



## **SOUTH AFRICAN HERITAGE RESOURCES AGENCY**

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DATE: 16 November 2012  
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OUR REF: 3/3/8/3

Mr. Gene Ravele  
Chief Customs and Border Management  
Private Bag X923  
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Fax No: 012- 4529686

Dear Mr. Ravele

### **ROLE OF CUSTOMS OFFICIALS IN SAFEGUARDING HERITAGE RESOURCES OF HERITAGE VALUE**

The South African Heritage Resources Agency (SAHRA), established in terms of the National Heritage Resources Act, No. 25 of 1999 (the Act), is responsible for identifying, managing and conserving South Africa's heritage objects.

Section 32 of the Act stipulates that no heritage object may be removed from South Africa other through a customs port of entry and the relevant export permit issued under subsection 19 or a certificate of exemption issued under subsection 32 must be produced to a Customs Officer before removal from South Africa is effected or allowed. In addition, a Customs Officer who has reason to believe that a person is attempting to import an object in contravention of the Act may withhold the object concerned and such object must be kept in the custody of SAHRA until such time, not exceeding six months, as an investigation into the provenance of such object is completed.

Section 50 of the Act stipulates that each Customs and Excise Officer and each member of the South African Police Services is deemed to be a Heritage Inspector. This means that Customs Officials and Police Officers must establish links with SAHRA in order to fulfill this role. A memorandum of understanding towards this end would be the way forward in this regard. This is an international practice in most countries overseas to safeguard the country of origin's heritage objects

During the 2010/2011 audit of SAHRA, the auditors have picked up that there is no memorandum of understanding entered into between SAHRA and Customs regarding Customs role in the movement of heritage objects outside of South Africa. Therefore, we would like to request a meeting with you to discuss the critical role that Customs has to play in the movement of heritage objects outside and into South Africa.

The challenge in South Africa is that Customs Officials are not trained to identify objects of heritage value. In addition, the networking with SAHRA and other experts seems to have been lost over the years. SAHRA would like to discuss training of Customs Officials so that eventually the officials would be in a position to either identify a heritage object and prevent it from leaving South Africa illegally or contact SAHRA to give guidance in this regard. In addition, when SAHRA issue permits for the export of heritage objects, Customs should be able to verify the permit as SAHRA has implemented the South African Heritage Resources Information System (SAHRIS) which enables on line permit applications as well as issuing thereof and it is verifiable. It is vital that SAHRA establishes this link with Customs so that you may fulfill your role as prescribed in the Act.

Several years ago, SAHRA attempted to establish relations with Customs in order to discuss Custom's role in the movement of heritage objects outside South Africa as well as related training. The outcome was that some Customs Officials took it upon themselves to inform SAHRA if they were of the opinion that a heritage object may be exported illegally and they would advise the owner to apply for a permit from SAHRA. Unfortunately, there were a few restructuring processes within Customs resulting in contacts built up not being sustained.

We propose a meeting with you during the last week of November 2012, alternatively, during the first two weeks of December 2012. You are welcome to give us any dates that would suit you during this period. The purpose of the meeting would be to discuss Customs role as Heritage Inspectors in the protection South Africa's heritage objects and to look into linking Customs to the SAHRIS.