

VOLUME 1

SECTION 8

Restoration and Development of Historic Districts and Towns

**Regulated by
The Jamaica National Heritage Trust
79 Duke Street
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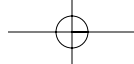
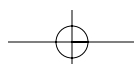
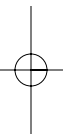
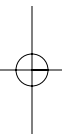


TABLE OF CONTENT

CHAPTER 1	1
THE JAMAICA NATIONAL HERITAGE TRUST	
CHAPTER 2	2
THE HERITAGE ARCHITECTURAL REVIEW BOARD (HARB)	
CHAPTER 3	5
ARCHAEOLOGICAL RESEARCH AND EXCAVATION IN JAMAICA	
CHAPTER 4	10
PERMITS FOR ARCHAEOLOGICAL RESEARCH IN JAMAICA	
CHAPTER 5	13
JAMAICA NATIONAL HERITAGE TRUST ACT 1985	



CHAPTER I

THE JAMAICA NATIONAL HERITAGE TRUST

1.0 BACKGROUND

Jamaica's architectural heritage is one of the most tangible and diverse examples of the creativity and skills of the Jamaican people. This heritage consists of buildings such as churches and courthouses, industrial structures such as factories and aqueducts, Great Houses and small vernacular houses among others. It is important to protect this heritage for its historic and architectural value, as well as for its aesthetic appeal.

1.1 THE JAMAICA NATIONAL HERITAGE TRUST

The Jamaica National Heritage Trust (JNHT, renamed in 1985, replaced the National Trust Commission which was first established under Law No. 72 of 1958. The core responsibilities of this statutory organisation have not changed, however the law that guides the mandate of the trust has been revised and renamed the Jamaica National Heritage Trust Act of 1985. The historic Headquarters House in downtown Kingston which was once the home of the colonial Legislative Council between 1872 and 1962, now houses the JNHT. Under the Jamaica National Heritage Trust Act 8 of 1985 the powers of the Trust were expanded by empowering it to designate any place name or any specie of animal or any plant life or any place or object (not declared by the JNHT to be a national monument) to be a Protected National Heritage.

1.2 RESPONSIBILITY OF THE TRUST

The responsibility for preserving the nation's heritage rests with the Jamaica National Heritage Trust (JNHT). However, to effectively carry out this mandate, the Trust needs the cooperation of everyone, particularly the owners and occupiers of Jamaica's historic sites.

1.3 GUIDELINES

The guidelines included in this document will assist in the preservation and development process. If the recommendations listed are carefully followed, the amount of time and money spent in seeking various approvals will be considerably reduced.

CHAPTER 2

THE HERITAGE ARCHITECTURAL REVIEW BOARD (HARB)

2.0 THE HARB

The Heritage Architectural Review Board (HARB) is the advisory body established by the JNHT to ensure that the integrity of historic sites, buildings and districts is maintained and that the preservation and development of Jamaica's historic sites proceed in a systematic and carefully controlled manner. The HARB consists of qualified Architects, Historians, Archaeologists, an Engineer, a Lawyer, and other technical support staff of the Jamaica National Heritage Trust (JNHT).

The HARB achieves its objectives by assessing development applications and making appropriate recommendations to the Trustees.

2.1 APPROVAL PROCESS

The following four (4) steps must be followed when seeking approval:

2.1.1 Applications

- i An application to develop the property must be submitted either:
 - Directly to the JNHT Office at the same time with the application for the building approval to the KSAC or Parish Council (two sets of accompanying documents should be submitted)
 - Through the KSAC or Parish Council – An additional copy should be included and submitted along with the KSAC or Parish Council's required number of sets of drawings, which will be forwarded to the JNHT by the KSAC or Parish Council.

2.1.2 Documents to be submitted to HARB

The following documents are to be submitted:

- i A copy of the completed application form submitted to the Parish Council or KSAC.
- ii Photographs of the site and the surrounding sites and buildings (approximately six [6] or more).
- iii Location plan.
- iv Working drawings showing:
 - Site layout plan.
 - Measured survey of existing building (1:50=1/4”).
 - Proposed floor plan(s) (1:50=1/4”).
 - Sections (1:50)
 - Framing plan and details (1:50)
 - Window and door schedule and details (1:25=1/2”).
 - Foundation, Electrical, Plumbing plan (1:50=1/4”).
 - Details of decorative finishes to the façade (e.g. columns, handrails, eaves, architrave...etc.)

