

# National Monuments Act, 1930



*Number 2 of 1930.*

## **NATIONAL MONUMENTS ACT, 1930.**

### ARRANGEMENT OF SECTIONS

#### PART I.

#### PRELIMINARY AND GENERAL.

##### Section

1. Short title.
2. Definitions.
3. Expenses.
4. Repeals.

#### PART II.

#### GUARDIANSHIP, ACQUISITION, ETC., OF NATIONAL MONUMENTS.

5. Guardianship of national monuments.
6. Guardianship under repealed enactments.
7. Transfer of guardianship to the Commissioners.
8. Preservation orders.
9. Effect of preservation orders.
10. Gift of national monument to the Commissioners or a local authority.
11. Acquisition of national monuments by the Commissioners.

#### PART III.

#### PROTECTION AND PRESERVATION OF NATIONAL MONUMENTS.

12. Maintenance of national monuments by the guardians thereof.
13. Removal of monuments to museums.
14. Prohibition of injury to national monuments.
15. Advice, etc., by the Commissioners.
16. Admission of public to national monuments.
17. Burials in national monuments.
18. Placing of tablets on national monuments of historical interest.
19. Control of advertisements on national monuments.

#### PART IV.

#### MISCELLANEOUS.

20. Inspection of national monuments by the Commissioners.
21. The National Monuments Advisory Council.
22. Local Advisory Committees.
23. Reports of finding of archaeological objects.
24. Restriction of export of archaeological objects.
25. Prohibition of injury, etc., to archaeological objects.
26. Restriction of excavation for archaeological purposes.
27. Amendment of section 14 of the Irish Land Act, 1903.

#### SCHEDULE.

#### Enactments Repealed.

#### Acts Referred to

Land Act, 1923

No. 42 of 1923



*Number 2 of 1930.*

#### **NATIONAL MONUMENTS ACT, 1930.**

AN ACT TO MAKE PROVISION FOR THE PROTECTION AND PRESERVATION OF NATIONAL MONUMENTS AND FOR THE PRESERVATION OF ARCHAEOLOGICAL OBJECTS IN SAORSTÁT ÉIREANN AND TO MAKE PROVISION FOR OTHER MATTERS CONNECTED WITH THE MATTERS AFORESAID. [26th February, 1930.]

BE IT ENACTED BY THE OIREACHTAS OF SAORSTÁT ÉIREANN AS FOLLOWS:—

PART I.

Preliminary and General.

Short title.       1.—This Act may be cited as the National Monuments Act, 1930.

Definitions.       2.—In this Act—

the expression "the Minister" means the Minister for Finance;

the expression "the Commissioners" means the Commissioners of Public Works in Ireland;

the expression "local authority" means and includes the council of a county, the council of a county or other borough, and the council of an urban district;

the word "owner" when used in relation to a national monument means the person for the time being having such estate or interest in such monument as entitles him to the actual possession and occupation thereof;

the word "monument" includes any artificial or partly artificial building, structure, or erection whether above or below the surface of the ground and whether affixed or not affixed to the ground and any cave, stone, or other natural product whether forming part of or attached to or not attached to the ground which has been artificially carved, sculptured or worked upon or which (where it does not form part of the ground) appears to have been purposely put or arranged in position and any prehistoric or ancient tomb, grave or burial deposit, but does not include any building which is for the time being habitually used for ecclesiastical purposes;

the expression "national monument" means a monument or the remains of a monument the preservation of which is a matter of national importance by reason of the historical, architectural, traditional, artistic, or archaeological interest attaching thereto and also includes (but not so as to limit, extend or otherwise influence the construction of the foregoing general definition) every monument in Saorstát Eireann to which the Ancient Monuments Protection Act, 1882, applied immediately before the passing of this Act, and the said expression shall be construed as including, in addition to the monument itself, the site of the monument and the means of access thereto and also such portion of land adjoining such site as may be required to fence, cover in, or otherwise preserve from injury the monument or to preserve the amenities thereof;

the word "maintain" when used in relation to a national monument includes the cleaning, repairing, railing off, fencing, and covering in of such monument and the doing of all such other acts and things as may be necessary or expedient for the preservation or, protection thereof, and cognate words shall be construed accordingly;

the expression "archaeological object" means any chattel whether in a manufactured or partly manufactured or an unmanufactured state which by reason of the archaeological interest attaching thereto or of its association with any Irish historical event or person has a value substantially greater than its intrinsic (including artistic) value, and the said expression includes ancient human and animal remains and does not include treasure trove in which the rights of the State have not been waived.

