueness and functional role, and further expands its educative function for the benefit of both the present and future generations in a manner which is appropriate to its age and status.

It must be clearly understood that as far as management is concerned the Castle is a unique case which requires special treatment. Given that treatment, its potential is enormous. It is not too far-fetched to envisage the Castle as playing a role as important to the Western Cape as that played by Edinburgh Castle in Scotland.

Edinburgh Castle has become such a draw-card that just one event in its yearly calendar – the Edinburgh Military Tattoo – is directly or indirectly responsible for 63 percent of Scotland's entire annual tourist "spend" of about £1 billion. This has been achieved by a non-profit public-private partnership like the one proposed by the concerned citizens' group.

It also remains to be shown that the DAC has the capacity to provide the type of management the Castle's future well-being requires. At the moment the Castle is efficiently managed by a small staff, mostly military. Apart from the military management team's dedication, the reason why this system works well is because the Castle staff members enjoy the logistic support of the Army

Support Base at Young's Field, which can provide equipment and services which are efficient and economical, and because they have been trained in managing a semi-military facility of this kind.

There is no guarantee that this would be the case in the event of a DAC take-over, given that the Department of Defence on the one hand and the Department of Arts and Culture on the other would have significantly different corporate agendas, cultures, budget requirements and procedures to satisfy.

4. Willingness to testify

This group is willing to give evidence to your committee if this is desired by you, and provide a copy of its detailed proposals for the future management of the Castle, as mentioned above.

Yours faithfully

W P Steenkamp

To:
Date: 2008/03/31 06:56 PM
Subject: Castle Management Act Repeal Bill

Dear Ms Balie,

Thank you for inviting the Public to give comment on the proposal to transfer management and administrative responsibilities for the Castle from the Department of Defence to the Department of Arts and Culture.

One of the reasons that the Castle is of interest to tourists and residents of Cape Town is because it still functions with a military presence (Similar to the V & A Waterfront still functioning as a working harbour).

I have two concerns about the proposal:

- 1) If the proposal is accepted, will the military presence still remain?
- 2) Will the Department of Arts and Culture be able to maintain the Castle as well as Defence has?

With regards ,

Jim Stanbury

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