Collection of legislative texts concerning the protection of movable cultural property

EGYPT

CLT-85/WS 27
The designations employed and the presentation of material in this document do not imply the expression of any opinion whatsoever on the part of UNESCO concerning the legal status of any country, territory, city or area or of its authorities, or concerning the delimitation of its frontiers or boundaries.
Since its foundation UNESCO has been constantly engaged in an effort to protect cultural property against the dangers of damage and destruction which threaten it and, in particular, against dangers resulting from theft, clandestine excavations and illicit traffic. The work carried out in this field in recent years has shown that national laws and regulations governing the protection of movable cultural property are little known abroad. This has prompted UNESCO to embark on the collection and distribution of legislative texts for the information and use of national services for the protection of the cultural heritage, museum curators, art dealers, antique dealers, private collectors, customs and police services, and anyone else required to have a knowledge of the legal status of cultural property, with a view to fostering international co-operation in the prevention and repression of offences concerning movable cultural property.

UNESCO has already published two volumes of a compendium containing extracts from the legislation in force in forty-five Member States. These appeared in French in 1979 and 1981 under the title "La protection du patrimoine culturel mobilier - Recueil de textes législatifs" and in English in 1984 under the title "The Protection of Movable Cultural Property - Compendium of Legislative Texts".

The publication of legislative texts governing the protection of movable cultural property is being pursued in the form of a series of booklets, each presenting the laws and regulations of one country. The booklets will, as far as possible, contain the full texts of legislation dealing with:

- the definition of protected movable cultural property
- the system of ownership and use
- the extent of protection
  - inventory, registration, scheduling, declaration
  - rights and obligations of the owner, the person in possession or control and the authorities with respect to protected property
  - regulation of trade in antiquities
  - export regulations
  - import regulations
- fortuitous discoveries and archaeological excavations
- sanctions
- authorities responsible for protection
The legislative texts are preceded by a brief introduction which provides information on the international conventions concerning the protection of movable cultural property to which the State concerned is party and gives the list of the texts reproduced in the booklet. The introduction also contains an index of the main provisions of national laws and regulations which concern specifically the protection of movable cultural property arranged under the above headings.

An index of national laws and regulations concerning the protection of movable cultural property in force in the Member States of UNESCO will be issued at a later date.
INTERNATIONAL CONVENTIONS CONCERNING THE PROTECTION OF MOVABLE CULTURAL PROPERTY TO WHICH THE STATE IS PARTY


Instruments of ratification of the Convention and of the Protocol deposited by Egypt on 17 August 1955; the Convention and the Protocol entered into force with respect to Egypt on 7 August 1956.


Instrument of acceptance of the Convention deposited by Egypt on 5 April 1973; the Convention entered into force with respect to Egypt on 5 July 1973.

NATIONAL LAWS AND REGULATIONS SPECIFICALLY CONCERNING THE PROTECTION OF MOVABLE CULTURAL PROPERTY

- Law no 117 of 1983 putting into force the Law on the Protection of Antiquities

INDEX OF MAIN PROVISIONS BY SUBJECT-MATTER

**Definition of protected property**

Articles 1 and 2 of the Law on the Protection of Antiquities

**System of ownership**

Articles 6, 8, 9, 24 and 35 of the Law on the Protection of Antiquities

**Extent of protection**

- Registration

Articles 2, 8, 12 and 26 of the Law on the Protection of Antiquities

- Rights and obligations of the owner, the person having possession or control and the competent authorities

Articles 2, 9, 10, 13(6), 26, 28, 29 and 30 of the Law on the Protection of Antiquities

- Regulation of trade in antiquities

Articles 7 and 8 of the Law on the Protection of Antiquities

- Export regulations

Articles 9 and 13(1) of the Law on the Protection of Antiquities

Fortuitous discoveries and archaeological excavations

- Fortuitous discoveries

Article 24 of the Law on the Protection of Antiquities
- Archaeological excavations

Sanctions

Authorities responsible for protection

Articles 5 and 31 to 37 of the Law on the Protection of Antiquities

Articles 40 to 47 of the Law on the Protection of Antiquities

Articles 2 and 3 of Law n° 117

Article 5 of the Law on the Protection of Antiquities
LAW No. 117 of 1983(1)

putting into force

the Law on the Protection of Antiquities

In the name of the people,

The President of the Republic hereby promulgates the attached law, which has been duly enacted by the People's Assembly,

Article 1

The protection of antiquities shall be governed by the provisions of the attached law.