Expenses.

3.—(1) The expenses incurred by the Minister in carrying this Act into execution shall be paid out of moneys provided by the Oireachtas.

(2) The expenses incurred respectively by the Commissioners and the Minister for Education in carrying this Act into effect, shall, to such extent as may be sanctioned by the Minister, be paid out of moneys provided by the Oireachtas.

(3) The expenses incurred by a local authority in carrying this Act into effect shall be raised by means of the poor rate and, in the case of the Council of a county, as a county-at-large charge.

(4) So much of sub-section (1) of section 25 of the Irish Church Act, 1869, as requires the Commissioners to apply the sum paid under that sub-section to their secretary by the Commissioners of Church Temporalities in Ireland in maintaining the churches, buildings, and structures mentioned in that sub-section shall cease to have effect and in lieu thereof it is hereby enacted that the investments and funds held at the passing of this Act by the Commissioners or their secretary and representing the said sum so paid to the said secretary by the Commissioners of Church Temporalities in Ireland shall be paid into or disposed of for the benefit of the Exchequer in such manner as the Minister shall direct.

(5) The Commissioners or a local authority may accept voluntary contributions of money for or towards the cost of the maintenance by them of any national monument of which they are the owners or the guardians.

Repeals.

4.—The enactments mentioned in the Schedule to this Act are hereby repealed to the extent specified in the third column of the said Schedule.

## PART II.

### Guardianship, Acquisition, etc., of National Monuments.

Guardianship of  
national  
monuments.

5.—(1) The owner of a national monument (not being a building which is occupied as a dwelling house by any person other than a person employed as the caretaker thereof or the family of such caretaker) may by deed notwithstanding any trust, public purpose, incumbrance or charge affecting such monument either—

(a) with the consent of the Commissioners, appoint the Commissioners to be the guardians of such monument, or

(b) with the consent of the local authority in whose functional area such monument is situate, appoint such local authority to be the guardians of such monument.

(2) Whenever a local authority are appointed by deed under this section to be the guardians of a national monument, such local authority shall forthwith notify the Commissioners of such appointment and of the nature and situation of the monument.

(3) Where the Commissioners or a local authority are appointed by deed under this section to be the guardians of a national monument the following consequences shall ensue, that is to say:—

- (a) the property in such monument shall remain vested in the owner for the time being of such monument for the like estate and interest and subject to the like trusts, public purposes, incumbrances and charges as if such deed had not been made but subject to the privileges, powers and duties conferred or imposed by this Act on the Commissioners or such local authority (as the case may be);
- (b) such deed shall be binding on the owner by whom the same is made and on every person thereafter claiming through or under such owner and on every other person on whom a conveyance of such monument on a sale for valuable consideration made by such owner immediately before the making of such deed would then be or thereafter become binding and shall also be binding on every person then entitled to an incumbrance or charge on such land or any person claiming through or under any such person;
- (c) any person who after the making of such deed becomes the owner of such monument and is not bound by such deed may at any time while he is such owner terminate the guardianship of the Commissioners or such local authority (as the case may be) in respect of such monument by giving notice in writing of such termination to the Commissioners or such local authority (as the case may be) but unless and until such notice is so given such guardianship shall continue as fully as if such owner were bound by such deed.

Guardianship  
under repealed  
enactments.

