

NATIONAL MONUMENTS (AMENDMENT) ACT, 1999

(Act No. 3 of 1999)

*I assent*

F. A. Rene  
President

*31<sup>st</sup> March, 1999*

**AN ACT to amend the National Monuments Act (Cap 140).**

ENACTED by the President and the National Assembly.

## **1. Short title**

This Act may be cited as the National Monuments (Amendment) Act, 1999.

## **2. Amendment of Cap 140**

The National Monuments Act is hereby amended as follows –

**(a)** by repealing section 3 and substituting therefore the following section –

### **3. Establishment of the National Monuments Board**

(1) There is hereby established a board to be known as the National Monuments Board, which shall be a body corporate with perpetual succession and a common seal.

(2) The Board shall consist of a Chairman and four other members appointed by the Minister by Notice published in the Gazette for such period as may be specified.

(3) The Chairman and members of the National Monuments Board holding office immediately before the coming into operation of the section shall be deemed to be the Board duly appointed under subsection (2)”

**(b)** in section 4(1) by repealing the words “national monuments” in paragraph (1) and substituting therefore the following words and paragraphs:

“national monument;

(m) raise funds for the purpose of achieving its objects under the Act and

(n) with the approval of the Ministries responsible for Culture and Land Use permit persons to commercially exploit State owned national monuments under the terms of an agreement made in that behalf.”;

**(c)** in section 5(1), by repealing the words “national monument” and substituting therefore the words “national monuments” and in like manner declare that an existing national monument shall cease to be a national monument”

**(d)** in Section 10, by repealing paragraphs (d) and (e) and substituting therefore the following paragraphs:

“(d) regulating the excavation of monuments, or prohibiting or regulating any specific act in or in respect of any monument, and

(e) regulating the meetings, proceedings and conduct of business of the Board”;

(e) by inserting after section 10 the following sections –

#### 11. Seal of the Board

- (1) The seal of the Board shall be in the custody of the Board
- (2) The seal of the Board may be altered in such manner as may be determined by the Board.
- (3) The seal of the Board shall not be affixed to any instrument except in the presence of two members of the Board and the Chairman all of whom shall sign the instrument in token of the presence.

#### 12. Funds

- (1) All moneys belonging to the Board shall be paid into a bank account in the name of the Board.
- (2) There shall be paid into the bank account of the Board-
  - (a) all such sums of money as may be voted from time to time by the National Assembly for the use of the Board.
  - (b) all sums of money received by the Board in the exercise, performance and discharge of its powers, duties and functions.
  - (c) all such sums of money as may be received by the Board by way of loans, donations, gifts or grants.
- (3) There shall be paid out of the moneys belonging to the Board all sums of money required to defray any expenditure incurred by the Board in the exercise and discharge of the powers and functions under the Act and all such sums of money as are required or authorized to be paid out of the moneys of the Board.

#### 13. The financial year

The financial year of the Board shall be the calendar year.

#### 14. Accounts

- (1) The Board shall cause to be kept proper books and records in relation thereto in which all financial transactions of the Board shall be recorded.
- (2) The accounts of the Board shall be audited by an auditor who is qualified under section 157 of the Companies Act and is appointed by the Board.

15. Staff

The Board may appoint such staff as may be necessary on such terms and conditions as it may determine.

16. Exemptions

- (1) The income of the Board shall be exempted from any tax imposed under the Business Tax Act. Cap. 20
- (2) All legacies and donations for the benefit of the Board shall be exempt from stamp duty under the Stamp Duty Act.”. Cap. 226; and

(f) by repealing the schedule

I certify that this is a correct copy of the Bill which was passed by the National Assembly on 23<sup>rd</sup> March, 1999.

Sheila Banks  
Clerk to the National Assembly