Article 2

For the purposes of the application of this law, 'Organization' shall mean the Egyptian Antiquities Organization and the 'Permanent Committee' shall mean the Permanent Committee responsible for the antiquities of ancient Egypt and the antiquities of the Ptolemaic and Roman eras, the Committee responsible for Islamic and Coptic antiquities, or the Boards of Directors of Museums, as the case may be, which are established by decisions of the head of the Organization.

Article 3

Decisions required for the application of this law shall be issued by the minister responsible for cultural affairs.

Article 4

Law No. 215 of 1951 on the Protection of Antiquities and all legal provisions differing from the provisions of the present law are hereby abrogated.

Article 5

The present law shall be published in the Official Gazette and shall come into force on the day after its publication. It shall be stamped with the Seal of the State and shall constitute part of the law of the land.

By the Office of the President of the Republic, 27 Shawwal 1403 (6 August 1983).

Hosni Mubarak

(1)
Unofficial translation prepared by Unesco
LAW ON THE PROTECTION OF ANTIQUITIES

CHAPTER I

General provisions

Article 1

An 'Antiquity' is any movable or immovable property that is a product of any of the various civilizations or any of the arts, sciences, literatures and religions of the successive historical periods extending from prehistoric times down to a point one hundred years before the present and that has archaeological or historical value or significance as a relic of one of the various civilizations that have been established in the land of Egypt or historically related to it, as well as human and animal remains from any such period.

Article 2

Any movable or immovable property of historical, scientific, religious, artistic or literary value may, where the Prime Minister so decides, acting at the instance of the minister responsible for cultural affairs, be deemed an antiquity, even though its date of origin does not fall within the time-limits set forth in the preceding article, where the protection and conservation of such property are in the national interest. Such property shall be registered in accordance with the provisions of this law. Every owner of such an antiquity shall be responsible for safeguarding it and may not alter it in any way as from the day he is notified by registered letter with acknowledgement of receipt concerning the decision taken in its regard.

Article 3

All publicly-owned lands which were classified as archaeological lands pursuant to decisions or orders made before the coming into force of the present law, and publicly-owned lands classified as archaeological lands pursuant to decisions of the Prime Minister acting at the instance of the minister responsible for cultural affairs, shall be deemed archaeological lands. Any piece of land may be deleted from the inventory of archaeological lands and their associated service facilities by decision of the Prime Minister acting at the instance of the minister responsible for cultural affairs, where the Organization determines that such piece of land no longer contains antiquities or forms part of the landscaping perimeter of an antiquity.

Article 4

All buildings which were classified as historic monuments and duly registered as such pursuant to past decisions or orders shall continue to be deemed historic monuments.

Every individual or corporate entity occupying a historical building or archaeological site which has not been expropriated shall be required to safeguard such building or site from any damage or loss.
Article 5

The Egyptian Antiquities Organization shall be responsible for the supervision of all matters related to the antiquities in its museums and storage facilities and at archaeological and historical sites and areas, even when the antiquities are discovered fortuitously.

The Organization shall be responsible for exploration for antiquities above the ground, under the ground and in the inland and territorial waters of Egypt.

The head of the Board of Directors of the Organization may, with the agreement of the competent Permanent Committee, issue special licences authorizing national and foreign archaeological bodies to explore for antiquities and discover items in specific areas for limited periods of time. Such licences shall be non-transferable and shall be issued only after the scientific, technical and financial qualifications and archaeological experience of applicants have been established.

The foregoing provision shall apply even where the exploration or excavation work is to be done on land which is owned by the applicant.

Article 6

All antiquities with the exception of religious endowments (waqfs) shall be deemed public property, and the ownership, possession and disposition of them shall be subject to the terms and conditions set forth in this law and regulations made thereunder.

Article 7

All trade in antiquities shall be prohibited as from the date of coming into force of this law. Every established trader shall have a period of one year in which to arrange his affairs and to dispose of his antiquities, after which time such remaining antiquities as he has not disposed of shall be deemed to be in his possession, and he shall be subject to the provisions of this law regarding the possession of antiquities.

Article 8

With the exception of antiquities whose ownership or possession was established before the coming into force of this law or is established in accordance with its provisions, the possession of antiquities shall be prohibited as from the date of coming into force of this law.

