





**DEPARTMENT OF SPORT, RECREATION, ARTS AND CULTURE**  
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The ECPHRA Permit Committees have scheduled monthly meetings. However, the regularity of meetings varies from committee to committee depending on the availability of new information to be tabled at each meeting. The Port Elizabeth Permit Committee has met twice – on 13 May 2016 and on 01 July 2016. The Queenstown Permit Committee has also met twice – on 16 March 2016 and on 18 May 2016. The East London Permit Committee has met four times – on 02 March 2016, 06 April 2016, 04 May 2016 and 14 September 2016.

Another factor which contributed towards the irregularity of meetings during the current financial year was the transitional funding arrangement for ECPHRA in which the Department ceased to transfer the ECPHRA annual budget allocation, opting for creating an enabling environment for ECPHRA to conduct all its procurement and payment processes from within the Department.

Management of finances within ECPHRA became a concern to the Department, hence the adoption of a new funding model. This model is aimed at orienting the financial resources of ECPHRA towards service delivery, as well as ensuring that while the Department delegates authority to ECPHRA, it assumes accountability for proper utilization of those financial resources.

The practical implementation of this arrangement proved not to be as straightforward as was previously anticipated, resulting in some of ECPHRA's operations being adversely affected.

Implementation of the new funding model is being handled by a Task Team comprising of representatives of the ECPHRA Council and officials from relevant Management and Legal Services Components of the Department. The Task Team is entrusted with the responsibility of ensuring that an enabling environment for ECPHRA to be fully functional is created as soon as possible. Thus far, the Team has achieved the following:

- The Task Team assisted in restoring a degree of functionality of the ECPHRA Office, and in ensuring that ECPHRA staff continues to receive their monthly salaries.
- Bearing in mind that the ECPHRA Term of Office was extended from October 2015 to March 2016, and that ECPHRA and its Permit Committees have been in existence on a month-to-month basis pending the appointment of a new Council, the Task Team has facilitated the approval of appointment of new members of the Council. The new ECPHRA Council will be inaugurated officially shortly.

Have the Task Team been given  
clear timeframes in which to complete  
their tasks?



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## QUESTION 2

- (1) Whether the authority has been fulfilling its duties as required in Section 24 of the National Heritage Resources Act 25 of 1999 (Act No 25 of 1999); if so, can she kindly provide a report of the committee activities from 1 March 2016 up until the latest specified date for which information is available; if not, why is the committee in breach of this Act?

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## RESPONSE

ECPHRA has not entirely been fulfilling its duties as required in Section 24 of the National Heritage Resources Act 25 of 1999. From the month of April to date, ECPHRA has not been fully functional. As has already been alluded to in the response to Question 1 above, from April 2016, the Department encountered challenges in actually implementing its new funding model whilst creating an enabling environment for ECPHRA operations to continue without interruption. This has had a negative effect on the normal functioning of ECPHRA during the period in question.

## QUESTION 3

- (1) Whether the ECHRA is competent to perform any function in terms of Act No 25 of 1999; if so, can she motivate that; if not, why not?

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## RESPONSE

In terms of the SAHRA Policy and Procedures for the assessment of Provincial Heritage Resources Authorities (PHRAs), for a PHRA to be competent to perform any function in terms of the National Heritage Act, the following should be in place:

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- the existence of a Provincial Heritage Authority with its Council appointed in accordance with section 23 of the National Heritage Act;
- adequate staff for general administration of the heritage authority and performance of this specific functions for which application for assessment is being made, including at least one suitably experienced and qualified full-time professional staff member and one administrative assistant;
- adequate premises and equipment for the performance of the functions to be undertaken, including a suitable computer with software compatible with the software used by SAHRA for the administration of the Inventory of the national estate referred to in s.39 of the Act;
- access to at least one vehicle;
- procedure that is clearly outlined for management of heritage resources and the consideration of applications, in accordance with the principles in section 10 of the Act; and
- a 3-year Action Plan and proposed budget.

Despite the challenge of having no access to its operational budget for the greater part of the last six months, ECPHRA is competent to perform its duties, given the criteria listed above. We are in the process of appointing a new Council, as the current Council has been in existence on a month-to-month basis pending appointment of the new Council. Our Task Team will work on a Memorandum of Agreement that will outline expectations and obligations of both the Department and ECPHRA. For instance, the Department will undertake to pay salaries for ECPHRA staff and ensure that ECPHRA receives an annual operational budget for its day-to-

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day activities. It will also facilitate the appointment of a Heritage Manager who will be responsible for to the overall management of ECPHRA operations.

ECPHRA already has an interim office and a staff complement of three (3). However, given the nature and magnitude of ECPHRA functions, the Department will do its best to inject more technical staff. At the moment, ECPHRA has internal services of a professional archaeologist who covers areas of archaeology, palaeontology, meteorites, burial grounds, sites declarations, etc. Renovations are in process at the Amathole District and Buffalo City Metro Office of the Department in East London, to where ECPHRA will relocate on a more permanent basis as soon as the renovations have been completed. ECPHRA has one vehicle already. However, it is presently not being used due to a licensing challenge. This is one of those challenges that the Task Team will soon resolve.