



NOMINATION GUIDELINES FOR NAMIBIA'S HERITAGE RESOURCES





Table of Contents

Executive Summary	2
Definitions	2
Legislative Framework	3
Namibian Heritage Register	4
Categories of registration	4
Guidelines for completing the nomination form for declaration of national heritage resources	4
Format and content of the nomination form	6
Process of declaration of national heritage resources	10
References	12



Executive Summary

The purpose of this manual is to provide detailed information to the public on how to nominate heritage resources for consideration and declaration as national heritage resources. It was developed under the framework of the National Heritage Act, (Act No. 27 of 2004), covering a major area of Part IV of the Act that sets a legal framework for heritage protection. This guide can be read together with that section of the Act.

During the development of these guidelines, comparisons were made between the processes in Namibia and neighbouring countries who have similar legislative frameworks in place in order to understand best practices.

Although the manual provides detailed and step-by-step guidelines, the National Heritage Council of Namibia Secretariat stands ready to assist the public to ensure proper completion of nomination files. It takes a single initiative to realise conservation of heritage resources for humanity.

Definitions

“heritage” means places and objects of heritage significance;

“heritage significance” means aesthetic, archaeological, architectural, cultural, historical, scientific, or social significance;

“Minister” means the Minister responsible for Culture;

“object” means any movable article, and includes -

- (a) an archaeological object;
- (b) palaeontological and rare geological objects;
- (c) meteorites;
- (d) ethnographic objects;
- (e) military objects;
- (f) objects of decorative or fine art;
- (g) objects of scientific or technological interest;
- (h) books, records, documents, photographic positives and negatives, film, or video material or sound recordings, excluding those that are public records to which the Archives Act, 1992 (Act No. 12 of 1992) applies;

“owner” includes -

- (a) in relation to land situated in a communal land area as



defined in the Communal Land Reform Act, 2002 (Act No. 5 of 2002) –

- (i) the person who holds a right in respect of that land under that Act; or
- (ii) if no person holds such a right in respect of the land, the Communal Land Board having jurisdiction under that Act in that area;
- (b) in relation to other State land, means the Minister or public authority that manages or controls the land;
- (c) in relation to any land or other property, a person who in terms of any law -
 - (i) has a right, privilege, claim to; or
 - (ii) holds any security over, or interests in, the property or proceeds from the property; or
- (d) a person who in terms of any law holds or is entitled to hold any land or other property on behalf of another person.

“paleontological object” means any fossilised remains or fossil trace of animals or plants which lived in the past;

“paleontological site” means an area in which paleontological objects are situated;

“place” means an area of land, with or without improvements,

and includes -

- (a) a building;
- (b) a garden;
- (c) a tree;
- (d) the remains of a ship or part of a ship;
- (e) an archaeological site;
- (f) a site;
- (g) land associated with anything specified in paragraphs (a) to (e);

“provisional protection order” means a provisional protection order made under section 41;

“Register” means the Namibian Heritage Register established under section 24;

“Registrar of Deeds” has the meaning assigned in the Registration of Deeds Act, 1937 (Act No. 47 of 1937);

Legislative Framework

The National Heritage Act, (Act No. 27 of 2004), aims to provide for the protection and conservation of places and objects of heritage significance and the registration of such places and objects, and to establish a National Heritage Register.



Namibian Heritage Register

The National Heritage Act under section 24 (1) obliges the National Heritage Council of Namibia to establish and maintain a register, to be called the Namibian Heritage Register, in respect of heritage places and heritage objects protected under this Act. In addition, Council should maintain the register in a format which it considers expedient, including in electronic format. It further stipulates that Council should determine the most appropriate manner of disseminating information therein.

Categories of registration

The Act categorises the country's heritage resources in two categories according to which nominations and eventual declarations can be made. These categories further guide the registration of the resources into the National Heritage Register. Section 25 (1) states that a place or object must be recorded in the Register in either of the following categories -
(a) heritage places; or
(b) heritage objects,
and in accordance with such further classifications as the Council may determine.