Every trader or other person in possession of antiquities shall notify the Organization of the antiquities in his possession within six months of the coming into force of this law and shall safeguard them until they are registered by the Organization in accordance with the provisions of this law.

Anyone who fails to declare the antiquities in his possession for registration within the aforementioned period shall be deemed to be in unlawful possession of them, regardless of other provisions of this law governing possession.
Article 9

Every possessor of an antiquity may dispose of it at his discretion, provided he obtains, in advance, written approval from the Organization in accordance with procedures and principles to be established by decision of the minister responsible for cultural affairs, and provided that no antiquity shall be taken outside the country.

The provisions of this law regarding possession shall apply to every person to whom the ownership or possession of an antiquity is transferred either in accordance with the provisions of this article or through inheritance.

The Organization shall have the right of pre-emption, in return for fair compensation, as regards the disposition of every antiquity. The Organization may also appropriate any antiquity at its discretion and recover, in return for fair compensation, every antiquity that has been detached from an immovable structure and is in the possession of a trader or other person.

Article 10

The Organization may, where the President of the Republic so decides, acting at the instance of the minister responsible for cultural affairs, exchange movable antiquities of which there are several specimens with Arab and foreign countries, museums and scientific institutes.

Antiquities may, where the President of the Republic so decides in the public interest, be exhibited abroad for limited periods. This provision shall not apply to antiquities that are classified by the Board of Directors of the Organization as unique or particularly liable to damage.

Article 11

The Organization may accept the assignment by organizations or individuals of their titles to immovable historical property through gifts, nominal sales or concessions to the Organization for periods of not less that fifty years, where this would be in the public interest.

Article 12

Antiquities shall be registered by decision of the minister responsible for cultural affairs acting at the instance of the Board of Directors of the Organization. The decision by which an immovable antiquity is registered shall be duly communicated to the owner of the antiquity concerned or his authorized representative and shall be published in the Official Gazette. An annotation to that effect shall be made on the title record of the property in question at the Land Registry Office.

Article 13

The following provisions shall apply to the registration of immovable antiquities and the notification of owners in accordance with the provisions of the preceding article:

1. Registered property shall not be demolished in whole or in part, nor shall any part of any registered property be taken out of the Arab Republic of Egypt.
2. Registered lands or immovable property shall not be subject to expropriation; adjacent lots, however, may be expropriated with the approval of the minister responsible for cultural affairs acting at the instance of the Board of Directors of the Organization.

3. No third-party easement shall be lawful on any registered property.

4. No registered property shall be renovated or its features altered in any way, except with the authorization of the head of the Organization, granted with the approval of the competent Permanent Committee, and all work so authorized shall be executed under the direct supervision of a representative of the Organization. Where such work is executed without authorization, the Organization may restore the property to its previous condition at the offender's expense, without prejudice to the Organization's right to claim compensation and the offender's liability to the penalties prescribed by this law.

5. Every owner who wishes to dispose of a registered immovable property shall obtain written approval from the Organization, specifying the name and address of the other party to the transaction, who shall also be notified that the property in question is a registered antiquity. The Organization shall have thirty days after receiving an application for disposal in which to give its reply. Where no reply has been given within that period, the application shall be deemed to have been denied.

6. The Organization may at any time undertake at its own expense any work that it deems necessary for conserving a registered antiquity. These provisions shall continue to apply even where antiquities forming part of immovable property have become movable.

Article 14

Any immovable antiquity or part thereof may be deleted from the register of antiquities by decision of the minister responsible for cultural affairs acting at the instance of the Board of Directors of the Organization and with the approval of the competent Permanent Committee for Antiquities. Every decision to delete an antiquity shall be published in the Official Gazette, communicated to the individuals and corporate entities that were notified at the time when it was placed on the register, and noted on the appropriate registration records of both the Organization and the Land Registry Office.

Article 15

No prescriptive ownership right shall accrue to any individual or corporate entity from the use of an archaeological site, land or structure of historical value, and the Organization shall be entitled to cause such property to be vacated in return for fair compensation where it deems it necessary to do so.