6.—Where immediately before the passing of this Act the Commissioners or a local authority are the guardians of a national monument by virtue of a deed executed under an Act repealed by this Act the following provisions shall have effect, that is to say:—

- (a) such deed shall be binding on all persons on whom it would have been binding if this Act had not been passed;
- (b) the owner (as defined by the Act under which such deed was made) shall have the same estate, right, title, and interest in and to such monument in all respects as he would have had if the Commissioners or the local authority, as the case may be, had not been so appointed guardians thereof;

(c) the Commissioners or the local authority, as the case may be, shall continue to be guardians of such monument by virtue of such deed until such guardianship is terminated by notice in writing given to the Commissioners or the local authority, as the case may be, by an owner of such monument who is not bound by such deed;

(d) the Commissioners or the local authority, as the case may be, shall, notwithstanding anything contained in this section, have in respect of such monument all such powers, privileges and duties as are by this Act conferred or imposed on them in respect of national monuments of which they are the guardians.

Transfer of  
guardianship to  
the  
Commissioners.

7.—(1) Where a local authority are appointed by deed under this Act to be the guardians of a national monument, such local authority may, with the consent of the owner of such monument and the consent of the Commissioners, transfer by deed such guardianship to the Commissioners and upon such transfer being so made the said deed appointing such local authority to be such guardians shall thenceforward have effect under this Act as if it were expressed to appoint the Commissioners to be the guardians of such monument.

(2) Where the Commissioners have been appointed by deed under this Act or an Act repealed by this Act to be the guardians of a national monument, the Commissioners may, with the consent of the owner of such monument and the consent of the local authority in whose functional area such monument is situate, transfer by deed such guardianship to such local authority, and upon such transfer being so made the deed appointing the Commissioners to be such guardians shall thenceforward have effect as a deed under this Act appointing the said local authority to be guardians of such monument.

Preservation  
orders.

8.—(1) Where it appears to the Minister, on a report made by the Advisory Council or otherwise, that a monument which in his opinion is a national monument is in danger of being or is actually being destroyed, injured, or removed, or is falling into decay through neglect, the Minister may by order (in this Act referred to as a preservation order) entrust the preservation of such monument to the Commissioners.

(2) The Minister may at any time, by order made after consultation with the Advisory Council, revoke a preservation order.

(3) Every preservation order and every order revoking a preservation order shall be laid before each House of the Oireachtas as soon as may be after it is made, and if a resolution is passed by either House of the Oireachtas within the next twenty-one days on which such House has sat annulling such order, such order shall be annulled accordingly but without prejudice to the validity of anything previously done thereunder.

Effect of preservation orders.      **9.**—When a preservation order has been made in respect of a national monument then until such order is revoked the following provisions shall have effect in relation to such monument, that is to say:—

- (1) any officer of the Commissioners duly authorised by them in that behalf may at any time inspect and examine such national monument and for that purpose may enter on such monument and any other lands or premises;
- (2) unless such monument is occupied as a dwelling by a person other than a person employed as the caretaker thereof or the family of that person, the Commissioners may if they think it expedient so to do by order made with the consent of the Minister appoint themselves guardians of such monument;
- (3) an order of the Commissioners appointing themselves guardians of a national monument shall continue in force for so long as the preservation order in respect of such monument continues in force and shall during such continuance confer and impose on the Commissioners the like powers and duties in relation to such monument as they would have had if they had been appointed guardians thereof by deed under this Act.

Gift of national monument to the Commissioners or a local authority.      **10.**—Any person seised or possessed of a national monument for any estate or interest may (subject to any restriction imposed or consent required by law) by deed or will convey, devise or bequeath such national monument for all his said estate or interest therein to the Commissioners or to the local authority in whose functional area such monument is situate, and the Commissioners or the said local authority may, as they shall think fit, either accept or disclaim such conveyance, devise or bequest.

Acquisition of national monuments by the Commissioners.      **11.**—(1) The Commissioners may, with the consent of the Minister, acquire compulsorily or by agreement any national monument which they consider it expedient to acquire, and the Commissioners may so acquire a national monument whether they or a local authority are or are not the guardians thereof and whether a preservation order is or is not in force in regard thereto.

