



MINISTRY OF CULTURE
SUPREME COUNCIL OF ANTIQUITIES

LAW NO. 117 OF 1983
AS AMENDED
BY LAW NO. 3 OF 2010
PROMULGATING THE ANTIQUITIES'
PROTECTION LAW

(Published in the Official Gazette on February 14 ,2010)

INTRODUCTION

The progress of countries is measured by their success in keeping hold of their culture and heritage, and I think Egypt is one of the very few countries in the world maintaining her cultural patrimony. We have been able, through a great effort led by Farouk Hosni, the Minister of Culture, to preserve and offer this heritage to the world as evidence of the magnificence of this great country, on whose land the most important civilization in existence was born. This civilization is in the heart of every human being on earth. The French newspaper, *Le Figaro*, published an article some time ago commending the quality of restoration and maintenance of Egyptian monuments, as well as new discoveries made by an Egyptian team.

The world is following our efforts in building museums, managing archaeological sites, conducting archaeological awareness programs and repatriating smuggled antiquities.

I think the most important issue for us all is to protect Egypt's cultural heritage, which previously was unsecured and at the mercy of looters and thieves. This spurred the construction of more than 36 warehouses with world-class maintenance, restoration and electronic guarding, and which are equipped with conservation and photography labs that make the objects within them available for scholarly use. Moreover, we started registering this heritage through a national project led by trained, conscientious youths at the Antiquities Registration Center. We created more than 29 units at

airports, seaports and border crossings in order to prevent the smuggling of antiquities from within the country after we found that most of the antiquities that leave Egypt are being smuggled through ports near Cairo and Alexandria. We also employed about 8000 new guards and for the first time they are well paid, so they will ensure the protection of Egyptian cultural heritage.

Mr. Farouk Hosni, Minister of Culture, formed a committee in 2003 with top archeologists, legal experts and public figures to change the antiquities law. We have held meetings and discussions for the last 8 years until finally we completed the preparation of this law. It was then sent to the State Council and the Council of Ministers, and then to the People's Assembly, which seek to modify the terms of law and not the law as a whole.

Among the most important of the terms under discussion is the abolishment of the agreement that foreign missions could keep 10% of their discoveries, as well as more extensive efforts to prevent and criminalize trading in antiquities and the need for citizens to register the antiquities they possess within six months of the law's promulgation. We established a new department to address this and to receive registration requests from citizens, in addition to a media campaign to make citizens aware of their responsibility to record and examine what they have. Now, the executive regulation of this law is being prepared, through which the new terms can be implemented at a high level. Some antiquities have also now been copy written for use commercially and only the Supreme Council of Antiquities is allowed to reproduce antiquities at a 1:1 scale.

I, like many archaeologists, wish that the penalty for theft and smuggling antiquities was more severe because the theft of antiquities is also theft of the honor of Egypt and Egyptian history. Regrettably, the current penalty will not deter the bleeding of antiquities out of this country. In general, however, we have taken a serious step in order to preserve the heritage of Egypt. Here I thank all the members of the People's Assembly

from the opposition, independents, and the National Party for their great interest in discussing the antiquities law and for its approval. I hope that all citizens help to maintain this heritage and guide us to any antiquities that are still at large. There will be a remunerative reward for those who preserve the heritage of their country. The memory of the homeland is the right of future generations, and our duty to them is to keep this memory alive and vibrant.

Zahi Hawass

NOTIFICATION

FROM THE LEGAL COUNSELLOR OF THE SUPREME
COUNCIL OF ANTIQUITIES

This is to notify that in accordance with the provisions of the Egyptian laws. The attached translation will be a mere guiding translation

Therefore, In case of the occurrence of any difference between the Arabic text and the translated one, reliance will be on the Arabic text .

