

Subsidiary Legislation made under s.51(2).

GORHAM'S CAVE COMPLEX REGULATIONS 2019**LN.2019/150***Commencement* **1.8.2019**Amending
enactmentsRelevant current
provisionsCommencement
date

ARRANGEMENT OF REGULATIONS.

Regulation

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SCHEDULE

2018-14

Heritage and Antiquities

2019/150 GORHAM'S CAVE COMPLEX REGULATIONS 2019

In exercise of the powers conferred upon him under section 51(2) of the Heritage and Antiquities Act 2018, the Minister has made the following Regulations-

Title.

1. These Regulations may be cited as Gorham's Cave Complex Regulations 2019.

Commencement.

2. These Regulations come into operation on the day of publication.

Interpretation.

3. In these Regulations, unless the context otherwise requires-

“competent authority” means the authority appointed under regulation 8(2);

“Gorham's Cave Complex” means all that site shaded green in the plan attached to the Schedule hereto;

“International Research and Conservation Committee” means the committee established by the Minister to oversee research and conservation within Gorham's Cave Complex;

“sensitive caves” means all those caves situated within Gorham's Cave Complex and includes Bennett's Cave, Gorham's Cave, Vanguard Cave, Hyaena Cave and Martin's Cave;

“World Heritage Advisory Forum” means the main body established by the Minister to advise on matters pertaining to Gorham's Cave Complex.

Application.

4. These Regulations apply to all that site known as Gorham's Cave Complex granted World Heritage status as a site of outstanding universal value under the 1971 UNESCO Convention.

Boundaries of Gorham's Cave Complex.

5. The boundaries of Gorham's Cave Complex are shaded in green in the plan attached to the Schedule hereto.

Protection of sites.

6.(1) The Minister, after consultation with the Heritage and Antiquities Advisory Council and in accordance with criteria set down by the World Heritage Advisory Forum, has laid down guidelines to protect–

- (a) attributes of outstanding universal value;
- (b) associative attributes; and
- (c) additional values,

of Gorham's Cave Complex to ensure it retains authenticity and integrity.

(2) The guidelines referred to in sub-regulation (1) include the following–

- (a) the competent authority shall make sure that the number of visitors accessing sensitive caves is reviewed and is in accordance with the quota supplied by the International Research and Conservation Committee;
- (b) the quota referred to in (a) above shall not apply to bona fide researchers who previously obtained permission from the competent authority;
- (c) fees to access sensitive caves may be levied, as approved by the Minister, but said fees shall not apply to bona fide researchers who previously obtained permission from the competent authority;
- (d) research and conservation of Gorham's Cave Complex shall be actively promoted and monitored.

Access to sensitive caves.

7.(1) Access to sensitive caves be it by land, sea or the foreshore is prohibited unless permission from the Minister, after consulting the competent authority, has been obtained beforehand.

(2) A person who accesses sensitive caves be it by land, sea or the foreshore, without prior permission as set out above, shall be guilty of an offence.

(3) A person guilty of an offence under sub-regulation (2) shall be liable on summary conviction for a term not exceeding 3 months or a fine up to level 5 on the standard scale, or both.

(4) For the purposes of this regulation a "person who accesses" includes a person who permits and facilitates another person to access sensitive caves or navigates a vessel with the intention of permitting or facilitating another person to access sensitive caves.

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Management of Gorham's Cave Complex.

8.(1) The site known as Gorham's Cave Complex shall fall under the ownership of the Government of Gibraltar.

(2) The Minister shall by notice in the Gazette appoint a competent authority to manage Gorham's Cave Complex.

(3) The competent authority appointed under sub-regulation (2) shall-

(a) be overseen by the Minister;

(b) be responsible for the promotion, development, periodic review and implementation of a management plan for Gorham's Cave Complex; and

(c) consult the World Heritage Advisory Forum and International Research and Conservation Committee.

(4) The Minister may by notice in the Gazette appoint other sub-committees as appropriate to assist him with the management of Gorham's Cave Complex.

SCHEDULE

Regulation 5