(2) For the purpose of the acquisition of a national monument by the Commissioners under this section the Lands Clauses Acts shall be incorporated with this Act subject to the following modifications, that is to say:—

- (a) the provisions relating to the sale of superfluous land and access to the special Act and section 133 (which relates to land tax and poor's rate) of the Lands Clauses Consolidation Act, 1845 , shall not be incorporated with this Act, and
- (b) in the construction of this Act and the incorporated Acts, this Act shall be deemed to be the special Act and the Commissioners shall be deemed to be the promoters of the undertaking, and
- (c) the bond required by section 85 of the Lands Clauses Consolidation Act, 1845 , shall be under the common seal of the Commissioners and shall be sufficient without the addition of the sureties mentioned in that section, and

(d) the rules contained in section 2 of the Acquisition of Land (Assessment of Compensation) Act, 1919, shall apply with the modifications that in the application of rule (2) of those rules the value on a sale for export shall not be taken into consideration and accordingly the expression "sold in the open market" in that rule shall be construed as referring only to a sale for retention in Saorstát Éireann, and that no allowance shall be made for personal sentimental association.

(3) The price or compensation payable on the acquisition of a national monument under this section and the expenses incurred by the Commissioners in relation to such acquisition shall, to such extent as shall be sanctioned by the Minister, be paid out of moneys provided by the Oireachtas.

(4) The Commissioners shall not acquire under this section without the consent of the Irish Land Commission any national monument on or forming part of land subject to a land purchase annuity or the subject of a land purchase agreement or vested or in course of being vested in the Irish Land Commission.

### PART III.

#### Protection and Preservation of National Monuments.

Maintenance of national monuments by the guardians thereof. **12.—**(1) Where the Commissioners or a local authority are the owners or the guardians of a national monument, the Commissioners or such local authority (as the case may be) shall maintain such monument and shall, in the case of any monument of which they are guardians, have for themselves, their workmen, agents and licensees free access to such monument for the purpose of inspecting it and bringing such materials and doing such acts and things as they may consider necessary or expedient for the maintenance thereof.

(2) Where the Commissioners or a local authority are the guardians of a national monument, the Commissioners or such local authority (as the case may be) may agree with the owner of such monument or with any other person for the maintenance of such monument by such owner or other person either at his own expense or at the cost of the Commissioners or such local authority (as the case may be).

Removal of monuments to museums. **13.—**(1) Where the Commissioners or a local authority are the owners of a national monument which either is not affixed or attached to the ground or though so affixed or attached is capable of being removed without injury to the monument itself or to the ground to which it is affixed or attached, the Commissioners or such local authority (as the case may be) may, if they think it desirable so to do for the protection or preservation of the monument or in the interests of archaeology or for any other reason, remove such monument and deposit and keep deposited the same in some public museum in Saorstát Éireann for the time being approved of by the Minister.

(2) Every national monument deposited under this section in a public museum shall while so deposited be open to inspection by the public in like manner as the other exhibits in such museum.

Prohibition of injury to national monument. **14.—**(1) It shall not be lawful for any person (whether he is or is not the owner of the monument or is or is not seised or possessed of an estate or interests therein) to do any of the following things in relation to a national monument of which the Commissioners or a local authority are the owners or the guardians or in respect of which a preservation order is in force, that is to say:—

- (a) to demolish or remove wholly or in part or to disfigure, deface, alter, or in any manner injure or interfere with any such national monument without or otherwise than in accordance with the consent hereinafter mentioned, or
- (b) to excavate, dig, plough or otherwise disturb the ground within, around, or in proximity to any such national monument without or otherwise than in accordance with the consent hereinafter mentioned, or
- (c) to sell for exportation or to export any such national monument or any part thereof.

(2) The consent hereinbefore mentioned is, in the case of a national monument of which the Commissioners are the owners or the guardians or in respect of which a preservation order is in force, the consent in writing of the Commissioners and, in the case of a national monument of which a local authority are the owners or the guardians, the joint consent in writing of the Commissioners and such local authority.

(3) The Commissioners and every local authority are hereby respectively authorised to give such consent as is mentioned in the foregoing sub-section if and whenever they think it expedient in the interests of archaeology or for any other reason so to do and are hereby further authorised to attach to any such consent all such conditions and restrictions as they think fit.

(4) Every person who does any act or thing in contravention of any of the foregoing provisions of this section shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding fifty pounds or, at the discretion of the Court, to imprisonment for any term not exceeding six months or to both such fine and such imprisonment.

