

I, **Lic. Guillermina A. Nadal Zayas**, Court Interpreter of the Court of First Instance of the National District, duly sworn for the legal exercise of my position, **CERTIFY**: that I have translated a document originally written in Spanish and that the following version in English is correct and true, according to the best knowledge of the undersigned.

Law No. 318 (of June 14, 1968) on National Cultural Heritage of the Nation.
Official Gazette No. 9086 of June 19, 1968.

THE NATIONAL CONGRESS
On Behalf of the Republic

NUMBER 318

WHEREAS: Article 101 of the Constitution of the Republic establishes that the artistic and historic wealth of the country, whoever the owner is, shall form part of the cultural Heritage of the Nation, and shall be under the protection of the State;

WHEREAS: Consequently, it is incumbent upon the State to regulate all matters dealing with protecting, preserving, enhancing and using the cultural Heritage of the Nation;

HAS GIVEN THE FOLLOWING LAW:

Art. 1.- To the effects of this law, the cultural heritage of the Nation is subdivided into:

- a) monumental heritage;
- b) artistic heritage
- c) documentary heritage;
- d) folkloric heritage

Art. 2.- The monuments, ruins and burials from the pre-Colombian archaeology; colonial buildings, urban sets and other constructions of stated historical and artistic interest form part of the monumental heritage, as do statues, columns, pyramids, fountains, crowns and slates destined to remain in a public place in a commemorative nature.

Art. 3.- The artistic heritage is comprised of a set of movable properties and pieces, whatever their origin and condition, of unquestionable value, and because of their art or historical

significance, destined or susceptible of being destined to form part of the funds characteristic of a public museum.

Art. 4.- Documentary heritage is comprised of the written testimonials of the historical past which call for and require adequate preservation and classification in archives or establishments accessible to paleographers and researchers.

Art. 5.- To the effects of this law, the plurality of material manifestations typical of Dominican tradition and, especially, the most representative plastic expressions of popular arts and crafts form part of the folkloric heritage.

Art. 6.- The Dominican State shall exercise the protection of the assets which make up the cultural heritage of the Nation, in keeping with the provisions of this law through the entities created by this law or by other special legislative or regulatory provisions.

Art 7.- The protection of such assets implies their prior identification, description and delimitation, as the case may be, to the effects of which, the entities indicated above, within their respective scope of action, shall proceed to inventory and classify them according to their nature and destination, pursuant to modern registration procedures, in a term of six months or in the terms foreseen in the regulation dictated to that effect by the Executive Branch.

Art 8.- The owners or holders of immovable property, collections or pieces of unquestionable monumental, artistic, documentary or folkloric value, are compelled to declare such belongings to the effects of the provisions of the previous article.

Art. 9.- The owners of any of the assets described above must inform the corresponding entities the transfers made of such assets in a term not to exceed ninety (90) days as of the date on which the operation was entered into.

Art. 10.- The assets that make up the cultural heritage of the Nation which are susceptible of being relocated, even those owned by individuals, may not be removed from the country, except for a limited period of time for the purposes of exhibiting, classifying or studying them with the consent of the General Fine Arts Office or that of the corresponding entities. Such authorization shall be granted in the manner foreseen in the regulation dictated to that effect by the Executive Branch, which shall also regulate the conditions in which the transfer may take place.

Art. 11.- In no event may the assets of the cultural heritage of the Nation subject to the regime established by this law suffer undisclosed destruction, damage or alteration by any of its owners or holders.

Art. 12.- Excavations in search of mines or archeological objects in any part of the national territory are prohibited. The Secretariat of Education, Fine Arts and Culture, however, through the General Fine Arts Office and the entities created by laws or special provisions, tasked with the protection of the cultural heritage of the Nation may, within the framework of their respective attributions for purposes of archaeological research issue authorizations for such excavations to universities and national or municipal museums recognized in the country, or national or foreign scientific entities and institutions, as well as qualified individuals that in the judgment of the above mentioned entities are deserving of such authorization.

Art. 13.- Any person who hereinafter makes a finding of any object which is deemed to form part of the cultural heritage of the Nation, is compelled to declare such finding, with all of the data necessary to classify said objects.

If the finding were in the National District, such declaration shall be made in the offices of the National Museum, whose Director, in turn, shall communicate it to the appropriate entity, pursuant to the law or the regulations dealing with said declaration. If the finding were otherwise made outside the National District, the declaration shall be made, to the same purposes, before the Municipal Mayor of the Jurisdiction being dealt with.

Art. 14.- The Executive Branch is empowered to dictate the regulations necessary to apply this law, as well as to take as many measures as deemed convenient for the preservation and protection of the cultural heritage of the Nation.

Art. 15.- Any infringement of the provisions of this law or the Regulations dictated by the Executive Branch for the purposes of their enforcement shall be penalized with six months to two years of imprisonment and fines ranging from RD\$200.00 to RD\$2,000.00

Art. 16.- The Ministry of Education, Fine Arts and Culture; police, customs and immigration authorities shall take adequate measures for the purposes of enforcing this law.

Art. 17.- This law derogates and substitutes Law No. 5207 of March 16, 1943, enacted in the city of Barahona and modifies, inasmuch as necessary, Law 293, of February 13, 1932, Law 1400 of April 19, 1947 and any other law contrary to it.

GIVEN in the Sessions Room of the Senate, Palace of the National Congress, in Santo Domingo de Guzmán, National District, Capital of the Dominican Republic, on the twenty third day of the month of May of the year Nineteen Sixty Eight, 125 years of Independence and 105 of Restoration.

ADRIANO A. URIBE SILVA,
Acting Vice President

YOLANDA A. PIMENTEL DE PÉREZ,
Secretary.

ALBERTO D'MAYO,
Ad-hoc Secretary.

GIVEN in the Sessions Room of the Chamber of the House of Representatives, Palace of National Congress, in Santo Domingo de Guzmán, National District, Capital of the Dominican Republic, on the twelfth day of the month of June of the year Nineteen Sixty Eight, 125 years of Independence and 105 of Restoration.

PATRICIO G. BADÍA LARA,
President.

FEDERICO COLLADO G.,
Ad-hoc Secretary.

RAMÓN ANTONIO GÓMEZ,
Ad-hoc Secretary.

JOAQUÍN BALAGUER
President of the Dominican Republic

Exercising the attributions conferred to me by Article 55 of the Constitution of the Republic;

ENACT this Resolution and order its publication in the Official Gazette, to be taken cognizance of and complied with.

GIVEN in Santo Domingo de Guzman, National District, Capital of the Dominican Republic, on the 14th day of the month of June of the year Nineteen Seventy Eight, 125 years of Independence and 105 of Restoration.

JOAQUÍN BALAGUER.

this is a correct and true translation of its original in Spanish, nothing was omitted, done in Santo Domingo, National District, Capital of the Dominican Republic, on this 26th. day of January of the year 2010.

Lic. Guillermina A. Nadal Zayas
Court Interpreter