June 2010

ACHRAF EL-ACHMAWI

LAW NO. 117 OF 1983, AS AMENDED BY LAW NO. 3 OF 2010 PROMULGATING THE ANTIQUITIES' PROTECTION LAW

In the Name of the People

The President of the Republic

After having reviewed the Constitution,

The Civil Code,

The Penal Code,

Law No. 529 for 1953 on Organization of Antiquities' Service,
amended by Law No. 192 of 1955 and Law No. 27 of 1970,

Law No. 86 for 1956 concerning mines and quarries,

Law on Customs Promulgated by Law No. 66 of 1963,

Law No. 93 of 1973 concerning the General Budget of the State,

Antiquities' Protection Law No. 117 of 1983,

Law No. 10 of 1990 concerning Expropriation of property for the
public benefit,

Law of the General Sales Tax Promulgated by Law No. 11 of 1990,

Environmental Law No. 4 of 1994,

Law on the Protection of Intellectual Property Rights Promulgated by
Law No. 82 of 2002,

Law of the Demolition of Ramshackle Buildings and Facilities and
Preservation of Architectural Heritage No. 144 of 2006,

Law of Unified Building No. 119 of 2008,

and Presidential Decree No. 82 of 1994 to establish the Supreme
Council of Antiquities,

and after the approval of the Council of Ministers,

and based on the view of the Council of State,

Decreed

The People's Assembly has approved the following Law and we have issued it.

ARTICLE I

Provisions of ARTICLE I, II and III of the promulgation Law and ARTICLES: 1, 4, 5, 6, 7, 8, 10, 16, 17, 25, 32, paragraph c of ARTICLE 34, and ARTICLES 35, 36, 39, 41, 42, 43, 44 and 45 of Antiquities' Protection Law No. 117 of the Year 1983 shall be replaced by the following provisions.

The words "Authority" and "to the Authority" shall be replaced by "the Council" and "to the Council" as well as the term "Head of the Authority" and "Antiquities' Authority" shall be replaced by "Head of the Council" and "Supreme Council of Antiquities" wherever they mentioned in the referred-to antiquities' law.

ARTICLE II

In the application of the provisions of this Law, the capitalized words and terms shall have the following meanings:

- "**Minister**" means competent Minister in culture affairs.
- "**The Council**" means Supreme Council of Antiquities.
- "**Head of the Council**" means Minister of Culture, Chairman of the Supreme Council of Antiquities' Board of Directors.
- "**Board of Directors**" means the Supreme Council of Antiquities' Board of Directors.
- "**Secretary General**" means the secretary general of the Supreme Council of Antiquities.
- "**Competent Permanent Committee**" means, according to the conditions set forth in the law, either the permanent committee concerned

with the ancient Egyptian, Greek and Roman Antiquities or the permanent committee concerned with Islamic and Coptic monuments.

- "**Antiquity Sacrum**" means places or lands adjacent to the antiquity determined by the Competent Permanent Committee to ensure protection for the antiquity.

- "**Antiquities Public Utilities Lands**" means the State-owned lands, which are proved to be archaeological lands according to archaeological evidences existing in the same.

- "**Adjacent Places or lands**" means the places or lands lying outside the range of the archaeological sites, places or lands, and it extends to any distance determined by the Council which are considered as such by a decree to be issued by the Supreme Council for Planning and Urban Development whether for inhabited areas or any other areas to ensure protection for the antiquity.

- "**Approved Beautifying Lines of the Antiquity**" means the area surrounding the antiquity and extends to a distance determined by the Council to ensure the aesthetic aspect of the antiquity. Said lands shall be treated as archaeological lands.

ARTICLE III

The Minister is entitled to issue the executive regulation and the necessary decrees to enforce Said Law.

ARTICLE IV

The following shall be added to Antiquities' Protection Law No. 117 of 1983:

- Article 5 bis,
- The sentence: "Without prejudice to the right of the owner of such real antiquity to have a fair compensation" at the beginning of Article 13,

- The sentence: "in accordance with terms and conditions set by Supreme Council for Planning and Urban Development upon recommendation from the Minister" at the beginning of Article 20,

- The sentence: "in accordance with terms and conditions set by Supreme Council for Planning and Urban" at the beginning of Article 22,

- Articles 36 bis, 44 bis, 45 bis and 52.

ARTICLE V

The provisions of Article (9) of Antiquities' Protection Law No. 117 of 1983 shall be deleted.

ARTICLE VI

This Decree shall be published in the official Gazette, and shall enter into force as from the day following the date of publication.

This Law shall be stamped with the State Seal and shall be executed as one of its laws.

Issued at the Presidency of the Republic on February 14, 2010.

President of the Republic

Hosni Mubarak

CHAPTER ONE GENERAL REGULATIONS

ARTICLE 1

In application of the provisions of this Law any real-estate or chattel is considered an antiquity whenever it meets the following conditions:

1. To be the product of Egyptian civilization or the successive civilizations or the creation of art, sciences, literature, or religions that took place on the Egyptian lands since the pre-historic ages and during the successive historic ages till before 100 years.