Article 16

The minister responsible for cultural affairs may, at the instance of the Board of Directors of the Organization and in return for fair compensation, secure easements with respect to properties near archaeological sites and historical buildings in order to safeguard their aesthetic features or general appearance. Decisions that are issued in this regard shall state what immovable properties or parts thereof will be affected by the easement or easements, the scope of such easements and the consequent restrictions on the rights of owners or possessors.
Article 17

Without prejudice to the penalties prescribed by this and other laws, the head of the Board of Directors of the Organization, pursuant to a decision by the competent Permanent Committee for Antiquities, may by administrative action, without recourse to the courts, liquidate any encroachment on an archaeological site or property, and his decision in that respect shall be enforced by the special Antiquities Police. Every offender shall restore the property to its former state, failing which, the Organization shall be entitled to have the necessary work executed at the offender's expense.

Article 18

Privately owned land of archaeological value may be expropriated, and where the President of the Republic so decides, such land may be seized temporarily until the expropriation procedures have been completed. Every such property shall be deemed archaeological land as of the date of its temporary seizure. The possibility that antiquities may be found on expropriated land shall not be taken into consideration in assessing compensation.

Article 19

The minister responsible for cultural affairs, acting at the instance of the Board of Directors of the Organization, may issue a decision fixing the landscaping perimeters of registered antiquities and archaeological areas, and the lands lying inside those perimeters shall be deemed archaeological lands and subject to the provisions of this law.

Article 20

No building permits shall be issued in respect of archaeological sites or lands.

No third party shall build structures or tombs, dig canals, make roads or farm on archaeological lands, their associated service facilities, or other land lying within statutory landscaping perimeters.

The planting or felling of trees, the removal of rubble, soil, fertilizer or sand, and every other activity that may alter the features of archaeological sites and lands are prohibited, except with the permission and under the supervision of the Organization.

The provisions of the preceding paragraph shall also apply to land adjacent to the sites indicated in that paragraph and extending to a maximum distance of three kilometres in uninhabited areas, and in other areas to such a distance as may be deemed by the Organization to be necessary for protecting the environment of the site.

The provisions of this article may, where the minister responsible for cultural affairs so decides, be applied to land beneath the surface of which it appears to the Organization, on the basis of studies, that archaeological finds are likely to be concealed. The provisions of this article shall also apply to desert lands and to areas containing licensed quarries.
Article 21

Archaeological sites and lands, and buildings and sites of historical importance, shall be taken into consideration when any alterations are made in the plans of the towns, quarters and villages in which they are located. Renovation schemes and the expansion or alteration of archaeological and historical areas or adjacent properties shall not be undertaken, except with the written agreement of the Antiquities Organization and subject to such easements as the Organization may decide to establish.

The Organization shall make its views known within three months of receiving a submission in this respect: where it fails to do so, the matter may be submitted to the minister responsible for cultural affairs for his decision.

Article 22

Licensing authorities may authorize construction in inhabited areas adjacent to archaeological sites, subject to the approval of the Organization.

Licensing authorities shall include in the licences they issue such conditions as in the opinion of the Organization will ensure that no construction will dominate a site or detract from its dignity and appearance, and that due consideration is given to the archaeological and historical setting and to the requirements of its protection. The Organization shall state its opinion in respect of every licence application within sixty days after the matter is submitted to it, and where it fails to do so the application shall be deemed to have been denied.

Article 23

Every person who discovers an unregistered immovable antiquity shall notify the Antiquities Organization of his find, and every such find shall be deemed public property. The Organization shall take the necessary measures for safeguarding the find. Where the find is located on private property, the Organization shall decide within three months whether to remove the find, to initiate measures for expropriating the land upon which it is located, or to leave the antiquity in its place and register it in accordance with the provisions of this law. In assessing the value of expropriated lands, the value of any antiquities they may contain shall not be taken into consideration. Where the Organization decides that a find is particularly important, it may pay compensation to the persons reporting it, the amount of such compensation to be determined by the appropriate Permanent Committee.

Article 24

Every person who fortuitously discovers a movable antiquity or a part or parts of an immovable antiquity, wherever it may be located, shall notify the nearest public authority within forty-eight hours of his discovery and safeguard it until the authorities take possession of it, failing which he shall be deemed to be in unauthorized possession of an antiquity. Upon being so notified, the said public authority shall inform the Organization of the find immediately.

