

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.

Regulation No. 4195 (of September 20, 1969) on the Office of Cultural Heritage Official Gazette No. 9159 of October 15, 1969

JOAQUÍN BALAGUER
President of the Dominican Republic

NUMBER 4195.

HAVING SEEN article 14 of Law No. 318 of June 14, 1968;
Exercising the attributions conferred to me by Article 55 of the Constitution of the Republic, I enact the following

REGULATION:

Art. 1.- The principal function of the Office of Cultural Heritage shall be that of performing, coordinating and implementing the initiatives and plans put into practice in the Dominican Republic associated with the Monumental Heritage and the Artistic Heritage of the Nation, both defined in Law No. 318, of June 14, 1968.

Art. 2.- To enable the Office of Cultural Heritage to attain the objectives it was created for, as well as those herein indicated, it shall be structured as follows:

A section in charge of preserving monuments, urban and rural monumental sets; picturesque spots, parks and gardens, whether or not declared as National Monuments.

A section in charge of archeological excavations, the studies and the preparation of the country's Archeological Charter; and

A section in charge of preparing the inventory and catalogue of the country's works of art, the Arts File and the Monumental Catalogue of the Nation's Artistic Heritage, and intervening in the ownership and transfer of works of art.

Art. 3.- The mission of the Office of Cultural Heritage shall be that of preparing the plans to preserve, consolidate and exhibit the country's monuments and monumental sets and buildings which though not declared as national monuments may affect the performance of the plans prepared; as well as to inspect them. The Office of Cultural Heritage shall prepare national plans annually to carry out the work of preserving monuments and archeological deposits, as well as periodic excavations in known locations or yet to be discovered, in the preparation of which the Executive Commission shall intervene. It is also the mission of the Office of Cultural Heritage to prepare the inventory of the monumental, artistic and archeological wealth of the country and to prepare in successive stages the inventory, the monumental catalogue and the archeological charter.

Art. 4.- To enable the activities of the Office of Cultural Heritage to develop within a rigorous framework of technical responsibility and to guarantee perfectly the historical and artistic interests of patrimonial property whose adequate restoration and use is being pursued, the Office of Cultural Heritage shall have an Honor Committee and an Executive Commission, integrated as follows:

HONOR COMMITTEE

Honorable President of the Republic, who shall preside it.

Archbishop of Santo Domingo

Secretary of State for Education, Fine Arts and Culture

Secretary of State for Public Works and Communications

President of the City Hall of the National District

President of the National Development Commission

EXECUTIVE COMMISSION

Director General of Tourism, who shall preside it.

President of the Dominican History Academy

Director General of Fine Arts

Director of the National Museum

Director of the General Archive of the Nation

The Deans of the Schools of Architecture of all Universities of

the country and five people knowledgeable on the subject, designated by the Executive Branch at the proposal of the Office of Cultural Heritage.

Art. 5.- The Executive Commission shall meet regularly at least once a month and especially as many times as necessary, at the convocation of the Director General of Tourism. The Director of the Office of Cultural Heritage shall act as Secretary of said Commission and shall record the meeting, and the recommendations and pronouncements made in it in the Minutes. Agreements shall be adopted by absolute majority. Quorum shall be reached by any number of members provided the President, the Secretary and three additional members are present.

Art. 6.- The Office of Cultural Heritage shall designate regional commissions in the provinces which have within its demarcations national monuments. Such commissions shall be integrated by persons that the Office of Cultural Heritage deems competent for such purposes, and shall be tasked with informing the Office of Cultural Heritage of any abnormality occurring in the national monuments located in the locality, such as destruction, or any intervention in the same. They shall also inform the discovery of immovable property and objects which could be considered national monuments.

REAL PROPERTIES DECLARED AS NATIONAL MONUMENTS

Art. 7.- The monuments specified in article 2 of Law No. 318, of June 14, 1968, shall bear the title of National Monuments. Declaring those to be successively included in this category shall be done by law after a favorable and motivated report from the Office of Cultural Heritage or the Dominican Academy of History.

Art. 8.- The works carried out in buildings declared as National Monuments shall always be under the supervision of the Office of Cultural Heritage. If the latter believed such works are not carried out in keeping with the provisions agreed to, they shall be suspended.

