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No. 70G

THE NATURAL RESOURCES CONSERVATION AUTHORITY ACT

THE NATURAL RESOURCES CONSERVATION (BLUE AND JOHN CROW MOUNTAINS NATIONAL PARK) (USER FEES) REGULATIONS, 2003

In exercise of the power conferred upon the Minister by section 38(1)(h) of the Natural Resources Conservation Authority Act, the following Regulations are hereby made:—

1. These Regulations may be cited as the Natural Resources Conservation (Blue and John Crow Mountains National Park) (User Fees) Regulations, 2003.

2. In these Regulations:—

"annual pass" means a pass issued for a period of twelve months;

"hiking ticket" means a ticket issued by the Park Manager entitling the holder to utilize the main recreational hiking trail;

"recreational area" means that portion of the Park designated for recreational purposes and for which a pass is required for entry;

"Park" means the Blue and John Crow Mountains National Park, the boundaries of which are set out in the Natural Resources Conservation (Blue and John Crow Mountains National Park) (Declaration) Order, 1993;

"pass" means a pass issued by the Park Manager entitling the holder to utilize a recreational area in the Park.

3.—(1) Subject to paragraph (3) a person shall not enter the grounds of any recreational area unless he holds a valid pass which he has in his possession at the time of entry.

(2) The Park Manager may, in respect to the Hollywell Recreational Area issue:—

- (a) a pass for a single entry; or
- (b) an annual pass for multiple entries.

(3) An authorized officer under the Natural Resources (National Parks) Regulations, 1993 may enter the Hollywell Recreational Area without a pass.

(4) The Park Manager with the approval of the Authority may exempt any person from the provisions of paragraph (1).

(5) The fees specified in Part I of the Schedule shall be payable in respect to a pass issued under this regulation.

Part I
Schedule.

4. Every person who intends to utilize the main recreational hiking trail from Portland Gap to the Blue Mountain Peak shall pay the appropriate fee set out in Part II of the Schedule.

Part II
Schedule.

5.—(1) Every persons who intends to camp in a designated campground in the park shall pay the fee specified in Part III of the Schedule.

Part III
Schedule.

(2) A person shall not camp in any area of the Park unless such an area is a designated campground.

6.—(1) The Park Manager shall establish an account into which fees collected under regulations 3, 4 and 5 shall be deposited.

(2) The Park Manager shall within three months after the end of each calendar year present to the Authority an audited report of the account.

(3) The Authority shall within two months after receiving the report forward a copy thereof to the Minister.

SCHEDULE

(Regulations 3, 4 and 5)

PART I

*Fees payable for passes issued under
Regulation 3*

Type of Pass	Amount of Fee
<i>Single Entry</i>	
1. Persons ordinarily resident in Jamaica	\$100.00 for each adult and child over the age of 12 years. \$50.00 for each child 6 to 12 years of age. No fee is charged in respect of a child under the age of 6 years.
2. Persons not ordinarily resident in Jamaica	US\$10.00 or the equivalent in Jamaican currency for each adult and child over the age of 12 years of age. US\$5.00 or the equivalent in Jamaican currency for each child 6 to 12 years of age. No fee is payable in respect of a child under 6 years of age.
3. A group of ten or more adults ordinarily resident in Jamaica	\$70.00 for each person.
4. A group of ten or more adults not ordinarily resident in Jamaica	US\$7.50 or the equivalent in Jamaican currency for each person.
<i>Annual</i>	
1. A person ordinarily resident in Jamaica	\$1,000.00
2. A person not ordinarily resident in Jamaica	US\$30.00 or the equivalent in Jamaican currency.

SCHEDULE, *contd.*

PART II

Fees payable for hiking trail under Regulation 4

Type of Pass	Amount of Fee
1. Persons over 12 years of age ordinarily resident in Jamaica	\$200.00
2. Persons over 12 years of age not ordinarily resident in Jamaica	US\$20.00 or the equivalent in Jamaican currency.
3. Children 12 years of age and under	\$50.00

PART III

Fee payable for camping in a designated campground

Type of Pass	Amount of Fee
Camp fee	\$100.00 per night for each adult and child over the age of 12 years of age. \$50.00 per night for each child 6 to 12 years of age.

