

RAAD VIR NASIONALE GEDENKWAARDIGHEDE · NATIONAL MONUMENTS COUNCIL

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POSBUS 4637 KAAPSTAD 8000 PO BOX 4637 CAPE TOWN 8000
TELEFOON (021) 462 4502 TELEPHONE (021) 462 4502
FAXS (021) 462 4509 FAX (021) 462 4509

VERW OUR REF 9/2/701/66

VERW YOUR REF

AVRAE ENQUIRIES

Dr J Deacon

DATUM DATE 20 March 1996

Mr P Munns
The Atlantis Project
P O Box 24
Pinetown
3600

Dear Mr Munns

APPLICATION FOR SALVAGE PERMIT FOR THE "DOROTHEA"

I acknowledge with thanks receipt of your letter dated 27 February to the Chairman of the National Monuments Council, Mr Sloet. The most recent permit for the "Dorothea" expired in 1990 and no further formal applications have been received since that date.

Your application for a salvage permit for an historical shipwreck must comprise the following:

1. The completed application form (NMC307, attached) that includes your signature on the last page of the instructions.
2. A copy of your licence to search for wreck from the Department of Finance: Customs and Excise.
3. A letter from the Durban Local History Museum agreeing to co-operate with you by advising on the curation of artefacts recovered and on recording and excavation methods. The Museum has several items from the "Dorothea" in their collection that were recovered by the last permit holder.
4. A detailed motivation that should include an account of the history of the "Dorothea", the reasons for wishing to salvage the wreck, a summary of your proposed salvage programme, and the range of material expected with plans for conservation and disposal. While some of these matters have been mentioned in your letter of 27 February, further details are required.

Once your application has been received, the NMC will publish a notice in the Government Gazette calling for public comment. If no objections are received, the permit may be issued three weeks after the date of publication of the notice and will be valid for one year. If satisfactory progress reports are received, the permit may be renewed.

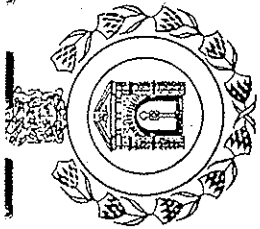
We look forward to receiving your application,

Yours sincerely

A handwritten signature in dark ink, appearing to read 'J. Deacon', written in a cursive style.

for DIRECTOR
JD/jd

copy: NMC Regional Manager: Natal
Director: Durban Local History Museum



NMC307

For office use only:

Date received.....
Date of approval.....
Name of wreck.....
Permit number.....

1. NAME OF APPLICANT/SALVOR..... PETER CHRISTOPHER MUNNIS
IDENTITY NUMBER..... SO07293117089
2. POSTAL ADDRESS.....
P.O. box 52583
MOCKE ROAD
GIENWOOD, DURBAN 4083
TELEPHONE..... 031-2010820 - 0832643267
3. NAME OF COMPANY/INSTITUTION DOING THE SALVAGE - ATLANTIS SALVAGE COMPANY
VIA ATLANTIS PROJECT COMPANY
4. DEPARTMENT OF CUSTOMS AND EXCISE SALVAGE LICENCE NO. (a copy of the licence must accompany this application).....
5. NAMES OF ALL DIVERS TAKING PART IN SALVAGE..... TO BE ADVISED
DIVERS TO BE PROVIDED BY NATAL SHARKS
BOARD - AND THEIR DETAILS WILL BE FURNISHED
6. SOURCE OF FUNDING FOR THE PROJECT..... PRIVATE EQUITY - P. MUNNIS
IN ADDITION TO THE INVESTMENT FUNDING
7. NAME OF WRECK..... DOROTHEA
8. NATIONALITY OF WRECK..... ANTWERP - GERMAN
9. TYPE OF VESSEL..... BARQUE - SAILING
10. YEAR OF WRECK AND OUT OR HOMEWARD BOUND..... 1898 - HOMEWARD
11. CARGO (IF KNOWN)..... PRESUMED TO BE GOLD
12. CONDITION OF WRECK (COMPLETE, PART, SCATTERED)..... SCATTERED
13. EXTENT OF WRECK SITE (APPROXIMATE SIZE)..... TO BE DETERMINED
14. CO-ORDINATES OF SITE..... TO BE ADVISED
15. NEAREST COASTAL VILLAGE OR TOWN..... ST. LUCIA

16. COLLABORATING MUSEUM (a letter of confirmation must accompany this application).....

DURBAN LOCAL HISTORY MUSEUM

17. FOR EXPORT ONLY:

NAME AND ADDRESS OF PERSON TO WHOM THE MATERIAL IS TO BE EXPORTED.....

