

BELIZE:

NATIONAL INSTITUTE OF CULTURE AND HISTORY
(AMENDMENT) ACT, 2024

ARRANGEMENT OF SECTIONS

1. Short title.
2. Insertion of new section 60A.
3. Amendment of section 61.
4. Amendment of section 63.
5. Amendment of section 66.
6. Repeal and replacement of section 67.
7. Amendment of section 68.
8. Insertion of new sections 68A, 68B and 68C.
9. Consequential amendment.



No. 27 of 2024

I assent,

Dame Froyla Tzalam
Governor-General

2nd December, 2024.

AN ACT to amend the National Culture and History Act, Chapter 331 of the Substantive Laws of Belize, Revised Edition 2020; to strengthen the power of the National Institute of Culture and History to protect and preserve resources in reserves; to standardize the definition of Minister throughout the Act; to provide stricter penalties for offences; and to provide for matters connected therewith or incidental thereto.

(Gazetted 7th December, 2024)

BE IT ENACTED, by and with the advice and consent of the House of Representatives and Senate of Belize and by the authority of the same, as follows:

1. This Act may be cited as the

Short title.

**NATIONAL INSTITUTE OF CULTURE AND
HISTORY (AMENDMENT) ACT, 2024,**

CAP. 331.

and shall be read and construed as one with the National Institute of Culture and History Act, which is hereinafter referred to as the principal Act.

Insertion of
new section
60A.

2. The principal Act is amended by inserting after section 60, the following new section—

“Prohibition
on residing or
building on an
Archaeological
Reserve.

60A.—(1) No person shall permanently or temporarily reside or build any structure of whatever nature, whether as a shelter or otherwise, on any area declared to be an Archaeological Reserve.

(2) A person who contravenes sub-section (1) commits an offence and is liable on summary conviction to a fine not exceeding twenty five thousand dollars or to imprisonment for a term not exceeding five years, or to both such fine and term of imprisonment.

Amendment of
section 61.

3. Section 61(3) of the principal Act is amended by deleting the words “one thousand dollars or to imprisonment for a term not exceeding twelve months” and substituting the words “five thousand dollars or to imprisonment for a term not exceeding three years”.

Amendment of
section 63.

4. Section 63(2) of the principal Act is amended by deleting the words “ten thousand dollars or to imprisonment for a term not exceeding five years” and substituting the words “one hundred thousand dollars or to imprisonment for a term not exceeding ten years”.

Amendment of
section 66.

5. Section 66(1) of the principal Act is amended by deleting the words “five thousand dollars or to imprisonment for a term not exceeding two years” and substituting the words “seventy-five thousand dollars or to imprisonment for a term not exceeding five years”.

6. Section 67 of the principal Act is repealed and replaced with the following–

Repeal and replacement of section 67.

“Archaeological reserves to be visited.

67. The Minister, after consultation with the Director, may by Order published in the Gazette, specify the archaeological reserves or parts thereof, which may be visited by the public.”

7. Section 68 of the principal Act is amended–

Amendment of section 68.

(a) by deleting the words “responsible for Tourism may make rules governing such reserves as are entrusted to him” and substituting the words “may make rules governing reserves specified”; and

(b) in the first proviso, by deleting the words “responsible for Tourism”.

8. The principal Act is amended by inserting after section 68, the following new sections–

Insertion of new section 68A, 68B and 68C.

“Power to enter into co-management agreements.

68A.–(1) The Director may enter into an agreement with a registered non-governmental organisation, or another organization, local community, or other party for–

(a) the co-management of an area declared to be an Archaeological Reserve by the parties; or

(b) the regulation of human activities that affect the environment in an area declared to be an Archaeological Reserve.

(2) The co-management of an area declared to be an Archaeological Reserve shall not

lead to the duplication or fragmentation of management functions and shall be formalized through a co-management agreement that has been consulted publicly.

(3) Every party to a co-management agreement has the power to appoint a person as an authorized officer to assist in the enforcement of any provisions of this Act or any of its regulations.

(4) Notwithstanding any delegation, a party to a co-management agreement is responsible for ensuring compliance with the requirements under this Act.

Co-
management
agreement.

68B.—(1) A co-management agreement may provide for—

- (a) the delegation of powers by the Director to the other party to the agreement;
- (b) the use of resources in the area;
- (c) access to the area;
- (d) occupation of the area declared to be an Archaeological Reserve or portions thereof;
- (e) development of economic opportunities within and adjacent to the area declared to be an Archaeological Reserve;
- (f) development of local management capacity and knowledge exchange;
- (g) financial and other support to ensure effective administration and

implementation of the co-management agreement; and

(h) any other relevant matter.

(2) A co-management agreement shall be consistent with the other provisions of this Act.

Action on
failure to
perform
duties.

68C.—(1) If an organization that is a party to a co-management agreement is not performing its duties in terms of the management plan for the area, or is underperforming with regard to the management of the area or its biodiversity, the Director shall—

(a) notify that party of the failure to perform its duties or of the underperformance; and

(b) direct that party to take corrective steps as set out in the notice within a specified time.

(2) If the party to the co-management agreement fails to take the required steps, the Director may terminate the co-management agreement and enter into a co-management agreement with another organization.”.

9. The National Protected Areas System Act is amended in section 27 by inserting after the words “protected areas”, the words “, except an archaeological reserve”.

Consequential
Amendment.
CAP. 215.