EXTRAORDINARY

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ANTIQUITIES, MONUMENTS AND MUSEUM (AMENDMENT) ACT, 2023

Arrangement of Sections

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No. 48 of 2023

ANTIQUITIES, MONUMENTS AND MUSEUM (AMENDMENT) ACT, 2023

AN ACT TO AMEND THE ANTIQUITIES, MONUMENTS AND MUSEUM ACT, TO REGULATE AND UPDATE THE LAW RELATING TO RECOVERY OF UNDERWATER CULTURAL HERITAGE

[Date of Assent - 11th August, 2023]

Enacted by the Parliament of The Bahamas

1. Short title.

This Act, which amends the Antiquities, Monuments and Museum Act (*Ch. 51*) may be cited as the Antiquities, Monuments and Museum (Amendment) Act, 2023.

2. Amendment of section 13 of the principal Act.

Section 13 of the principal Act is amended—

(a) in subsection (9) —

(i) in the chapeau, by the insertion, immediately after the words "The Minister may transfer" of the words "title to"; and

(ii) by the deletion of paragraph (e) and the substitution as follows—

"(e) the proposed transfer conforms with the rule of sharing any artifacts recovered under the licence in accordance with subsection (10).";

(b) by the insertion immediately after subsection (9) of the following new subsections —

"(10) Any artifacts recovered by a licensee under a licence to survey for, or recover, underwater cultural heritage shall be

shared between the Government and the licensee with each to receive 50% of the total value measured by points and the Government shall have first preference in selecting its share of the recovered artifacts.

(11) Notwithstanding subsection (10), the Government and the licensee shall agree in writing that Government's retention of any underwater cultural heritage artifacts which are important to the protection of the national patrimony may exceed the Government's 50% share in certain years with the imbalance to be corrected by future divisions.".

3. Amendment of section 37 of the principal Act.

Section 37 of the principal Act is amended by the deletion of paragraph (i) and the substitution of the following—

"(i) providing for the maximum period for which a particular type of licence may be granted;

(j) generally for the better carrying out of the provisions of this Act.".