Dated the 16th day of June, 2003.

DEAN PEART,
Minister of Land and Environment.

No. 7011

THE NATURAL RESOURCES CONSERVATION AUTHORITY ACT

THE NATURAL RESOURCES (NATIONAL PARKS) (AMENDMENT) REGULATIONS, 2003

In exercise of the power conferred upon the Minister by section 38(1) (h) of the Natural Resources Conservation Authority Act, the following Regulations are hereby made:—

1. These Regulations may be cited as the Natural Resources (National Parks) (Amendment) Regulations, 2003 and shall be read and construed as one with the Natural Resources (National Parks) Regulations, 1993, hereinafter referred to as the principal Regulations.
2. Regulation 5 of the principal Regulations is hereby amended by deleting from paragraph (2) the word "ten" and substituting therefor the word "fifty".

3. Regulation 12 of the principal Regulations is hereby amended by deleting from paragraph (2) the word "ten" and substituting therefor the word "fifty".

4. Regulation 13 of the principal Regulations is hereby amended by deleting from paragraph (5) the word "five" and substituting therefor the word "twenty".

5. Regulation 14 of the principal Regulations is amended:—

(a) by deleting paragraph (1) and substituting therefor the following:—

" (1) Any person who is desirous of:—

- (a) hiring or selling anything;
- (b) producing anything for hire or sale;
- (c) providing any service for reward;
- (d) carrying on any other commercial activity,

in a national park shall apply to the Authority, in such manner as the Authority may determine, for a commercial licence or a concession permit specified in paragraph (3), as the case may require.";

(b) in paragraph (2) by:—

- (i) deleting the words "five thousand" and substituting therefor the words "forty thousand";
- (ii) renumbering the paragraph as paragraph (8);

(c) in paragraph (3) by:—

- (i) deleting the words "A park manager" and "his" and substituting therefor the words "The Authority" and "its"; respectively;
- (ii) renumbering the paragraph as paragraph (9);

(d) by inserting next after paragraph (1) the following as paragraphs (2), (3), (4), (5), (6) and (7):—

" (2) An application for:—

- (a) a commercial licence shall be accompanied by an application fee of five hundred dollars; and
- (b) a concession permit shall be accompanied by an application fee of one thousand dollars.

(3) On receipt of an application under paragraph (1) the Authority may grant:—

- (a) a commercial licence; or
- (b) a concession permit,

to any person who made an application under paragraph (2) having regard to the following:—

- (i) the designated space to be allocated for the activity;
 - (ii) the type of commercial activity;
 - (iii) the gross annual earnings of the applicant;
 - (iv) the size of operation and facilities that are provided by the Authority.
- (4) A person shall pay to the Authority on the grant of:—
- (a) a commercial licence:—
 - (i) an annual licence fee of ten thousand dollars; or
 - (ii) a monthly licence fee of one thousand dollars; or
 - (iii) a weekly licence fee of two hundred and fifty dollars; or
 - (b) a concession permit, a permit fee of five thousand dollars.
- (5) A person to whom a concession permit is granted shall, in addition to the permit fee payable under paragraph (4) (b), pay an annual franchise fee calculated:—
- (a) as a fixed sum based on an estimate of gross earnings; or
 - (b) as a percentage of the estimated profits to be made by,
- the holder of the concession permit.
- (6) The percentage of estimated profits referred to in paragraph 5 (b) shall be determined by the Authority on an annual basis.
- (7) A concession permit granted under paragraph (3) may be granted for a period not exceeding three years and a commercial licence may be granted for a period of one week, one month or one year as the authority thinks fit."

6. The principal Regulations are amended by inserting next after regulation 14 the following as regulation 14A:—

- " Exclusive commercial activity. 14A. Where the carrying on of a commercial activity under Regulation 14 involves the exclusive use of any part of a National Park, the location fee in respect to that activity, specified in Part B of the Schedule, shall be payable by the person carrying on the commercial activity."

