

# NATIONAL HERITAGE

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## War Graves Control and Maintenance Ordinance 2 of 1927

**Summary:** This Ordinance ([OG 232](#)) provides for the control and maintenance of war graves. The Ordinance was extended to the Rehoboth Gebiet by Proc. 12/1930 ([OG 365](#)).

**Regulations:** The Ordinance makes no provision for regulations.

**Notices:** Proc. 17/1928 ([OG 284](#)) vests control of war graves in SWA in the Administrator of SWA.

GN 191/1960 ([OG 2276](#)) concerns the Graves Commission.

## National Heritage Act 27 of 2004

**Summary:** This Act ([GG 3361](#)) provides for the preservation and registration of places and objects of national significance. It establishes a National Heritage Council and a National Heritage Register. The Act repeals the *National Monuments Act 28 of 1969*. It was brought into force on 1 September 2005 by GN 105/2005 ([GG 3490](#)).

**Amendments:** The State-owned Enterprises Governance Act 2 of 2006 ([GG 3698](#)), which was brought into force on 1 November 2006 by Proc. 13/2006 ([GG 3733](#)) and later re-named the Public Enterprises Governance Act 2 of 2006, amends section 1, 4 and 7, deletes section 6 and substitutes section 18.

**Regulations:** Section 69(2) provides that any “regulation or by-law made and anything done” under the repealed law “which may be made or done under a provision of this Act” survives. Pre-independence regulations have not yet been researched.

Regulations are promulgated under this Act in GN 106/2005 ([GG 3490](#)).

**Declarations of national monuments and other protected areas:** Heroes Acre is designated as a national monument (under the previous Act) in GN 144/2002 ([GG 2801](#)).

Grave No 171 (the Mass Grave) in the Old Location Cemetery and Omugulugwombashe are designated as national monuments in GN 118/2006 ([GG 3679](#)).

An area in and around Swakopmund is designated a conservation area by General Notice 260/2006 ([GG 3688](#)), and the demolition of any building situated for 50 years or more in this area is prohibited by General Notice 79/2008 ([GG 4022](#)).

Note that the original [GG 3688](#) was replaced by a subsequent corrected version. The corrected version states at the top: “*This Gazette replace [sic] Gazette No. 3688 of 1 September 2006*”.

Betholdt Himumuine Primary School is declared to be a heritage place by General Notice 298/2006 ([GG 3714](#)).

Dorslandtrekker is declared to be a heritage place by General Notice 299/2006 ([GG 3714](#)).

Twyfelfontein is declared to be a conservation area in General Notice 20/2007 ([GG 3788](#)).

A number of places and objects are designated as heritage places and heritage objects in GN 155/2011 ([GG 4787](#)) and in General Notice 393/2013 ([GG 5306](#)).

The Omandongo Mission was declared to be a heritage place by General Notice 273/2014 ([GG 5533](#)).

The Equestrian Statue Monument was removed as a national monument from the National Heritage Register by General Notice 274/2014 ([GG 5533](#)).

The King Lipumbu ya Tshilongo Memorial Site was declared to be a heritage place by General Notice 275/2014 ([GG 5533](#)).

Shark Island in Luderitz (//Kharas Region) and Driedoornvlagte Fossil Reef (Hardap Region) are declared to be heritage places by General Notice 23/2019 ([GG 6844](#)).

**Appointments:** Council appointments under the previous Act were announced in GN 76/1991 ([GG 232](#)), GN 318/1996 ([GG 1462](#)), GN 270/2000 ([GG 2444](#)) and GN 20/2003 ([GG 2915](#)). Council appointments under this Act were announced in GN 82/2009 ([GG 4260](#)) and GN 94/2011 ([GG 4747](#)).

## **INTERNATIONAL LAW**

*†Constitution of the United Nations Educational, Scientific and Cultural Organization (UNESCO), 1945*

*Convention Concerning the Protection of the World Cultural and Natural Heritage, 1972*

*Convention for the Safeguarding of the Intangible Cultural Heritage, 2003*

*Convention on the Protection and Promotion of the Diversity of Cultural Expressions, 2005*

*Convention on the Protection of the Underwater Cultural Heritage, 2001*

See also **CULTURE AND CULTURAL INSTITUTIONS**.