

THE JAMAICA NATIONAL HERITAGE TRUST ACT

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THE JAMAICA NATIONAL HERITAGE TRUST ACT

[28th June, 1985]

Acts
8 of 1985,
33 of 1991
S. 22.

Preliminary

1. This Act may be cited as the Jamaica National Heritage Trust Act. Short title.

2. In this Act unless the context otherwise requires— Interpreta-
tion.
“development” means—

(a) the alteration, removal, repair, restoration or demolition of or addition to, any national monument; or

(b) the carrying out of building, engineering or other operations in, on, over or under any national monument or the making of any material change in the structure, appearance or use of any such national monument;

“functions” includes powers and duties;

“local authority” means—

(a) in relation to the parishes of Kingston and St. Andrew, the Council of the Kingston and St. Andrew Corporation; and

(b) in relation to any other parish, the Parish Council of such parish;

“maintenance” includes the fencing, repairing and covering of a national monument and the doing of any other act or thing which may be required for the purpose of repairing the national monu-

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ment or protecting it from decay or injury, and the expression "maintain" shall be construed accordingly;

"national monument" means—

(a) any building, structure, object or other work of man or of nature or any part or remains thereof whether above or below the surface of the land or the floor of the sea within the territorial waters of the Island or within the exclusive economic zone;

(b) any site, cave or excavation, or any part or remains thereof,
declared by the Trust to be a national monument;

"occupier" includes any person engaged in any development or maintenance works in, or, over or under any national monument;

"owner" means the person in whom is vested the freehold interest in the site of the protected national heritage;

"protected national heritage" means—

(a) any place name;

(b) any species of animal or plant life;

(c) any place or object (not declared by the Trust to be a national monument), designated by the Trust to be a protected national heritage;

"the Trust" means the Jamaica National Heritage Trust established under section 3.

The Jamaica National Heritage Trust

3.—(1) There shall be established a Trust to be known as the Jamaica National Heritage Trust which shall be a body corporate with perpetual succession and a common seal and with power to purchase, hold, deal with and dispose of land and other property whether real or personal :

Establishment and constitution of Trust.

Provided that the Trust shall not transfer, mortgage, charge or dispose of any land without the approval of the Minister.

(2) The Trust shall consist of fifteen members of whom—

- (a) three members shall be the Government Town Planner, the Commissioner of Lands and the Chief Executive Officer of the Trust who shall be *ex-officio* members;
- (b) one member shall be a representative of the Institute of Jamaica and shall be appointed by the Minister from a panel of three persons nominated by the Board of Governors of that Institute;
- (c) one member shall be a representative of the Jamaica Historical Society and shall be appointed by the Minister from a panel of three persons nominated by that Society;
- (d) one member shall be a representative of the Jamaica Archaeological Society and shall be appointed by the Minister from a panel of three persons nominated by that Society;