Guidelines for completing the nomination form for declaration of national heritage resources

Introduction

The National Heritage Act, under section 29, states that nomination of heritage resources should be made in writing in a manner approved by the National Heritage Council of Namibia.

The purpose of a nomination is to set out as clearly as possible:

- What the property consists of
- How it is documented
- Why the nominated property is believed to have heritage significance
- Its state of conservation
- How and for what it is used
- Factors affecting the property.

The nomination is the basis for the evaluation of the heritage significance of the nominated property by the National Heritage Council of Namibia and subsequent decision by the Minister whether or not to register it in the

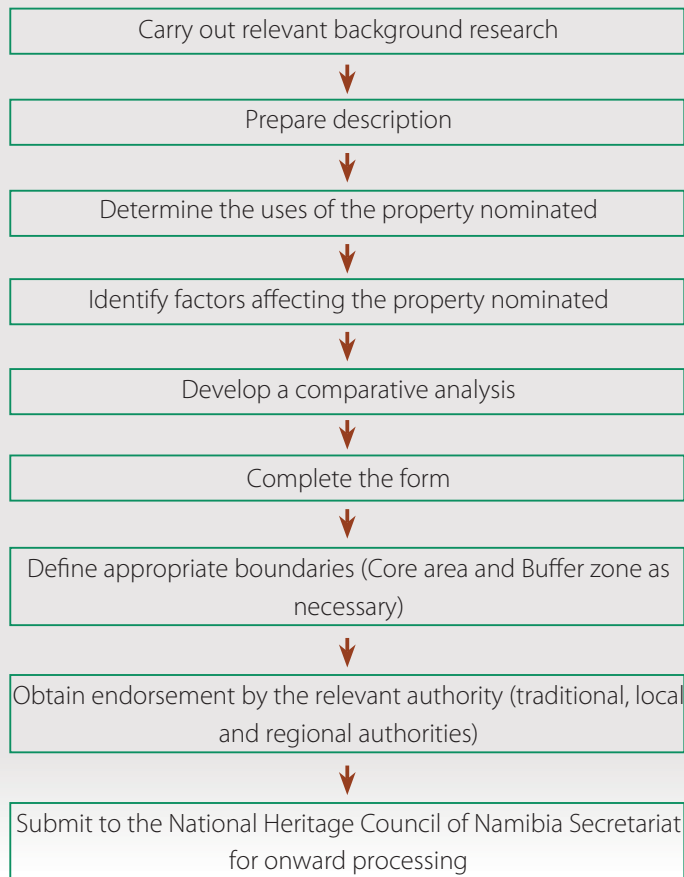


Namibian Heritage Register. The completion of a nomination form should therefore be carried out in a professional way. It is likely to require the involvement of a number of individuals and institutions to provide the necessary skills and specialised information concerning the nominated property.

The nomination for declaration for national heritage resources needs to:

- Clearly define the proposed boundaries of the property.
- Describe the property.
- Outline its history.
- Demonstrate its significance and why it is thought to demonstrate potential national heritage significance.
- Explain its state of conservation and how it is documented and monitored.
- Set out how in the long term its potential national heritage significance will be sustained through legal protection and management of attributes that convey its value.
- State who will be involved in that process of ensuring sustainability of the heritage significance.
- Outline how its value will be presented or interpreted to visitors and others.

The suggested sequence for preparing a nomination





Format and content of the nomination form

A: Identification

The nominator is required to provide the name of the property being nominated. This is the name that the property is commonly known as and shall be the official name of this property once declared. The nominator should ensure that the name of the heritage resource in the local language is also included where applicable.

Select the appropriate category of declaration as per section 25 (1) of the Act.

Heritage Places are immovable heritage properties defined in the Act as an area of land with or without improvements and include a building, a garden, a tree, the remains of a ship or part of a ship, an archaeological site, a site, and/or land associated with anything specified on this list.