2. To be of archaeological or artistic value or of historical importance as an aspect of the different aspects of Egyptian civilization or any other civilization that took place on the Egyptian lands.

3. To be produced and grown up on the Egyptian lands and of a historical relation thereto and also the mummies of human races and beings contemporary to them are considered like any antiquity which is being registered in accordance with this Law.

ARTICLE 2

Any real-estate or chattel of a historic, scientific, religious, artistic, or literal value may be considered an antiquity by a decree from the Prime Minister upon recommendation of the competent Minister in cultural affairs, whenever the State finds a national interest in keeping and preserving such real-estate or chattel, this without being bound with the time limit specified in the hereinbefore article. Said estate or chattel shall hereby be registered in accordance with the provisions of said law, and in this case the owner of the antiquity shall be deemed liable for the preservation of such and has no right to make any change therein as from the date such owner is notified of said decree by a registered letter attached with a receipt.

ARTICLE 3

Lands owned by the State which were considered archaeological in pursuance to decrees or decisions prior to effecting said law or lands which are considered as such by a decree to be issued by the Prime Minister upon recommendation of the competent Minister in cultural affairs are deemed archaeological lands. By a decree from the Prime Minister upon recommendation of the competent Minister in cultural affairs, any land may be excluded from being one among the archaeological lands or public service facilities, lands set for antiquities on condition that the Council attested that such lands is free from antiquities or lies out of the lands of the beautifying line authorized for the antiquity.

ARTICLE 4

Archaeological Buildings are the buildings which were registered in pursuance to decrees and decisions prior to effecting said law or which are registered as archaeological buildings by a decree in accordance with the provisions of this law. The Council -whenever the State finds such a national interest- may adjust the status of the tenants of historic buildings or archaeological places, the expropriation of which was not determined, and related rent relationships shall be ended within one year as from the date of the procedure of status adjustment by finding suitable alternative places or giving them a fair compensation.

ARTICLE 5

Taking into consideration the provision of ARTICLE 32 of this law, the Council is the exclusive authority concerned with all that is related to antiquities' affairs at its museums and stores, at archaeological sites and areas, over or under earth's surface, at the local waters and the Egyptian

regional waters and any antiquity discovered by accident. The Council undertakes exploration and excavation in lands even if owned by others as well as any cultural, tourist, commercial or promotional activities relating to antiquities to be exercised at the archaeological sites or inside the antiquity sacrum. The executive regulation of this Law regulates the exercise of these activities realizing rehabilitation and security of the archaeological site.

ARTICLE 5 bis

The SCA has the right to terminate any contractual relationship of any occupancy, whether residential, commercial, industrial or any other occupancy at archaeological sites and areas, whoever the relationship parties are, against a fair compensation.

Presence of any type of street vendors or any type of animals in the archaeological sites is prohibited except in places and in accordance with terms and conditions stipulated in the executive regulation of this law.

ARTICLE 6

All real-estate and movable antiquities and lands which are considered archaeological lands are considered public property except the wakfs and private properties. The ownership, possession or disposal of is not permitted except in the terms and conditions stipulated in said law and its executive regulation.

ARTICLE 7

Two permanent committees are set up in the SCA, one of which is concerned with the ancient Egyptian, Greek and Roman Antiquities and the other is concerned with Islamic, Coptic and Jewish monuments. The executive regulation shall specify the formation and competences of each committee.

ARTICLE 8

Trade, sale or commerce in antiquities including all antiquities held as private property shall be prohibited in accordance with the provisions of this law or legal existing possession at the time of implementation of said law or such which originates in accordance with its provisions. The owner or the possessor of any antiquity may not dispose of, allow deterioration of or leave such except after getting a written consent from the Council within 60 (sixty) days at least in accordance with the procedures, terms and conditions, of which a resolution from the Minister is issued, otherwise such act shall be illegal.

In all cases it is provided that such trade, sale, commerce in, or disposal of any antiquity shall transferring said antiquity outside the country by any means.

The Council in all cases has the priority of having the antiquity from its owner or possessor in return for a fair compensation.

Any one owns any archaeological object in accordance with the provisions of this Law must notify the Council of such object within six months starting from the beginning of March 2010 provided that such persons are required to preserve such objects until the Council registers it.