PRESERVATION OF NATIONAL MONUMENTS

Art. 9.- The Office of Cultural Heritage shall seek the cooperation of the Provincial Governor Offices and City Halls which, in addition to the appropriate safety and facilities, shall lend specific economic assistance in

each case to preserve and consolidate the Monuments located in their provinces.

Art. 10.- Official organizations and civil and ecclesiastical entities of any kind which own or hold in their possession real properties subject to this Regulation are inevitably compelled to allow the public to contemplate, study and reproduce photographically or by drawing such real properties, at least four hours a week and during the days and hours previously and publicly scheduled. Individuals and body corporate that hold real properties declared as National Monuments shall have the same obligations.

Art. 11.- Every municipality is compelled to oversee the perfect preservation of the cultural heritage existing in its jurisdiction. To do so each municipality shall forward to the Office of Cultural Heritage, in a term of six months, detailed reports on the monuments comprised in such heritage; in addition to denouncing to the regional Commission of its demarcation or to the Office of Cultural Heritage the threats to buildings and historical objects due to landslides, deterioration or sale; and responding, in the event of emergency, by taking measures to avoid damage.

Art. 12.- Appending any type of object to National Monuments and propping housing units, walls and any type of construction is prohibited. Any such buildings constructed in these conditions shall be reputed as clandestine and immediately demolished and appended objects removed.

Art. 13.- Placing of advertisements on National Historical-Artistic Monuments is prohibited. The Office of Cultural Heritage may grant permits to place advertisements whenever deemed appropriate. Telephone and utility companies, etc. may not install posts or brackets for their services on such monuments without the prior authorization of the Office of Cultural Heritage at whose request these companies must modify those already posted.

Art. 14.- When planning to give or change the current destination of real properties declared as National Monuments owned by the State, the Office of Cultural Heritage shall give the instructions to best preserve the building with regards to such new destination.

ARCHAEOLOGICAL EXCAVATIONS

Art. 15.- Excavations, for the purposes of this Regulation, are understood to be the deliberate and methodological removals of land with respect to which there is evidence of existing archeological deposits, whether these are remains of constructions or relics. Likewise, excavations shall be understood to be the works of archaeological searches of a speleological or submarine nature and other similar ones. Also subject to

the precepts of this Regulation are excavations conducted in search of paleontological remains provided that objects discovered in them pertain to archaeology or paleontology-anthropology.

Art. 16.- The Archaeological Section of the Office of Cultural Heritage is in charge of preparing and preserving the records of excavations and the permits granted for the latter, as well as keeping custody of and preserving the inventories of ruins and relics, recording the mines and of dispatches and communications referring to these; and shall be in charge of the corresponding indexes it must keep updated.

Art. 17.- The inventory shall be brief and as complete as possible, and attempts should be made subsequently to perfect the index cards and complete them to include the enumeration and description of all deposits, deserted sites, ruins, caverns, caves, roads and monuments of any order currently known and gradually discovered, as well as the antiques used in modern buildings, until having determined in each case the precise typographical situation, era, civilization and race they correspond to. Such inventory shall be accompanied by blueprints, drawings, photographs and other reproductions. Graphic indexes of such inventories shall be prepared, exacting the situation of each monument in general and specific maps as well as population maps or sets of monuments.

INVENTORY AND EXPORT OF WORKS OF ART

Art. 18.- It shall be the mission of the Section in charge of taking the inventory and cataloguing the country's works of art from the Arts inventory record and the Monumental Catalogue of the Artistic Heritage of the Nation to prepare the inventory record on the Ancient Art of the Nation, coordinating this task with the other sections of the Office of Cultural Heritage to obtain data on the Monuments. The Inventory Record must encompass the entire monumental and artistic heritage of the Nation, both in terms of the National Monuments as well as the *movable property* relative to paintings, sculptures and industrial arts, as well as those which deserve to be included in the inventory record because of their historical interest. The latter shall include not only national property but those of non official and individual entities which constitute a private collection or even those works which, without constituting a collection, due to their interest and

importance, must be included in the inventory record, to the criteria of the Section indicated above.

Art. 19.- Said Section shall propose the practical measures leading to the preparation of the Ancient Art Inventory Record, and shall draft the sample record and lists.

GIVEN in Santo Domingo de Guzman, National District, Capital of the Dominican Republic, on September Twenty of Nineteen Sixty Nine, 126 years from the Independence and 107 from the 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