DESCRIPTION OF ARTIFACTS TO BE EXPORTED.....

PERIOD OF EXPORT (permanent, temporary).....

Attach a motivation for the project including:

- (a) the reasons for the need to salvage this wreck;
(b) historical information concerning the wreck;
(c) summary of the proposed salvage programme; and
(d) the range of material expected and plans for conservation and disposal.

Sign the declaration in paragraph 8 of the attached instructions and return it with this form to:

National Monuments Council, P O Box 4637, Cape Town, 8000.

INSTRUCTIONS FOR APPLICANTS FOR NATIONAL MONUMENTS COUNCIL HISTORICAL SHIPWRECK SALVAGE PERMITS

1. Application Requirements

1.1 The application must be accompanied by a copy of the salvor's salvage licence from the Department of Customs and Excise.

1.2 The application must be accompanied by a letter from the Director of the collaborating museum undertaking to accept material from the wreck site and an undertaking from the Board of that institution that it will supervise the recovery of any items lifted from a shipwreck and the division of this material, as well as take the responsibility to conserve and curate it. The collaborating museum should be approved by the NMC.

1.3 The applicant must submit the exact geographic co-ordinates of the wreck site. In cases of dispute over the identity of the vessel, the applicant who has given co-ordinates closest to the true position of the wreck will be deemed to have priority for that wreck site.

If wreck material is spread over a large area, the size of the site for which the permit is given may be enlarged in consultation with the NMC.

1.4 The applicant must give a motivation for the project that should include:

- a. the reasons for the need to undertake salvage on the wreck site;
- b. historical information on the wreck, with references for the sources of the information, e.g. archives in the Republic and overseas, newspaper reports, inventories, published books, etc.;
- c. a summary of the way in which the salvage programme will be undertaken, e.g. pre-disturbance survey, establishment of grid, method of exposing the wreck and associated artefacts, etc., and how long it is expected each stage will take to complete; and
- d. the range of material it is expected will be recovered and the plans for its conservation and disposal.

1.5 The names of all divers taking part in the salvage operation must be listed. The names will be conveyed to the nearest port authorities by the NMC. No other divers may take part in the salvage operation without prior written permission from the NMC.

Divers must ensure that they are fully qualified in terms of the Department of Manpower safety regulations (see paragraph 6.3).

1.6 The source of funds for the project must be given, with the name of the person, company or funding agency.

1.7 If the application involves salvage from a British naval ship, this must be brought to the attention of the British War Graves Division of the National Monuments Council.

2. Processing the application

2.1 After receipt of the permit application, the NMC will circulate it to members of the Science Committee, the relevant Regional Representative, the collaborating museum, the Chairman of the Southern African Association of Archaeologists, a representative of the S A Historical Wreck Society, and the NMC's appointed Honorary Wreck Inspector for comment.

An Honorary Wreck Inspector will be appointed for each permit holder wherever practicable and will be paid by the NMC in respect of travelling and subsistence as determined by the NMC, to monitor the salvage operation and report to the NMC.

2.2 An advertisement with the presumed name and date of the vessel and the port nearest to the wreck will be published in the Government Gazette to invite comment from other interested parties.

A copy of the advertisement may be published in local newspapers as well.

2.3 If no objections are received, a permit may be issued three weeks after the date of publication of the advertisement in the Government Gazette. It is normally valid for three years, and is subject to the requirements set out below.

2.4 All applications for permit extensions will be evaluated by the Science Committee which will take into account the extent to which the permit holder has complied with the conditions on this and previous applications, and in particular whether the reports and copies of publications on the work have been submitted regularly and on time.

3. Principles for evaluating applications

3.1 Permits for the investigation of historical shipwrecks should be constrained by the same considerations that apply to the investigation of archaeological sites on land.

3.2 Permits should be issued for bona fide research reasons and not for sport and recreation.

3.3 Research problems and objectives should be fully stated and motivated.

3.4 Knowledge and experience in archaeological recording and excavation procedures underwater is required.

3.5 Knowledge of material culture appropriate to the recognition of the significance of artefacts to be salvaged, and for their analysis, is required.

3.6 Knowledge appropriate to the preservation and conservation of cultural materials in and from a marine environment is required.

3.7 A formal agreement between the investigator and an institution must be entered into to ensure proper management of finds and data including accessioning, storing and maintaining the condition of finds.