Moreover, the Council may restitute, from its owners or possessors, antiquities taken of architectural elements whenever the Board of Directors finds a national interest and upon recommendation from the competent Permanent Committee which possessors have in return for a valuable consideration.

ARTICLE 10

By a Presidential resolution some antiquities- except the unique ones and that determined by the competent committees- may be exhibited abroad

for a specific period and some of the duplicate movable antiquities may be exchanged with states, museums or educational institutes whether Arab or foreign After taking necessary procedures to secure them adequately.

ARTICLE 11

The SCA is entitled to accept cession of corporations or individuals for their ownership of historic real-estate through donation or sale for a symbolic price or through laying such under the Council's disposal for no less than 50 (fifty) years, whenever the State finds such a national interest.

ARTICLE 12

Any antiquity is registered due to a ministerial resolution from the competent Minister in culture affairs upon recommendations of the Board of Directors. The Decree issued for the registration of the real-estate antiquity is announced to its owner or the person in charge through administrative means and is published in the Egyptian Official Gazette, and is marked as such on the margin of the real-estate register at the Real -Estate Publicity Administration.

ARTICLE 13

Without prejudice to the right of the owner of such real antiquity to have a fair compensation, registration of the such real antiquity and notifying the owner of such in accordance with the provisions of Article 11 of this law shall result in the hereinafter provisions:

1. Pulling down all or part of the real-estate or taking part of the same outside the Arab Republic of Egypt is not permitted.
2. Expropriation of land or real-estate for the interest of any other

party is not permitted, while such expropriation is permitted with regards to adjacent lands after the approval of the competent Minister in cultural affairs upon recommendations of the SCA Board of Directors.

3. Any easement of title for a third party on the real estate is thereupon not permitted.

4. Renovation of the real-estate or changing its characteristics by any means is not permitted except with a license from the Head of Council after the approval of the Competent Permanent Committee and the execution of the work he licensed be under the direct supervision of the Council representative. If the party concerned executed any work without the referred-to license, the Council undertakes returning the case to its previous state on the expense of the transgressor without prejudice to the right of having compensation and without prejudice to the penalties stipulated in this law.

5. The owner is obliged to have a written consent from the Council as to every disposal that may occur to the real-estate together with mentioning the name of the person disposed to and his place of residence. On disposal of such, the owner must notify the party disposed to that the said real-estate is registered. The Council must thereto declare its opinion within a period of 30 (thirty) days as of date of notifying the Council with the application for disposal and expiration of this time without reply from the Council is deemed a refusal from SCA.

6. The Council is entitled, at any time, to carry out on its expense whatever it deems necessary for the conservation of the antiquity.

The provisions of this Article shall remain applicable even if what in the real-estate of antiquity became movable.

ARTICLE 14

By a decree from the competent Minister in Culture affairs upon recommendation of the Council's Board of Directors and after consulting

the Competent Permanent Committee registration of the immovable antiquity or part of it may be cancelled, and the decree of cancellation shall hereupon be published in the Egyptian Official Gazette, and shall be informed to individuals and bodies that notified before of its registration. The same shall be recorded on the margin of the antiquity's register at the Council and on the margin of the real-estate register at Real-Estate Publicity Administration.

ARTICLE 15

Any existing exploitation by individuals or corporations to any archaeological site shall not result in any statue of ownership by prescription, and the Council is entitled to evacuate the same whenever it deemed such evacuation necessary against a valuable consideration.

ARTICLE 16

Upon recommendation of the competent Minister in cultural affairs and against a fair compensation, Supreme Council for Planning and Urban Development is entitled to arrange easement on real-estates adjacent to the archaeological sites and historic buildings within the Antiquity Sacrum to ensure the conservation of the aesthetic characteristics or the general appearance of said estate. The resolution issued thereto identifies the real-estate properties or parts of such resulting in one or more easements and scope of such right and constraints which consequently originate on the right of the owner or the possessor.

ARTICLE 17

Without prejudice to penalties stipulated in present law or other laws, Head of the Council or the Secretary General- exclusively- after approval of

the competent Permanent Committee is entitled to remove any infringement on any archaeological site or real-estate through the administrative means, provided that notifying the Governorate of such resolution. The competent local authorities undertake executing the resolutions of violations removal in police custody in a period not exceeding 10 (ten) days, otherwise the Council shall execute the resolution through its own authorities or other bodies upon the Council's request in police custody on the transgressor's expenses.