7. Regulation 16 of the principal Regulations is hereby amended:—

- (a) in paragraph (1) (b) by inserting immediately after the word "educational," the word "commercial,";
- (b) by deleting paragraph (3) and substituting therefor the following as paragraph (3):—

" (3) An application for a permit under paragraph (1) shall be in the form set out as Form A in Part A of the Schedule and shall be accompanied by a fee of:—

- (a) one thousand dollars, in the case of an application to conduct research or collect specimens for purposes other than commercial purposes; or
- (b) two thousand dollars in the case of an application to conduct research or collect specimens for purposes that are commercial. ";
- (c) by renumbering paragraphs (4) and (5) as paragraphs (8) and (9) respectively; and
- (d) by inserting next after paragraph (3) the following as paragraphs (4), (5), (6) and (7):—

" (4) Where the application for a permit under paragraph (1) is approved, the applicant shall pay a fee of:—

- (a) three thousand dollars where the permit is for research or collection of specimens for purposes other than commercial; and
- (b) six thousand dollars where the permit is for research or collection of specimens for purposes that are commercial.

(5) An application shall be made in respect of each natural object or species of plants or animals.

(6) The Authority shall grant a permit to carry out research in the form set out as Form B in Part A of the Schedule.

(7) The Authority shall grant a separate permit in the form set out as Form C in Part A of the Schedule for each natural object and each species of plant or animal."

8. Regulation 24 of the principal Regulations is hereby amended by deleting therefrom the words "five thousand" wherever they appear and substituting therefor in each case the words "twenty thousand".

9. The principal Regulations are hereby amended by inserting next after regulation 29 the following as regulation 29A:—

" 29A. A park manager may designate and open hiking trails for use by the public for recreational purposes and may close such trails in the interest of public safety."

10. Paragraph (2) of regulation 32 of the principal Regulations is amended:—

- (a) by deleting the full stop at the end of sub-paragraph (b) and substituting therefor a semicolon; and

(b) by inserting next after sub-paragraph (b) the following:—

- " (c) require the holder of a permit or licence to produce his permit or licence, as the case may be, for inspection;
- (d) seize any weapon, trap or device of any kind with which an offence appears to have been committed;
- (e) search any person whom he may reasonably have cause to suspect of contravening any provision of these Regulations."

11. The Principal Regulations are hereby amended by inserting next after regulation 35 the following as regulation 36:—

"Recovery of 36. The Authority shall be entitled to recover any debt due to the Authority as a civil debt in a Resident Magistrate's Court, notwithstanding any civil debts. limitations as to amount recoverable under the Judicature (Resident Magistrates) Act."

SCHEDULE (Regulations 14A and 16)

PART A

FORM A (Regulation 16 (3))

THE NATURAL RESOURCES CONSERVATION AUTHORITY ACT

THE NATURAL RESOURCES (NATIONAL PARKS) REGULATIONS, 1993

Application for Permit to Carry Out Research or for the Collection of Natural Objects or Specimen Animal or Plant Life in a National Park

A. *General Information*

1. Name of Applicant(s) _____

2. Postal Address of Applicant(s) _____

3. Telephone No(s) _____ Facsimile No(s) _____

E-mail Address _____

B. *General Projects Information*

4. Title of Project _____

PART A, *contd.*

FORM A, *contd.*

5. Agency or Institution on behalf of which the Application is being made, if any:

6. Name and Institutional Address of Principal Investigator:

7. Qualification of Principal Investigator:

8. Names and qualifications of Associates who will work on the project (attach very brief C.Vs):

9. Why was Jamaica selected as the research site?

C. *Research Project Information*

1. Give short description of the proposed research including its objectives (a copy or separate sheet may be attached if required):

PART A, *contd.*

FORM A, *contd.*

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2. State precisely the proposed location of the project and the site(s) at which research will be conducted:

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-
3. State the duration of the project:

-
-
4. Expected output at end of the project:

-
5. What kinds of materials or information are to be collected or produced?

_____ Specimen or Sample Collection

_____ Recordings (Audio/Video)

_____ Photographs

_____ Written notes

_____ Computer entries

_____ Reports

_____ Articles and Scientific Papers

_____ Other outputs (specify) _____

6. Name the slated transitional and final destinations to which all information, results, specimens and materials are to be sent.