3.8 The permit holder must be able to write up the information for formal publication in an acceptable scientific journal.

3.9 Ideally, the material from wrecks older than 1850 should be kept together as a study collection so it is not dispersed through sale and so as to derive the maximum amount of information on maritime history from the project.

4. Requirements during salvage

4.1 The permit holder must arrange a meeting with the NMC's appointed Honorary Wreck Inspector or other authorized representative of the NMC to discuss the proposed programme and to work out mutually agreed ways of liaising.

Permit holders must, as a matter of course, inform the NMC's appointed Honorary Wreck Inspector in advance when they intend working on a wreck site.

The information to be given to the above persons should include the names of all the people to be involved, the boat registration, the working area, time and place of departure and expected time and place of return.

4.2 While working on the wreck, the permit holder may, if conditions permit, place a buoy with the

NMC permit number clearly displayed on it at the centre of the wreck area and corresponding as closely as possible to the geographic co-ordinates given on the permit application. The area within a radius of 200 m from this buoy will be deemed to enclose the wreck site. If necessary, smaller buoys may be placed around the perimeter of the permit area, particularly if it is close to the position of another wreck for which a permit is held.

In cases where permits have been issued for sites closer than 400 m to each other, the area first demarcated by the first permit holder will be deemed to belong to that permit holder and adjacent sites will be correspondingly smaller.

In cases where the dispersal area of the wreck is larger than a 400 m diameter, application can be made to the NMC to increase the size of the permit area.

4.3 Before any material is collected from a wreck site, a pre-disturbance survey must be undertaken.

It must include echo sounder and magnetometer surveys to produce a site map of the area. All major features such as anchors, cannon, hull fragments, spars, areas of porcelain fragments, boilers, etc., and the topography of the sea bed should be plotted. If practicable, photographs of the site must be taken.

A grid system must be established so that the position of all pre-disturbance finds and those located during excavation can be marked on the site map before they are removed. The grid reference for all finds must be entered into the accession register.

If the nature of the site makes it impracticable to lay out a grid, an alternative arrangement must be discussed with the NMC's appointed Honorary Wreck Inspector.

A copy of the site map with grid plan must be lodged with the NMC as soon as it has been completed and before any excavation or removal of material takes place.

4.4 No explosives, cranes or other equipment designed to move large quantities of overburden or obstructions may be used without advance permission in writing from the NMC.

4.5 Before finds are brought on land, their position must be accurately recorded in a log and each must be given an accession number.

All finds must be entered into a bound accession register with pre-numbered pages as soon as possible, and each find must be marked with the accession number. Each page of the accession register must be clearly marked with the name of the wreck site.

The accession register must record a description of the artefact, the material of which it is made, the grid reference and measurements to datum points, the name of the collector, date of collection, etc.

A copy of the accession register must be lodged with the collaborating museum and/or the NMC at the end of the three year permit period.

4.6 All items recovered must be declared at the nearest office of the Department of Customs and Excise within seven days of landing.

The material must be placed in bond at a place to be determined by the Controller, or at the state warehouse, until the duty is paid.

4.7 Special facilities, to the satisfaction of the NMC, must be organized before any wood, ivory, other organic materials or ferrous metals are raised. If in doubt, the material must be left underwater until the NMC has been consulted.

4.8 The place where finds are to be housed and/or conserved must be made known to the NMC and

its representatives must be allowed to check these premises at any reasonable time to evaluate the conservation measures adopted.

4.9 The permit holder is at all times responsible for the salvage operation and the material salvaged and he or his authorized representative, whose name shall be furnished to the NMC, must be present at all times during salvage operations, and must keep a copy of the permit on board. Permits are not transferable.

4.10 Permit holders must keep a log of all dives on wreck sites for which they have permits so that there is a record of dates, times, persons involved, weather and sea conditions, work done, etc. This log must be available for inspection by the NMC and can be submitted as part of the reports required in terms of the permit.

5. Distribution of the Salvaged Material

5.1 The collaborating museum must be consulted on a regular basis with regard to the disposal of the finds.

According to the National Monuments Act, the collaborating museum may select up to 50% of the finds. In practice, this has meant 50% of the items recovered, rather than 50% of the value of the material.

5.2 The material may be divided at any time mutually acceptable to the museum and the salvors. If the museum wishes to retain the option to exchange superior examples for inferior ones selected at an earlier stage in the project, it should open a temporary accession register and receipt system to avoid the problem of having to de-accession items already received.

5.3 In dividing the material, the objects or lots will be chosen alternately by the museum and the salvor, the museum having first choice.