NOTE: Applications will not be processed and will be returned to applicants if all the required documents are not submitted together.

2.2 DEMOLITION OF HISTORIC STRUCTURES

The JNHT ***will not*** approve the demolition of historic structures as a first option. In extreme cases, however, demolition might become necessary. In this case, the documentation to be submitted to the Trust for approval varies slightly from the items listed in Section 2.1.2 and includes:

- i Letter requesting the demolition of the structure giving reason(s) and history of the site.
- ii Measured Survey drawings showing (1:50=1/4”).
- iii Site layout plan.
- iv Floor plan(s) of existing building.
- v Four (4) detailed Elevations.
- vi Minimum of four (4) Sections through the building.
- vii Roof framing plan and Details.
- viii Window and Door Schedule and Details.

- ix Details of decorative finishes to the façade (e.g. columns, handrails, eaves, architrave, moulding, pediment...etc.), including drawings with measurements, specifications, annotation of finishes and Photographs.

2.3 NEW DESIGNS IN HISTORIC DISTRICTS

In designing any new work within a historic district, it is important that the work blends in with the design of the existing historic fabric. To ensure a properly designed building, it is recommended that the applicant consult a registered architect.

Architects are advised to look at the buildings around the site and use design features from them to enhance the proposed building. Submissions that do not comply with this principle will not be approved.

2.4 PRE-EVALUATION

The technical staff of the Estate Management Division of the JNHT initially assesses/reviews applications. If all the guidelines are followed then they will be sent to the HARB for evaluation and recommendation.

It might be necessary at times to invite the client/applicant to a meeting with the technical team to discuss the proposal or to arrange a visit to the site.

2.5 EVALUATION AND APPROVAL

The HARB meets once per month (which currently is the second Thursday of each month) to undertake evaluations. Its recommendations are communicated to the JNHT's Board of Trustees. Project approvals are then communicated from the JNHT to the client/applicant and the respective Parish Councils or the KSAC. The approval letter will include a statement of the conditions of the approval.

2.6 POST APPROVAL EVALUATION

Once the project commences, the technical team of the JNHT will make periodical site visits to ensure that the work is being done in compliance with the conditions as stated in the letter of approval.

CHAPTER 3

ARCHAEOLOGICAL RESEARCH AND EXCAVATION IN JAMAICA

3.0 GUIDELINES

3.0.1 Conducting Archaeological Research

All persons wishing to conduct archaeological research in Jamaica must apply to the Jamaica National Heritage Trust for a permit. Where there is one main project but several research papers/theses to be generated, a main proposal must be submitted together with a proposal for each individual research activity.

3.0.2 Requirements of JNHT

The JNHT in considering each application must be satisfied about the following:

- i The status of the applicant, (e.g. from a non-profit educational institution).
- ii Competence of the directors of: (1) the project, (2) field operations, (3) finds processing, (4) conservation, (5) environmental research and physical anthropology.
- iii Adequacy of staff on the project and training of the local staff to be involved in the project.
- iv Applicant's financial ability to properly conclude the excavation and conservation requirements of the project.
- v Any other factors considered relevant.

3.1 GRANTING OF LICENCES

If the project proposals are not satisfactory, the JNHT may grant a licence to the applicant at a set cost to be determined by the Trust and with the following conditions:

3.1.1 Training

Training for Jamaicans, including a field school. Relevant certificates are to be given on subjects covered and practical work done.

3.1.2 Data to be Deposited with the JNHT

Copies of all logs, diaries, maps, catalogues, primary and secondary materials, sources generated by or used in research, are to be deposited with the Trust periodically as agreed before research activity commenced.

3.1.3 Photographs and Slides

Copies of all photographs and slides (numbered, catalogued and described) are to be deposited with the Trust on a periodic basis as agreed before hand.

3.1.4 Progress Reports

Regular reports must be submitted on the progress of excavation and the overall research project. The reporting schedule will be based on the individual project and will be agreed to with the successful applicant prior to the start of work.

3.1.5 Reports

NB. Section 3.1.2 to 3.1.5 above. Projects that will have field seasons of more than one month will be scheduled for monthly reports. Fieldwork will not be permitted to continue unless all documentation is submitted on the agreed dates.

3.1.6 Rights Over Research Material

The Permittee will have total rights over the research material for up to three years after the excavation and research have been completed. The Jamaica National Heritage Trust will reserve the right to use and/or publish the material, for the benefit of the Jamaican people, after the three year period.

