



# MODULE: HERITAGE LEGISLATION (BLENDED LEARNING MODE)

HL14PGD (4 Credits)

Recommended duration for completion:  
4 WEEKS Theory (distance learning)

THE SOUTH AFRICAN INSTITUTE FOR HERITAGE SCIENCE & CONSERVATION

*Provisionally registered with the Department of Higher Education and Training as a private higher education institution under the Act.*

*Registration certificate No. 2018/HE07/007 - valid until 31/12/2023*

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## Content & Themes

Video tutorials, guidance & mentorship:

- The primary goal of Conservation Legislation.
- The Burra Charter as an example of international accord, establishing synergy with particular sections of the National Heritage Resources Act (1999) in respect to the following:
  1. Caring for places of cultural significance;
  2. Retaining cultural significance;
  3. Making places of cultural significance usable;
  4. Providing for the retention of any environment that is part of, or contributes to, cultural significance.
- Restoration, Reconstruction and Adaptation as differing means of intervention, according to the Burra Charter.
- Administration of laws regulating development within conservation-worthy contexts as a *system*, by the heritage resources authorities and the local authorities.
- The implementation of section 34 of the National Heritage Resources Act regarding buildings older than 60 years.
- The intentions of the National Heritage Resources Act, and its causes of failure.
- Consequences of dysfunction within the comprehensive system established by the National Heritage Resources Act.

## Module Purpose

The module, *Heritage Legislation*, is a subject introduction aimed at creating a critical understanding and informed opinion regarding the place and function of international heritage protection instruments in conjunction with regional practices and national legislation, insofar as dealing with the protection of cultural heritage.

Upon completion of the module, the student should be able to evaluate a case by relating it to a rationale for Heritage Legislation (as developed) in order to explain how the rationale followed had proved meaningful in the particular case – as well as the desirability of a measure of defensible pragmatism.

The modules specifically linked to this subject are, *Foundational Stone & Mortar Conservation* and *Conservation in the Built Environment*.

## Learning Outcomes

Upon completion of this module, the student should be able to:

1. demonstrate a general understanding of the Constitutional basis of the laws regulating conservation and property development;
2. demonstrate knowledge and understanding of how the National Heritage Resources Act fits into the suite of laws regulating conservation and development within the built environment;
3. demonstrate general knowledge of the National Heritage Resources Act, its components and most prominent provisions, and the administrative procedures of the relevant statutory authorities;
4. demonstrate a general grasp of current debates and disputations in this regard; and
5. demonstrate development of critical insight in analysing the administration of the National Heritage Resources Act and any related legislation.



### **PRESCRIBED MODULE STUDY MATERIAL (provided):**

Refer to lecture notes for reading lists prescribed by the lecturer for specific themes.

### **FURTHER RECOMMENDED READING:**

- Legal Frameworks for the Protection of Immovable Heritage in Africa by W Ndoro and G. Pwiti (Ed).
- Cultural Heritage and the Law: Protecting Immovable Heritage in English Speaking Countries of Sub-Saharan Africa by W. Ndoro, A. Mumma and G. Abungu.
- Heritage Conservation in Africa: The Good, the Bad and the Challenges by S. Chikure.
- White Paper on Arts, Culture and Heritage. All our legacies, our common future – DAC SA.
- Convention concerning the Protection of World Cultural & Natural Heritage – UNESCO.
- Convention on the Protection and Promotion of the Diversity of Cultural Expressions.
- Convention on Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property.
- Convention for the Safeguarding of Intangible Cultural Heritage.
- Legislative Protection of Cultural Heritage Resources: A South African Perspective by L.J Kotze and L. Jansen v Rensburg.
- Heritage in Peril: A Critique of the World Heritage Program by E.E. Keough.
- Why Cultural Heritage Matters. A Resource Guide for Integrating Cultural Heritage Management into Communities Work at Rio Tinto.
- International Law Association: A Blue Print for the Development of Cultural Heritage Law. Washington Conference – ILA.
- Report on the Review of Heritage Legislation by Cheadle Thompson & Hayson Attorneys.
- A Critical Look at the Legal Framework for Arts, Culture & Heritage by C. Roodt.
- PHRAG Challenges. Actions to be Taken by H. Prins.

### **TEACHING & LEARNING METHODS:**

On-line: Synchronous online video conference meetings shall feature, during which lectures and tutorials shall be presented, resulting in interaction between tutors and student. Ongoing direction and instruction shall follow, requiring reading, self-study and an assignment to be submitted.

The written assessment shall conclude this Heritage Legislation module and a pass mark of 55% shall be required.

In the case of candidates meeting the enrolment prerequisites for the Postgraduate Diploma "Technical Conservation Studies", credits achieved upon completion of Introduction to Ceramics Conservation may, upon application, successfully transfer towards attainment of a future graduation.

Enrolment prerequisites: None – accessible to special students and programme students equally.

Course fee: **R4 614.31** (VAT Exempt)

Prescribed textbooks: N/A

**Certificate of attainment & scored Course Report follow completion.**