(5) Where a person is convicted of an offence under this section the Court by whom he is so convicted may, at the time of such conviction and in addition to any penalty imposed under this section, order such person, where the Commissioners are the owners or the guardians of the national monument in respect of which the offence was committed or where a preservation order is in force in respect of such monument, to pay to the Commissioners or, where a local authority are the owners or guardians of such monument, to pay to such local authority such sum as the Court shall fix as the reasonable cost of repairing the damage done to such monument by the commission of the offence, and such sum shall be recoverable by the Commissioners or such local authority (as the case may be) as if such sum were a civil debt and such order were a judgment of the Court for the payment of a civil debt, and every such sum when recovered by the Commissioners or such local authority shall be applied by them in repairing the said damage.

(6) Nothing in this section shall operate to authorise the doing of any act in relation to a national monument not owned by the Commissioners or a local authority which, if this section had not been enacted, could not lawfully be done without the consent of the person or all the persons for the time being seised or possessed of such monument or to deprive any such person of any legal remedy which, if this section had not been enacted, he would have had in respect of the doing of such act without his consent.

Advice, etc., by the Commissioners. **15.—**(1) The Commissioners may, if requested so to do by the owner of a national monument, give to such owner advice in regard to the treatment, preservation, or repair of such monument.

(2) Where the owner of a national monument executes on the advice or with the approval of the Commissioners any work for the treatment, preservation or repair of a national monument the Commissioners may at the request of such owner, and in the case of a national monument of which they are the guardians, shall whether so requested or not so requested superintend the execution of such work.

(3) The Commissioners shall, unless the Minister for Finance otherwise directs, charge and be paid for advice or superintendence given by them under this section such remuneration as the said Minister shall direct.

Admission of public to national monuments. **16.—**(1) Where the Commissioners or a local authority are the owners or the guardians of a national monument, the Commissioners or such local authority (as the case may be) shall, subject to the provisions of this section, admit the public to enter on and view such monument upon payment of such (if any) charge for admission and subject to such conditions and limitations as the Commissioners or such local authority shall prescribe.

(2) Where the Commissioners or a local authority are the guardians of a national monument by virtue of a deed made under an Act repealed by this Act, the public shall not be admitted to such monument under this section without or otherwise than in accordance with the consent of the owner of such monument given by such deed or otherwise.

(3) Where the Commissioners or a local authority are the guardians of a national monument by virtue of a deed made under this Act and containing a prohibition, whether absolute or qualified, against the admission of the public to such, monument, the public shall not be admitted to such monument without or otherwise than in accordance with the consent of the owner of such monument or otherwise than in accordance with the provisions (if any) contained in such deed in relation to such admission.

Burials in national monuments. **17.**—(1) Where the Commissioners or a local authority are the owners or the guardians of a national monument which is an ecclesiastical building, the Commissioners may, if and whenever they think it necessary or desirable so to do, by order prohibit the burial (save as is hereinafter mentioned) of the remains of deceased persons within such national monument or within such distance thereof as shall be specified in such order, but no such order shall be made in respect of a national monument of which a local authority are the owners or the guardians save on the application or with the consent of such local authority.

(2) The Commissioners may except from the operation of an order made by them under this section the burial of the remains of such one or more persons specified or identified in such order as they shall think proper, and, where there is in or under a monument in respect of which an order is intended to be made under this section a vault or other burial place in which the remains of deceased owners of such monument and the remains of deceased members of the family of such owners are entitled to be and usually are buried, the Commissioners shall except from the operation of such order the burial of such remains in such vault or other burial place.

(3) Where an order has been made under this section in relation to a national monument it shall not be lawful for any person, without the consent of the Commissioners or the local authority (as the case may be) who are the owners or the guardians of such monument, to erect any headstone, tombstone, railing, or other similar structure on or around any grave within or in the precincts of such monument.

(4) Every person who buries the remains of a deceased person or causes or procures the remains of a deceased person to be buried within or in the precincts of a national monument in contravention of an order made under this section or who erects any headstone, tombstone, railing or other similar structure or causes or procures any such structure to be erected on or around, any grave in contravention of this section shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding twenty pounds.

