

✓ RULES GOVERNING THE EXCAVATION OF RELICS

Promulgated by the Executive Yuan on March 16, 1935.

Article 1. The present rules are prescribed in accordance with the provision of Article 18 of the By-law for the Enforcement of the Relics Preservation Law.

Article 2. The excavation of relics shall be restricted to academic institutions directly under the central, provincial or municipal authorities (hereinafter known briefly as academic institutions).

Article 3. Academic institutions desiring to excavate relics for academic research purposes shall fill in the application form for the excavation of relics and submit it to the Central Relics Custodian Commission for approval and recordation. The Commission shall request the Ministries of Interior and Education to jointly issue an excavation permit, whereupon the excavation may be carried out.

The aforesaid application form for the excavation of relics, to be prescribed by the Central Relics Custodian Commission, shall be applied for and filled out by the institution that applies for the excavation.

Article 4. Any academic institution applying for an excavation permit shall submit a permit fee and stamp tax of \$2 each through the Central Relics Custodian Commission to the Ministries of Interior and Education for the issuance of a permit.

Article 5. When excavation of relics is carried out, it shall be under the supervision of officers of the Central Relics Custodian Commission whose travelling expenses shall be paid by the academic institution that applies for the permit of excavation.

Article 6. Any foreign academic organization or private individual who extends special assistance to a Chinese academic institution in the discovery and or excavation of relics shall not participate in the work until after the latter has reported to and received permission of the Central Relics Custodian Commission.

Article 7. Before departure after receipt of a permit for the excavation of relics, academic institutions shall notify the local government concerned with official communications.

Article 8. In case the land where relics are to be excavated is publicly-owned, permission of the appropriate authorities or the agreement of its executive shall be obtained; if it is privately-owned, appropriate compensation after consultation with the local authorities shall be granted or action taken in accordance with the land expropriation law.

Article 9. No relics shall be excavated in any of the following areas:

- 1) In forts, strategic points, military depots and establishments and other related places marked off as prohibited areas where no permission of the authorities concerned is granted.
- 2) Within 15 meters of State or public structures, cemeteries, railroads, highways and important irrigation works where no permission of the authorities concerned or agreement of the executives is obtained.
- 3) In the area where excavation has already been carried out by any other academic institution.

Article 10. The excavation of relics shall not inflict damages to, or impair the value of, any ancient structures, inscriptions, statuaries, inscriptions on monuments, as well as other relics and ancient remains nearby.

Article 11. Under any of the following circumstances, the Central Relics Custodian Commission shall order the suspension of the excavation work or request the Ministries of Interior and Education to annul the excavation permit:

- 1) When excavation is not carried out within six months after the date of approval.
- 2) When excavation is participated by a foreign academic organization or private individuals without reporting and approval.

- 3) When the supervising officers of the Central Relics Custodian Commission have reported offences against any excavation rules.

Article 12. In the event that any provision of these rules is found inappropriate, the Central Relics Custodian Commission shall request the Executive Yuan to make amendemants.

Article 13. The present rules shall be put into force from the date of promulgation.

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