The find shall be deemed public property, and once the Organization has assessed its importance, it may pay compensation to the person who has discovered and reported it, the amount of such compensation to be determined by the appropriate Permanent Committee.
Article 25

The amount of the compensation contemplated in Articles 7, 13, 14 and 16 shall be determined by a committee to be established by decision of the minister responsible for cultural affairs, and the Board of Directors shall be represented on it. Appeal from the committee's award shall lie to the minister responsible for cultural affairs. Every appellant shall file his appeal within sixty days of the date of his notification of the Committee's award by registered letter with acknowledgement of receipt, failing which the award shall be final.

Every claim for compensation which is not filed within one year of the date upon which the award becomes final shall be null and void.
CHAPTER II

Registration and conservation of and exploration for antiquities

Article 26

The Antiquities Organization shall be responsible for inventorying, photographing, making drawings of and registering all movable and immovable antiquities and for entering all data pertaining thereto in records established for that purpose. Antiquities shall be registered in accordance with terms and conditions to be set forth in a decision of the Board of Directors of the Organization. All antiquities which are listed on official records before the date of the coming into force of this law shall be deemed duly registered.

The Organization shall make a complete inventory of archaeological sites and lands, define their boundaries and features and plot their positions on maps, submitting copies thereof to both the local authorities and the Public Organization for Architectural Planning for consideration in the preparation of their general plans.

The Organization shall make a record of all the environmental and architectural data and other factors affecting every archaeological site, in accordance with their respective importance.

Article 27

The Antiquities Organization shall take measures to ensure that registered archaeological monuments and sites and historical buildings can be visited and studied without detriment to their safety and conservation, and it shall endeavour to display their distinctive artistic and historical features.

The Organization shall use the resources of archaeological sites and museums to develop archaeological awareness in every way.

Article 28

Movable antiquities and parts of immovable antiquities whose removal is required by circumstances shall be preserved and kept in the museums and storage facilities of the Organization. The Organization shall arrange displays of exhibits at its museums and administer its museums in accordance with the standards of professional practice. It shall take care of all museum objects and arrange for all necessary conservation and security measures. It shall also sponsor temporary exhibitions at its museums.

The Organization may delegate to Egyptian universities the authority to organize and administer university and college museums, subject to the condition that these museums shall be duly registered and made secure.

All such museums and storage facilities shall be deemed public property.
Article 29

The Antiquities Organization shall be responsible for the preservation of antiquities, museums, storage facilities, archaeological sites and areas and historical buildings and shall provide for their protection by the Antiquities Police and by its own security guards and watchmen in accordance with appropriate regulations. The Organization shall limit the maximum size of every Antiquities inspectorate to an area such that it can be easily covered and its antiquities conveniently supervised.

The perimeter of every archaeological site which is protected by the Organization shall be established by decision of the Board of Directors of the Organization, which may set an admittance charge not to exceed ten pounds, or the equivalent in convertible currency in the case of foreigners, without prejudice to any fees that may be imposed in accordance with Article 39 of this law.

Article 30

The Organization shall bear sole responsibility for carrying out necessary conservation and restoration work on all registered antiquities, archaeological sites and areas and historical buildings.

The Ministry of Waqfs, the Egyptian Waqf Organization and the Coptic Waqf Organization shall bear the cost of restoring and conserving their respective registered archaeological and historical properties.

The Organization shall bear the cost of restoring every registered historical building that is in the possession of any other individual or corporate body, except when the appropriate Permanent Committee determines that the need for restoration work is due to abuse on the part of the possessor, who shall then bear the cost of restoration.

The head of the Board of Directors of the Organization, with the approval of the appropriate Permanent Committee, may authorize expert organizations and missions to undertake restoration and conservation work under the supervision of the Organization; written authorization for such work may also be given to individual experts.

Article 31

The Organization shall establish an order of priorities for the issue of archaeological excavation licences to missions and organizations, beginning with those areas that are most exposed to environmental hazards and most extensively affected by governmental building projects, in accordance with a timetable and schedule of subjects to be established by the Board of Directors of the Organization.

Article 32

No one else shall undertake archaeological exploration or excavation work except under the direct supervision of experts and technicians assigned by the Organization for that purpose and in accordance with the terms of the licence issued by it.
Authorization may be granted to the head of a mission or his representative to study, make drawings of and photograph any antiquities that are discovered by the mission. Every mission shall enjoy exclusive publication rights in respect of its excavation work for a period of not more that five years from the date of its first find at a particular site, after which time the said exclusive publication rights shall lapse.