Placing of tablets on national monuments of historical interest. **18.**—The Commissioners or a local authority may, with the consent of the owner of a national monument which is of historical interest and, in the case of a local authority, is situate within their functional area, place or cause to be placed on such national monument a tablet, plate, inscription, or other notice stating the facts in relation to such national monument which give rise to the historical interest thereof.

Control of advertisements on national monuments. **19.**—The purposes for which bye-laws may be made under the Advertisements Regulation Act, 1907, shall extend to and include the regulation, restriction and prevention of the exhibition of advertisements on or in any national monument or in such places adjacent to any such monument and in such manner or by such means as to affect injuriously the amenities thereof.

#### PART IV.

##### Miscellaneous.

Inspection of national monuments by the Commissioners. **20.**—(1) The Commissioners may at any time and from time to time cause such inspections and reports to be made by their officers in regard to such national monuments as the Commissioners shall direct either generally or in respect of any particular monument.

(2) Any officer of the Commissioners may for the purpose of inspecting any national monument under this section enter on such national monument and any other lands and premises and there do all such things as he may consider necessary for the purposes of such inspection.

(3) Every person who obstructs or otherwise interferes with an officer of the Commissioners in the exercise of any of his powers under this section shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding five pounds.

The National Monuments Advisory Council. **21.**—(1) The Minister shall establish by order an advisory council to be called and known as the National Monuments Advisory Council (in this Act referred to as the Advisory Council) for giving advice and assistance to the Commissioners on any matter arising on or relating to the carrying into execution of the provisions of this Act or any other matter affecting national monuments and the protection and preservation thereof.

(2) The Advisory Council shall consist of the Keeper of Irish Antiquities in the National Museum and an officer of the Commissioners nominated for the purpose from time to time by the Minister as ex-officio members and of such number of other persons (including representatives of the following bodies, namely, the Royal Irish Academy, the Royal Society of Antiquaries of Ireland, and the Royal Institute of the Architects of Ireland) as nominated members as the Minister shall nominate to be members thereof.

(3) Every nominated member of the Advisory Council shall, unless he previously dies or resigns, retain his membership for three years only from the date of his nomination but shall be eligible for re-nomination.

(4) The Advisory Council shall meet whenever summoned by the Commissioners and also on such other occasions as the Council may from time to time determine.

(5) The Advisory Council may make representations to the Commissioners with respect to any matter relating to national monuments and shall give to the Commissioners, if requested by them so to do, their advice with regard to any question relating to such monuments.

(6) Payments may be made by the Minister out of moneys to be provided by the Oireachtas to members of the Advisory Council and committees thereof to such amounts as the Minister may consider just in respect of the repayment of travelling expenses and payment of subsistence allowance.

Local Advisory  
Committees.

**22.—**(1) A local authority may establish an advisory committee (in this Act referred to as a local advisory committee) to perform the functions mentioned in this section and every such committee shall be styled and known by the name of the functional area of the local authority by whom it is established followed by the words "National Monuments Advisory Committee."

(2) Every local advisory committee shall consist of such number of persons, not less than three nor more than five, as the local authority by whom the same is established shall appoint to be members thereof.

(3) The persons appointed to be members of a local advisory committee may or may not, as the local authority shall think fit, be members of the local authority by whom they are appointed but shall in every case be persons having practical experience or special knowledge of or interest in architecture, archaeology or some kindred subject and shall hold office as such members for such period as shall be fixed by the local authority when appointing them.

(4) A local advisory committee shall whenever so requested by the local authority by whom it was established give to such local authority advice and assistance in relation to the protection and preservation of the national monuments or any particular national monument in the functional area of such local authority or in relation to any other matter arising in the performance by such local authority of its duties and functions under this Act.

(5) A local advisory committee may make to the local authority by which it was established or to the Commissioners or to the Advisory Council such representations as it may think fit in relation to national monuments in its functional area.