Heritage Objects are movable articles and includes archaeological objects, paleontological and rare geological objects, meteorites, ethnographic art objects, military objects, objects of decorative or fine art, objects of scientific or technological interest, books, records, documents, photographic positives and negatives, and film or video materials or sound recordings (excluding those that are public records to which the Archives Act, 1992 (Act No. 12 of 1992) applies).

B: Location

In this section it is important to give the physical location of the place or object.

Detailed and specific information about the location of the site must be provided. The nomination form provides leading questions to enable the user to provide cadastral information of the nominated heritage resource.

C: Heritage significance

The relevant areas of importance of the heritage resource being nominated must be selected. Note that some heritage resources may be important at a local, regional or national level and this needs to be clearly stated in the description.

C1: Historical

The reason for the importance of this specific heritage resource to the Namibian nation must be explained. Is it because it is part of notable events, a historic figure, and/or phase or activity that occurred in the history of our country? It may also be significant due to a strong or special association with the life or work of a person, group, or organization of historical importance.



C2: Architectural

An architectural heritage can be interpreted as an “artefact”, where its elements are witnesses of constructive cultures and of events that occurred during the life of the building.

C3: Scientific

According to the Burra Charter, 1988, “the scientific or research value of a place will depend on the importance of the data involved, on its rarity, quality or representativeness, and on the degree to which the place may contribute further substantial information”. The heritage resource has the potential to yield information that will aid in understanding of natural or cultural heritage resources. These heritage resources could be Archaeological, Paleontological, and so forth.

C4: Natural

Natural heritage is divided in two sections namely, biological natural heritage resources and geological natural heritage resources.

C5: Cultural and Social

The heritage resource being nominated is regarded important because it has strong or special association with a particular community, political, cultural group or the nation at large for social, cultural or spiritual reasons.

C6: Aesthetic

The heritage resource shows particular aesthetics characteristics that is regarded as important by a community, a cultural group, and/or the entire nation. It also includes aspects of “sensory perception for which criteria can and should be stated. Such criteria may include consideration of the form, scale, colour, texture and material of the fabric; the smells and sounds associated with the place and its use” (Burra Charter, 1988). Furthermore, the aesthetic significance could result from creativity, design or artistic excellence.

D: Justification for declaration

- What makes this site worthy of preserving?
- Is there any similar heritage resource that can be compared to the one nominated?
- How does the site compare to these other sites?

E: Brief history

Provide a short history of the heritage resource you would like to nominate. You may attach copies of published articles regarding the heritage resource being nominated.



F: Detailed description

The nominator is required to describe the heritage resource being nominated. Explain its characteristics and provide information that will enable the reader of the nomination form to understand the nature of the heritage resource being nominated.

G: Uses of the heritage resource

- What is the heritage resource used for?
- How do the neighbouring communities use this heritage resource?
- Are there any benefits that the members of the community derive from the site?
- What types of benefits do community members receive from the nominated heritage resource?

H: Factors affecting the heritage resource

There are various factors that could be affecting the site being nominated, depending on the type of site. Some of the factors that might affect a property are as follows:

- i. Development pressures (e.g. encroachment, adaptation, agriculture, mining).
- ii. Environmental pressures (e.g. pollution, climate change, desertification).

- iii. Natural disasters and risk preparedness (earthquakes, floods, fires, etc.).
- iv. Visitor/tourism pressures.
- v. Number of inhabitants within the property and the buffer zone.

The following questions are relevant during this process:

- What are the factors that are of detrimental effect to the site?
- Is there anything that can easily be identified as a potential for danger to the existence of the heritage resource?
Information provided in this section constitutes the baseline data necessary to monitor the state of conservation of the nominated property in the future.

I: Condition

I1: General Condition

Explain the condition the nominated resources is currently in, looking at the physical appearance of the site. Is it in good condition, damaged, or dilapidated?



I2: To what extent has the place / object been altered from its original condition

Depending on the age and type of heritage, some heritage places/objects are not in their original format, shape or design. In this section indicate whether the place or object has been changed from its origin. These changes can be caused by various factors such as scarcity of material used, change of ownership, urbanisation, modernisation and globalisation. The following questions should be considered: Has the resource been changed from its original condition? Was it damaged and, if so, repaired?