Article 33

The Board of Directors of the Organization shall issue a decision prescribing the conditions and obligations that must be taken into consideration and met in respect of the issue of excavation licences. Every such licence shall specify the boundaries of the authorized exploration area, the term of validity of the licence, the minimum work that is to be executed, the performance bonds that are to be posted with the Organization, the conditions under which excavations are to be carried out, including any restriction to specific areas where work is to be completed before the licensee's activities are extended into other areas, and the requirement that finds are to be registered as they are discovered and adequately protected and preserved, and that the Organization is to be provided with a cumulative list of finds and a full technical report on all work executed under the licence.

Article 34

Archaeological exploration and excavation licences issued to foreign missions shall be subject to the following conditions:

(a) every mission shall undertake to restore and conserve on a find-by-find basis, such immovable and movable antiquities as it may discover, and this work shall be executed under the supervision of and in co-operation with the relevant departments of the Antiquities Organization before the expiry of the term of the mission's contract;

(b) the proposal of every foreign mission seeking to carry out archaeological excavations in Egypt shall be accompanied by a complementary plan under which the mission undertakes either to carry out restoration work on previously discovered antiquities or, depending on its qualifications, to carry out archaeological survey, inventory and registration activities in the region of its operations or in an adjacent region, with the approval of, or in co-operation with, the Organization;

(c) the Organization, and not the licensee, shall have the exclusive right to make reproductions of excavated finds after the licensee has exercised its right of publication; the Organization, however, may decide to give the licensee duplicate copies of finds.

Article 35

All antiquities discovered by foreign archaeological excavation missions shall be deemed public property. However, the Organization may decide to compensate outstanding missions which have carried out important excavation and restoration work by donating some of the movable antiquities which they have uncovered to museums of antiquities designated by the missions concerned for exhibition under their auspices, where the Organization determines that the antiquities in question are expendable by reason of their similarity to other items excavated from the same location in terms of their materials, type, characteristics, and historical and artistic origin, and subject to the condition that all information concerning the said antiquities shall first be thoroughly examined and fully recorded.
Article 36

The competent Permanent Committee or, where appropriate, the Board of Directors of the museum concerned, shall be responsible for reviewing the results of missions and recommending any compensation.

The Organization may decide to compensate a licensed mission with movable antiquities, which the Organization may select without consulting the mission concerned, provided that the number of the said antiquities does not exceed 10 per cent of all the mission's movable finds, that other pieces of similar material, type, characteristics and artistic and historical origin remain and that the antiquities thus disposed do not include items made of gold or silver, precious stones, papyri, manuscripts, or construction elements or parts detached from such elements.

Every agreement concluded by the Organization in this regard shall include provisions prohibiting commercial transactions in respect of donated antiquities inside or outside the country.

Article 37

Excavation licences issued to organizations and missions may be terminated by decision of the Board of Directors of the Organization where the terms of a licence are violated during the course of the work. Without prejudice to the penalties prescribed for the illegal appropriation or export of antiquities, the Organization may decide to ban any archaeological mission or foreign museum of antiquities from carrying out archaeological excavations in the Arab Republic of Egypt for a period of not less than five years where the participation or collaboration of any of its members in the perpetration of any of the offences indicated in this law is established.

Article 38

The Antiquities Organization and archaeological missions of Egyptian universities shall be exempted from the payment of customs duties on such tools, materials and equipment as they may import from abroad for the purposes of executing excavation work, renovating archaeological and historical buildings or equipping their museums and archaeological sites and their artistic and archaeological exhibitions.

The customs authorities shall also give clearance, on a temporary basis, to any tools and equipment introduced into the country by foreign missions for the purposes of excavation and renovation work and for field studies related to antiquities. Foreign missions shall be definitively exempted from the payment of customs duties if they sell or donate such tools and equipment to the Organization or to archaeological missions of Egyptian universities. Where a mission disposes of its tools and equipment in favour of any other party when its work is completed, it shall be liable to payment of the customs duties assessed on such tools and equipment.

Article 39

The Board of Directors of the Organization may decide to require visitors to its museums and archaeological sites to pay an admittance charge, which for foreign visitors may not exceed ten pounds per site or museum.
CHAPTER III

Sanctions and penalties

Article 40

Without prejudice to such more severe sanctions as may be prescribed in the penal code or any other law, persons contravening the provisions of this law shall be liable to the sanctions laid down in the following articles.