PART A, *contd.*

FORM A, *contd.*

7 (a). Is your project meant to facilitate commercial, industrial or exclusively academic purposes?

7 (b). *NOTE: Commercial purposes here include but are not limited to:*

- (i) The use of samples or specimens, photographic and audio-visual materials and illustrations, for commercial purposes.
- (ii) Chemical, pharmacological and biotechnological study.
- (iii) The use of materials or specimens for propagation or breeding purposes.

Academic purposes here refer to only taxonomic, conservation, ecological and biogeographical investigations.

8. Proposed linkage(s) with local institution(s), if any. (State whether each institution has been formally approached and indicated (very briefly its response).

9. Indicate any training component for local counterparts:

10. Do you intend to conduct research on lands legally owned or occupied by indigenous or local communities? If so, where?

11. Please state briefly how Jamaica will benefit from the research including levels of compensation be they in the short, medium or long term which will accrue to Jamaica (e.g. cash, sharing of future research, production possibilities, royalties, equipment and materials, etc.):

PART A, *contd.*

FORM A, *contd.*

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2. State precisely the proposed location of the project and the site(s) at which research will be conducted:

-
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-
3. State the duration of the project:

4. Expected output at end of the project:
-
-

5. What kinds of materials or information are to be collected or produced?

_____ Specimen or Sample Collection

_____ Recordings (Audio/Video)

_____ Photographs

_____ Written notes

_____ Computer entries

_____ Reports

_____ Articles and Scientific Papers

_____ Other outputs (specify) _____

6. Name the slated transitional and final destinations to which all information, results, specimens and materials are to be sent.
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PART A, *contd.*

FORM A, *contd.*

7 (a). Is your project meant to facilitate commercial, industrial or exclusively academic purposes?

7 (b). *NOTE: Commercial purposes here include but are not limited to:*

- (i) The use of samples or specimens, photographic and audio-visual materials and illustrations, for commercial purposes.
- (ii) Chemical, pharmacological and biotechnological study.
- (iii) The use of materials or specimens for propagation or breeding purposes.

Academic purposes here refer to only taxonomic, conservation, ecological and biogeographical investigations.

8. Proposed linkage(s) with local institution(s), if any. (State whether each institution has been formally approached and indicated (very briefly its response).

9. Indicate any training component for local counterparts:

10. Do you intend to conduct research on lands legally owned or occupied by indigenous or local communities? If so, where?

11. Please state briefly how Jamaica will benefit from the research including levels of compensation be they in the short, medium or long term which will accrue to Jamaica (e.g. cash, sharing of future research, production possibilities, royalties, equipment and materials, etc.):

PART A, *contd.*

FORM A, *contd.*

D. *Collection of Specimens*

Researchers desiring to collect specimens should provide the following information:

- 1. What are the scientific and common names of the organisms to be collected (if any are endemic to Jamaica or non-classified, i.e. a new species, please state):

- 2. Indicate the total number of specimens of each species which is required for collection (If animals are to be collected, state sex):

- 3. Number of specimens to be collected: alive dead

- 4a. Frequency of collection:

weekly monthly quarterly semi-annually annually

- 4b. Please indicate the collection period: Day Month Year

- 5a. Method of collection to be employed:

- 5b. Experience in collection of specimen:

PART A, *contd.*

FORM A, *contd.*

6. Method of storage/transportation of specimen: _____

7. Purpose for which specimens are to be collected:

8. If specimens are to be exported, indicate the institution at which they are to be deposited:

9. Specimens will be:

a. Deposited in a national institution: yes no
 If yes, name and address of institution: _____

b. Used for laboratory experiments: yes no
 If yes, name and address of institution: _____

c. Re-introduced: yes no

If yes, name of location: _____

I/We hereby apply for permission to conduct this research and I/We agree to submit to the Natural Resources Conservation Authority (NRCA) two (2) copies of all publications and/or other written reports arising from this research. I/We also understand that depending on the type of research to be conducted in Jamaica a Material Transfer Agreement may need to be negotiated.

Signature of Applicant

Date

Endorsed by

Date