3.1.7 Ownership of Artifacts

All artifacts recovered from the excavations remain the property of the people of Jamaica and therefore after each excavation season, a final

inventory of artifacts will be established. Permission may be given by the Trust for those that must/may be removed from the island for further research/conservation purposes by the Permittee. These artifacts must be returned at an agreed date. Decision on removal will be made only after consultation with the Technical Director of Archaeology. Permission for removal will be granted only in very exceptional cases.

3.1.8 Accommodation

The Trust, where possible, will provide accommodation at a fee to be determined by the Trust.

3.1.9 JNHT Staff Required on Site

In the event of archaeological excavation, there must be at least one representative of the JNHT present at all times to monitor and assist in providing general, technical and logistical support. Where this person is used in the execution of the work programme, the cost must be borne by the project. For large projects, additional JNHT staff such as Finds and Conservation personnel might be included.

3.1.10 Designated Area

When a Licence/Permit is granted for archaeological research in a designated area, research or excavation outside of the designated area is prohibited.

3.1.11 Components of Proposals Submitted to the Trust

All project proposals submitted to the Trust must have the following components:

i Project objectives

These must be fully defined and referenced to indicate clearly their relevance to Jamaican and international archaeological research issues and themes.

ii Research design

- A description and co-ordinate location of the site to be investigated must be given.

- A detailed presentation should be presented on survey, field, finds and conservation, and environmental and physical anthropological aspects. Methodology to include archival research, which should include equipment and human resource needs, project scheduling and a detailed budget.
 - The finds analysis schedule should take into account the need to integrate the collection into the national inventory of objects, defined in the Finds Manual of the Archaeological Division Work Manual.
 - Conservation will be done in Jamaica at the Archaeology Division for a fee. Only bona fide conservators will be allowed to work on collections and their work will be closely monitored by the JNHT conservation staff.
 - Storage of artifacts will incur a fee for the purchasing of shelves, etc.
- iii A list of participants, their CV's and a list of three Referees, one of whom should be from the applicant's immediate faculty board.
- iv **Funding proposals**
- Funding sources, amounts granted together with confirmatory letters, are to be included under this heading and should be submitted.
- v **Permission to research on private property**
- Copies of letters of permission from the landowners, to conduct research on premises other than those owned by the Trust must be included.

3.1.12 Fees

The fee structure is related to individual research papers. Each research person who will be writing a thesis/research paper from the project should be so noted. The permit fees will be calculated on the basis of individual

research papers. The fee structure can be seen at 4.2.2

3.1.13 Extension of Contract Periods

Extension of contractual periods will only be considered if the contactee can give sound reasons why he/she was/is unable to complete the project in the prescribed time.

3.1.14 Renewal of Permission to Excavate

There will be no renewal of permission to excavate until and unless the Trust receives a written report on the previous phase/year's excavations including copies of all primary documentation, bibliographies, as indicated in Section 3.1.2 to 3.1.4 and a complete financial statement giving a breakdown of expenditures i.e. labour, transportation, food, vehicle repairs, gas, shipping, Accommodation, duty, social security.

CHAPTER 4

PERMITS FOR ARCHAEOLOGICAL RESEARCH IN JAMAICA

4.0 GENERAL INFORMATION

The Jamaica National Heritage Trust welcomes scholars in all fields and requires that all research ventures in Jamaica have adequate financial and professional support. Applications should be made at least six (6) months in advance in order to give sufficient time for all application information to be verified before a permit is issued. Insufficient or wrong information may result in rejection or delay in the issue of a permit.

4.1 APPLICATIONS

Applications should include the following:

4.1.1 Name

Provide full name and position and highest professional and/or academic qualification and institution from which it was earned.

4.1.2 Institutional Affiliation

Provide name and address, the period of affiliation, telephone and fax numbers and email address.

4.1.3 Research Project Title and Objectives (1-2 pages)

Include the name of the project, research area, describe background of research, specific questions to be addressed etc., dates of the research - provide an itinerary or schedule.

4.1.4 Research Design (1-2 pages)

State methods to be used to attain stated objectives, include theoretical and practical aspects of the approach.

4.1.5 Field Training (1 page)

State how Jamaica will benefit from the project.

4.1.6 Curriculum Vitae

Attach a list of participants and their CVs including that of the applicant.