J: Extend of declaration

In this section indicate the size of the place(s) being nominated. How far do you propose the boundaries of the site to extend? What should be included?

K: Sketches, sketchmaps, photographs, or any cad drawings

Provide hand drawn sketches, sketch maps, photographs, or any drawings.

Drawings are particularly important in case of submission of a nomination of a building.

L: Details of current owner

Provide the name and contact details of the owner of the heritage resource being nominated.

Please include telephone number, mobile phone number, email address and postal address.

Written consent letter from the owner or legal representative of the owner of the nominated property is required.

M: Details of the nominator

Provide the name and contact details of the person who can be contacted regarding this nomination.

Please include telephone number, mobile phone number, email address and postal address.

N: Support from traditional, local and regional authorities

Attach supporting documents stating endorsements from the following authorities.

For heritage resources located within the boundaries of local authorities i.e. towns, municipalities, and cities, written endorsement of a decision by the Town Council, Municipal Council, or City Council is required.



For heritage resources located outside the boundaries of local authorities i.e. towns, municipalities, and cities, written endorsement of a decision of the Regional Council is required.

An endorsement from the Traditional Authority is also desirable for nomination located in communal areas.

Process of declaration of national heritage resources

STEP 1: A nomination form is completed providing detailed information about the heritage resource to be considered for declaration and eventual registration into the National Heritage Register. The owner of the heritage resource should consent in writing to the proposed declaration of his/her property. The application form needs to be accompanied by a resolution of the local authority where the resource is situated. The National Heritage Council of Namibia can also assist to request for letters of consent from relevant parties on behalf of the nominator. Once a complete nomination form is received, the Secretariat of the Council compiles an assessment report that includes the history of the nomination.

STEP 2: The National Heritage Council of Namibia Secretariat presents its report to the relevant committee of the Council (a committee established as per section 12 of the National Heritage Act) for screening and recommendation to the Council. There are two options available, (i) whether to refer the recommendation back, detailing specific reasons and giving directives, or (ii) the Committee endorses the Secretariat Report and resolves to recommend it to the Council for consideration.

STEP 3: The Council shall then make a decision based on this recommendation. There are two options available, (i) whether to refer the recommendation back detailing specific reasons and giving directives, or (ii) the Council accepts and approves the recommendation.

STEP 4: Section 30 of the National Heritage Act, (Act No. 27 of 2004) makes provision for the public to be informed by way of placing adverts in newspapers and using any other relevant media for the intention of the National Heritage Council



of Namibia to recommend to the Minister the declaration and eventual inclusion in the National Heritage Register of the resource nominated. The public shall have 60 days to launch any submissions if they so wish. Sections 32 – 34 guides the Council on how to proceed. If no submission is received, as per section 33, the Council shall submit its recommendation to the Minister for a determination in accordance with section 35 of the Act.

STEP 5: The Minister considers the recommendation of the National Heritage Council of Namibia in terms of section 35 of the National Heritage Act, (Act No. 27 of 2004). There are two options available,

(i) whether to refer the recommendation back detailing specific reasons and giving directives, or (ii) The Minister accepts the recommendation and declares the National Heritage Resource.

STEP 6: Once the Minister has decided to declare the nomination as a valid national heritage resource, the decision shall be published in the Government Gazette. Individual notifications shall also be sent out as provided for under sections 36 and 37.



References

Government Gazette No. 3361, dated 29 December 2004. Promulgation of National Heritage Act, (Act No. 27 of 2004), of the Parliament.

The Burra Charter, 1999, The Australia ICOMOS Charter for Places of Cultural Significance, Australia ICOMOS Inc, International Council of Monuments and Sites.

PanAfGeo, 2018, WP6-3 Geoheritage Training Manual Windhoek, Namibia.

South African Heritage Resources Agency, 2001, National Heritage Site Nomination Form.

This document is created in line with section 29 of the National Heritage Act, (Act No 27 of 2004), and aims to encourage members of the public to identify and nominate places and objects of heritage significance.