Reports of finding of archaeological objects. **23.—**(1) Every person who finds any archaeological object shall within fourteen days after he has found such object, make a report of such finding to a member of the *Gárda Síochána* on duty in the district in which such object was so found or the Keeper of Irish Antiquities in the National Museum and shall when making such report state his own name and address, the nature or character of the said object and the time and place at which and the circumstances in which it was found by him, and shall also, and whether he has or has not made such report as aforesaid, and irrespective of the person to whom he has made such report (if any) give to any member of the *Gárda Síochána* or to the said Keeper on request any information within his knowledge in relation to such object or the finding thereof and shall permit any member of the *Gárda Síochána* or the said Keeper to inspect, examine or photograph such object.

(2) Every person who finds an archaeological object and—

(a) fails without reasonable excuse to make a report of such finding in accordance with this section, or

(b) makes under this section a report of such finding which is to his knowledge false or misleading in any material respect, or

(c) in contravention of this section fails or refuses to give to a member of the *Gárda Síochána* or the Keeper of Irish Antiquities in the National Museum information in relation to such archaeological object or the finding thereof, or

(d) gives to a member of the *Gárda Síochána* or the said Keeper information in relation to such archaeological object or the finding thereof which is to his knowledge false or misleading in a material respect.

shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding ten pounds.

Restriction of export of archaeological objects. **24.—**(1) It shall not be lawful for any person to export or attempt to export or sell for export any archaeological object without or otherwise than in accordance with a licence issued by the Minister for Education under this section.

(2) The Minister for Education may at his discretion issue to any person a licence to export any particular archaeological object and may insert in any such licence such conditions and restrictions as he shall think proper.

(3) Any person who exports or attempts to export or sells for export an archaeological object in contravention of this section shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding fifty pounds or, at the discretion of the Court, to imprisonment for any term not exceeding six months or to both such fine and such imprisonment.

Prohibition of injury, etc., to archaeological objects.

**25.—**(1) It shall not be lawful for any person to injure, deface or destroy any archaeological object, nor shall it be lawful for any person to alter any archaeological object otherwise than under and in accordance with a licence in that behalf granted under this section.

(2) The Minister for Education may if he thinks fit issue to any person a licence to alter a specified archaeological object in such manner, to such extent and subject to such conditions as are specified in such licence.

(3) Every person who injures, defaces, destroys or alters an archaeological object in contravention of this section shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding fifty pounds or, at the discretion of the Court, to imprisonment for any term not exceeding six months or to both such fine and such imprisonment.

Restriction of excavation for archaeological purposes.

**26.—**(1) It shall not be lawful for any person, without or otherwise than in accordance with a licence issued by the Commissioners under this section, to dig or excavate in or under any land (whether with or without removing the surface of the land) for the purpose of searching generally for archaeological objects or of searching for, exposing or examining any particular structure or thing of archaeological interest known or believed to be in or under such land or for any other archaeological purpose.

(2) The Commissioners may at their discretion issue to any person a licence to dig or excavate in or under any specified land for any specified archaeological purpose and may insert in any such licence such conditions and restrictions as they shall think proper.

(3) Any person who digs or excavates in or under any land in contravention of this section shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding twenty-five pounds.

(4) Nothing in this section shall apply to or render unlawful digging or excavation in, or under any land for or in the course of any agricultural or industrial operation nor shall a licence under this section operate to render lawful the doing of anything which would be unlawful if this section had not been passed.

Amendment of section 14 of the Irish Land Act, 1903.

**27.—**In section 14 of the Irish Land Act, 1903, the expression "ancient monument" shall have the same meaning as the expression "national monument" has in this Act, and the said section shall be construed and have effect accordingly.

#### SCHEDULE.

Enactments Repealed.

Session and Chapter.	Short Title.	Extent of Repeal
45 & 46 Vic. c. 73.	The Ancient Monuments Protection Act, 1882.	The whole Act.
55 & 56 Vic. c. 46.	The Ancient Monuments Protection (Ireland) Act, 1892.	The whole Act.
1 Geo. V. c. 3.	The Ancient Monuments Protection Act, 1910.	The whole Act.
61 and 62 Vic. c. 37	The <u>Local Government (Ireland) Act, 1898</u> .	Section 19
3 Edw. VII. c. 37.	The <u>Irish Land Act, 1903</u> .	Sub-section (4) of section 14.
No. 42 of 1923	The <u>Land Act, 1923</u> .	<u>Section 47</u> .