4.1.6 Funding Proposals (1 page or more if necessary)

List names and provide full addresses, telephone and fax numbers and email addresses of persons or institutions contributing towards the specific phase(s) of the project, with dates where relevant. Indicate the exact amount of contribution which may be verified. Only adequately funded projects will be approved for a permit. Funding needs should take into account:

- Conservation fees
- Finds storage fees
- Use of Divisional staff on site
- Publication of reports

4.1.8 Particular Local Institutions (1 page)

Provide names and addresses of affiliated local institutions. Attach a letter or request a letter from the institution confirming and indicating the extent of connection, contributions, etc. This is very important for the application.

4.1.9 Previous Research In Jamaica (1 page)

Give a list of any previous research in Jamaica in the last three years. Indicate the location of available data. Advise if reports have been submitted to the Jamaica National Heritage Trust. If not state the reasons or attach copies of the reports with this application. Note that submission of reports is a major condition for the renewal of a permit.

4.1.10 References (1 page)

Provide names, titles and institutional affiliations, addresses, phone and fax numbers and email addresses of at least three (3) persons who can comment, with insight, on the professional and personal qualification of each Principal investigator on the project (do not request a letter from any of them).

4.1.1 Signature

An applicant's signature will be considered as certification that all

information provided in the application is correct. Kindly check and make sure that all details are accurate before sending it in for consideration.

4.2 GUIDELINES FOR APPLICATION

4.2.1 Procedure

- i Upon request and payment of a fee, the equivalent of US\$5, the Divisional Guidelines for Application and or Application for Permit form is sent to the proposer.
- ii Upon submission of the completed application, it is assessed and:
 - If it is accepted, a contract is sent to the proposer
 - If it is not accepted, a written statement is sent to the proposer explaining the reasons for refusal.
- iii The Contract must be signed before any work is permitted to begin.

4.2.2 Fee Structure

The fee structure is as follows:

- i University Graduate
 - Phd/Faculty member US \$500.00
 - Phd/University/Non-Faculty member US \$300.00
 - Msc/Mphil/MA member US \$100.00
- ii Independent
 - Overseas/Non-funded - option to waive
 - Local
University funded from overseas/locally funded - negotiate
Individual - negotiated fees based on funding.

CHAPTER 5

JAMAICA NATIONAL HERITAGE TRUST ACT 1985

5.0 LEGAL FRAMEWORK

The JNHT legally protects the nation's architectural heritage in two ways:

- i By declaring a site a national monument.
- ii By designating a site protect national heritage.

Under the JNHT Act 1985, a site is declared a national monument, if in the opinion of the Trust, its preservation is a matter of public interest by reason of the historic, architectural, traditional, artistic, aesthetic, scientific or archaeological values. After declaration, all aspects of the JNHT Act of 1985 and all guidelines therein are applicable to the owner/tenant of this property.

5.1 ENFORCEMENT

Developers/owners of historic buildings should note the following:

- i To carry out any work on a declared or protected site without the written approval of the JNHT is a contravention of Section 16 of the JNHT Act 1985. Under this section the offender is liable on summary conviction before a Resident Magistrate, to be charged a fine(s) up to \$20,000.00 or imprisonment up to two (2) years or both and or the payment of the cost for restoring the offended site or monument to its original state.
- ii Section 17 of the JNHT Act states that any person(s) who wilfully exercises an act of vandalism shall be guilty of an offense and on summary conviction before a Resident Magistrate and be liable to a fine not exceeding \$40,000.00 or imprisonment for a term not exceeding two (2) years or both such fine and imprisonment, and in addition, such person(s) may be ordered to pay the cost of replacement of any such monument, mark or notice and in default of payment of such cost, to be imprisoned with hard labour for a further term not exceeding 12 months.

5.2 TAX RELIEF

Approved project(s) can under Sections 26 and 27 of the JNHT Act 1985 benefit

from Tax relief under Section 13 of the Income Tax Act.

5.3 OTHER SERVICES OFFERED

The JNHT can be contacted by way of email, fax, telephone and regular mail to make an official request to the Executive Director for the following services:

- i Heritage Research.
- ii Story Board Development.
- ii Archaeological Impact assessment.
- iv Architectural Design consultancy.
- v Brochure development and review.
- vi Development planning.

Note: *all proposals should be submitted to the JNHT and approval must be sought for restoration or development of declared/protected sites, or the erection of new buildings within a declared historic zone or area.*

5.4 CONTACT INFORMATION

For further information please contact

The Executive Director
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