

To obtain a
South Carolina
**Hobby Diver
License** to
collect fossils
and artifacts
in state
waters:

1. Read the summary of the South Carolina Antiquities Act of 1991 enclosed in this package. Keep this for your records.
2. Fill out the Hobby Diver Application form and sign it.
3. Read and sign your name to the Hobby Diver License and have your signature witnessed (it does not have to be by a notary public).
4. Mail the completed Application, License Form, and appropriate fee (make checks payable to USC) to:

Hobby Diver License
SCIAA Maritime Research Division
PO Box 12448
Charleston, SC 29422
5. Use a Renewal Form if you have had a Hobby Diver License in the past.
6. Allow at least 2-4 weeks for processing.

If you have any questions about obtaining a Hobby Diver License or wish to make an appointment to apply for a license in person, contact the Sport Diver Archaeology Management Program at (843) 762-6105 or sdamp@sc.edu.

Summary of the South Carolina Underwater Antiquities Act of 1991

The act declares as property of the state all submerged archaeological material, which has remained unclaimed for fifty years or more, and all paleontological material located on or recovered from submerged lands over which the State has sovereign control.

The South Carolina Institute of Archaeology and Anthropology is the custodian of archaeological materials. The South Carolina Museum Commission is the custodian of paleontological materials.

The act provides that persons desiring to remove, displace, or destroy submerged archaeological historical property or paleontological property must first obtain a license from the Institute.

A license is not required to inspect, study, explore, photograph, measure, etc., or otherwise use and enjoy such property as long as the activity does not involve excavation, substantive injury or disturbance of the site or its environment, endanger other persons or property, or violate other laws.

Hobby Diver Licenses

A Hobby Diver License is required for persons wishing to conduct temporary, intermittent, recreational, small scale, non-commercial search and recovery of submerged materials.

It is a statewide license.

Recovery of submerged property must be by hand and must not involve mechanical devices or excavation. Hobby Divers may recover a reasonable number of artifacts and fossils that are exposed or resting on the bottom sediments of submerged lands over which the state has sovereign control, but may recover only ten artifacts a day from a shipwreck site. Divers may not destroy the integrity of the ships' structure by removing or moving timbers, fittings, fastenings, or machinery.

The licensee must report his or her finds to the Institute (for artifacts) or the Museum (for fossils) within ten days following the end of the calendar quarter in which the activities took place, and within sixty days of receipt of the report, the Institute must release title to all finds to the licensee.

Exclusive Licenses

The Act provides that the Institute may issue two types of exclusive licenses for the disturbance or excavation of submerged property. An Intensive Survey License permits the licensee to carry out an intensive survey of a specific area that the applicant believes may contain submerged property. A Data Recovery License permits the licensee to conduct excavation and data recovery on submerged property, if the applicant has submitted positive results of an intensive survey. For more information on exclusive licenses, contact Chris Amer at (803) 777-8170.



For Office Use Only

License # _____ Type _____

Check # _____ Receipt # _____

Expiration Date: _____

HOBBY DIVER LICENSE APPLICATION

Name: _____

Address: _____

City, State: _____ Zip: _____

Phone: _____ (home) _____ (work)

E-Mail Address: _____

Occupation: _____

Birth Date: _____ Sex: (M) (F)

Certification: (PADI) (NAUI) (NASDS) (YMCA) (SSI) Other _____

Highest Certification Level: _____

Are you affiliated with any diver clubs? (Please list): _____

Type of License Requested (Check One):

Six-Month:

In-State Resident (\$5.00)

Out of State Resident (\$10.00)

Two-Year:

In-State Resident (\$18.00)

Out-of State Resident (\$36.00)

With my signature below, I acknowledge that I have read and understand the South Carolina Antiquities Act of 1991 and agree to adhere to and abide by the stipulations of this act.

Signature of Applicant: _____ Date: _____

Received By: _____ Date: _____

Approved

Not Approved



HOBBY DIVER LICENSE

This agreement is made and entered into on (date) _____, by and between the South Carolina Institute of Archaeology, the University of South Carolina, Columbia, South Carolina, 29208, hereafter called the INSTITUTE and _____, hereafter called the LICENSEE.

Whereas, it appears that this agreement is of mutual benefit to the parties hereto, now therefore, the INSTITUTE pursuant to the authority of the South Carolina Antiquities Act of 1991 (Article 5, Chapter 7, of Title 54) and its Amendments (hereinafter called the ACT) covenants and agrees with the license as follows:

(1) The LICENSEE, in accordance with the application heretofore made and dated _____ is hereby granted the right to recover historic and prehistoric artifacts and fossils, on a non-commercial, hobby basis from beneath the water under the dominion and control of the State of South Carolina in accordance with the provisions of the ACT.

(2) The LICENSEE agrees to submit a quarterly report stating whether or not activities were conducted under the purview of this license. If they were, the report shall include the date, location and list of artifacts and fossils recovered. The INSTITUTE must receive the report by the 10th of the month reflecting information from the previous calendar quarter.

(3) The LICENSEE shall have the right to sole ownership of 100 percent of all submerged fossils and artifacts recovered by the LICENSEE after the INSTITUTE has had ample opportunity to study and evaluate the recovered objects, but not to exceed 60 days from receipt of the quarterly report.

(4) The LICENSEE agrees to abide by the provisions of the ACT.

(5) It is agreed by the parties hereto that neither the INSTITUTE, nor the State of South Carolina shall be held in any way responsible or liable for any property loss or damage or for any personal injury sustained by anyone whomsoever arising out of the rights and privileges granted by this Hobby License.

(6) It is further agreed by the INSTITUTE and the LICENSEE that this agreement may be canceled by the INSTITUTE for cause; but otherwise shall remain in full force and effect, unless modified or extended in accordance with the provisions of the ACT, for a period of _____ from the effective date of this agreement. If this Hobby License is renewed at the end of one period, and additional fee will be due and payable at that time.

(7) The appropriate fee applies: 6-month license (\$5.00/resident, \$10.00/non-resident), OR 2-year license (\$18.00/resident, \$36.00/non-resident).

(8) This agreement shall take effect when signed and witnessed in proper form by the INSTITUTE and the LICENSEE.

In witness, the parties of this agreement have signed their names and put their seals and this license shall become effective upon the signature of the State Underwater Archaeologist.

Signature of Witness

Signature of Licensee

Date

Processed By

State Underwater Archaeologist