Article 41

Every person who unlawfully exports or participates in the exporting of an antiquity from the Republic shall be liable to a prison term at hard labour and a fine of not less than 5,000 and not more than 15,000 pounds. Moreover, the antiquity in question as well as any equipment, tools, machinery and vehicles used in the commission of the offence shall be confiscated and turned over to the Organization.

Article 42

Each of the following offences shall be punishable by a prison term of not less than five and not more than seven years and a fine of not less than 3,000 and not more than 50,000 pounds.

(a) theft or concealment of a publicly owned antiquity or part thereof or participation in theft or concealment, in which case the antiquity concerned and any equipment, tools, machinery and vehicles used in the commission of the offence shall be confiscated and turned over to the Organization;

(b) wilful destruction or damage, defacement, alteration of features or detachment of a part in respect of an antiquity or historical building, or participation in such an act;

(c) unauthorized excavation or participation in such excavation, in which case the offender shall be liable to a penalty of a prison term at hard labour and a fine of not less than 5,000 and not more than 50,000 pounds where such offender is a government employee supervising or working in the Antiquities department, an employee or worker of an archaeological mission or a contractor or employee thereof who is working on contract with the Organization.

Article 43

Each of the following offences shall be punishable by a prison term of not less than one and not more than two years and/or a fine of not less than 100 and not more than 500 pounds:

(a) removal or detachment of a publicly owned or registered antiquity from its place without the written authority of the Antiquities Organization;
(b) transformation of an archaeological building or land or any part thereof into a dwelling, compound, store or workshop, cultivation of such land or preparing it for cultivation, the planting of trees thereon, use of it as a threshing floor, the digging of drains or canals through it, the execution of any other works on it or encroaching upon it in any other way;

(c) removal of rubble, fertilizer, soil, sand, or any other material from an archaeological site or land without the authorization of the Organization, failure to observe the terms of a quarrying licence or introduction of fertilizer, soil, refuse or any other material into an archaeological site or place;

(d) wilful contravention of the terms of an archaeological excavation licence;

(e) appropriation of an antiquity and unlawful disposal of it;

(f) counterfeiting an antiquity with fraudulent or deceitful intent.

Article 44

Every person who contravenes the provisions of Articles 2, 4, 7, 11, 18, 21 and 22 of this law shall be liable to the penalties prescribed in the preceding article.

Article 45

Each of the following offences shall be punishable by a prison sentence of not less than three months and not more than one year and/or a fine of not less than 100 and not more than 500 pounds:

(a) posting of notices or advertising signs upon an antiquity;

(b) writing, inscribing or painting on an antiquity;

(c) accidental defacement of or damage to a movable or immovable antiquity or detachment of a part of such an antiquity.

Article 46

Every public employee who contravenes the provisions of Articles 18, 19 or 20 shall be liable to a prison term of not less than two years and a fine of not less than 100 and not more than 500 pounds and shall be liable for compensation for any damage resulting from his offence.

Article 47

In the case of contraventions of Articles 7, 21 and 22 the antiquities in question shall be confiscated and turned over to the Antiquities Organization.
CHAPTER IV

Final provisions

Article 48

The head of the Board of Directors of the Organization, directors of the Antiquities department, directors, deputy-directors and assistant directors of museums, supervisors and directors of archaeological districts and archaeological inspectors and assistant inspectors shall have the legal standing empowering them lawfully to sanction the offences and contraventions referred to in this law and to enforce regulations made thereunder.

Article 49

Fines that are collected in application of the provisions of this law and the changes contemplated in Articles 29 and 39 hereof shall be deposited in the fund for financing the Organization's archaeological projects and museums, and the Organization shall pay out of these revenues, compensations in amounts to be determined by the head of the Board of Directors of the Organization to every person who contributes or provides information leading to the apprehension of an offender in accordance with conditions and terms to be set forth in a decision of the Board of Directors.

Article 50

All amounts owing to the Organization pursuant to the application of this law may be collected through sequestration procedures.

Article 51

The Organization shall be responsible for co-ordinating its activities with those of organizations and departments responsible for planning, housing, tourism, public utilities and security and provincial councils, with a view to the protection of antiquities, museums and historic buildings from the dangers of mechanical stress, congestion, flooding and pollution, industrial hazards and alterations of historical and archaeological settings, and the establishment of a balance between the requirements of town-planning and those of the conservation of antiquities and the safeguarding of the heritage.

Head of the Board of Directors
Mustafa Hassan Ali