5.4 The permit holder is liable for payment to the Department of Customs and Excise of customs duty and surcharge as well as a 15% royalty and VAT on the value of the material not selected by the museum. The value is determined by a sworn appraiser, or by sale price received, or by rated duty.

Items given to a museum would not normally be liable for royalty, duty, surcharge or VAT. Technically, the State pays this duty if the NMC signs the appropriate form declaring that the items were given free of charge to the museum.

Although duty is not payable on antiques over 100 years old, they are liable for a 40% surcharge and VAT. This surcharge is not payable if the items are to be exported immediately, but in such a case they would have to be placed in bond until exported, and an export permit would be needed from the NMC.

5.5 If the material is of particular historical value, the NMC and the collaborating museum must be given up to six months to obtain funds to buy additional material from the salvors to prevent the collection being dispersed or exported.

6. General Regulations regarding other Departments

6.1 Harbour authorities and the S A Police Water Division in Table Bay have requested for safety and security reasons that permit holders inform them whenever they plan to work on wreck sites in Table Bay and environs. The NMC will require other port authorities to establish a similar liaison system so that all harbour authorities will have a list of valid permit holders on file and will know who is authorized to work on particular wreck sites.

6.2 The Department of Customs and Excise must be informed if material is to be landed on the beach rather than at a harbour or jetty.

NATIONAL MONUMENTS COUNCIL

Addendum to Instructions for Applicants for Salvage Permits

6.3 Permit holders are advised to check with the Department of Manpower to ascertain whether they will be bound by any additional regulations in terms of the Machinery and Occupational Safety Act of 1984.

The present regulations require that only commercially qualified divers may do salvage work and a qualified commercial diving supervisor must be present at all times during salvage.

New regulations, due to be implemented in mid-1990, require that only employees of the permit holder will be subject to these safety regulations. This would include companies and close corporations.

If a permit holder is working in partnership with another diver, certification will not be required. In such a case the permit could be issued to all the parties concerned to give each partner cumulative responsibility.

7. Reports and Responsibilities

7.1 Permit holders must submit reports annually, in December/January at the same time as an annual report is filed with the Department of Customs and Excise for renewal of the salvage licence.

These reports should include a copy of the log, a copy of the relevant pages of the accession register, a description of what was done, a list of items given to the collaborating museum, and any further information relevant to the history and maritime archaeology of the wreck. Permit holders should see these reports as an essential part of their permit obligations and as a vital part of the cultural heritage of shipwreck history.

7.2 A final report that gives details of the disposal of all the finds, as well as all the historical and archaeological information relevant to their recovery, must be submitted within six months after the expiry date of the permit.

7.3 The NMC may cancel a permit at any time if it has reasonable grounds to believe that the permit holder has not complied with the conditions specified above.

7.4 The permit holder is responsible for all costs involved in the salvage operation, as well as the transport of the salvaged material to the museum. However, in cases where a museum has made a special request for an item that the salvor would not normally have recovered, the museum must be responsible for any additional costs involved.

8. Agreement with Conditions

8.1 Applicants for permits must agree formally to these instructions and conditions by signing the following paragraph:

I, Peter Christened Munn
do hereby acknowledge that I have read the instructions and conditions for NMC Historical Shipwreck Salvage Permits and am fully aware of the conditions and instructions laid down in this document, and do hereby undertake strictly to observe these terms, conditions and instructions and/or any other requirements under which the National Monuments Council may issue this permit.

Signed W. Munn

Date 28.3.1996

Place Durban

Witnessed by

Approved by the National Monuments Council, April 1990.

Applicants for salvage permits are advised that as from November 1991, a professional archaeologist employed at a recognized museum or university must be included as a member of the team for any salvage operation involving a wreck of 1850 or older.

The archaeologist will fulfil the duties of the Honorary Wreck Inspector referred to in the Instructions for Applicants for National Monuments Council Historical Shipwreck Salvage Permits (form P012E).

The permit holder is expected to:

- liaise with the archaeologist in working out the best way to conduct a pre-disturbance survey of the wreck site
- use the standard methods applied by the archaeologist's museum or university department to catalogue and number finds
- seek advice from the archaeologist regarding conservation of artefacts recovered
- report to the archaeologist before and after all dives
- take advice from the archaeologist when writing up the results of the project.

The archaeologist is not expected to dive with the team. It is up to his or her discretion to do so.

If there is no archaeologist available at the museum with which you plan to co-operate, please contact the NMC.

J. Deacon
1 December 1991