ARTICLE 18

Lands owned by individuals may be expropriated for their archaeological importance. It also may, by a resolution from the President of the Republic, temporarily seized until procedures of expropriation are completed. Such land shall thereby be considered in the governance of antiquity as of the date of the provisional seizure, and all this against fair compensation. The possibility of the presence of antiquity in the expropriated land is not observed in the compensation.

ARTICLE 19

Upon a request of the Board of Directors, the competent Minister in cultural affairs may issue a resolution to determine the beautifying lines of public antiquities and archeological sites. Lands lying within said lines shall be considered archaeological lands and provisions of present law shall be applicable thereupon.

ARTICLE 20

In accordance with special conditions set by Supreme Council for Planning and Urban Development upon recommendation from the Minister, granting buildings licenses at archaeological sites or lands shall not be permitted.

Other parties shall be prohibited from establishing foundations or cemeteries or digging canals or constructing roads or cultivating in the same or in the public-service facilities set for antiquities or lands lying within the approved beautifying lines. Implanting trees or the cutting of such or carrying rubble or taking soil or fertilizers or sand or the execution of any other work which result in changing the characteristics of said sites and lands shall be prohibited except with a license from the Council and under its supervision.

Provision of the previous paragraph shall be applicable on adjacent lands lying outside the scope of the sites referred to in the previous paragraph which extend to 3 (three) kilometers distance in uninhabited places or to the distance the Council determines in a way that realizes protecting the environment of the antiquity at other sites.

By a resolution of the competent Minister in culture affairs, provisions of present article may be applicable on lands of which the Council becomes evident, on the basis of studies it undertakes, of the possibility of the presence of antiquities in such. Provisions of this article shall thereto be applicable on the desert areas and places where operation of store quarries is licensed.

ARTICLE 21

Archaeological sites and lands, and buildings and places of historical importance must be observed when the lying out of cities, districts and villages where the same are found is being changed. Implementation of modernized planning or expansion or amendment in archaeological and historical areas and what belongs to it shall not be permitted except after the approval of the Council in writing with deference to easement of title arranged by the Council.

The Council must declare its opinion concerning the planning within a period of 3 (three) months as of date of submission. In case the Council does not declare its opinion within said period, the matter may be submitted to the competent Minister in culture affairs to issue a resolution thereto.

ARTICLE 22

Building in places adjacent to archaeological sites inside the inhabited area shall not be licensed except in accordance with special terms set by Supreme Council for Planning and Urban Development to the competent organ after taking the Council's approval. The competent organ must include in the license provisions which the Council sees guaranteeing the establishment of the building is in a proper way that does not predominate over the antiquity or spoil its appearance and ensure for such a suitable sanctum together with taking appropriate of the archaeological and historical environment and specifications guaranteeing protection of stated antiquity. The Council must declare its opinion in the application within a period of 60 (sixty) days as of date of submission of such otherwise the lapse of the period referred to is considered a refusal.

ARTICLE 23

Any individual who finds an unregistered real-estate antiquity must notify the Supreme Council of Antiquities of such. This antiquity is considered the ownership of the State and the Council must undertake the necessary procedures to take care of such antiquity. Within a period of 3 (three) months, the Council is entitled either to take stated immovable present in the property of individuals or undertake procedures of expropriation of the land wherein the same was found or to leave said antiquity at its place together with registering it in accordance with provisions of present law. In estimating the value of the expropriated land,

the value of antiquities found at said land is not observed. The Council may grant whoever guided to the antiquity a recompense which is determined by the Competent Permanent Committee.

ARTICLE 24

Whoever accidentally finds a movable antiquity or part or parts of an immovable monument, must give notice of such to the nearest administrative power within 48 (forty-eight) hours as of time of finding the same. Moreover, he must take good care of such antiquity till handing it over to the competent authority otherwise he is considered possessor of antiquity without license, and the authority referred to must immediately notify the Council of such.

The antiquity becomes the property of the State and the Council is thereby entitled to grant whoever found the antiquity and notified of such a recompense which is determined by the Competent Permanent Committee.

ARTICLE 25

A committee formed by a decree from the Minister, wherein the Board of Directors is represented, undertakes estimating the compensation stipulated in ARTICLE 4, 5 bis, 8, 13, 15, 16 and 18 of present law.

State Treasury shall pay referred to compensations, and those concerned may raise a complaint to the competent Minister in cultural affairs from the committee's estimation within a period of 60 (sixty) days as of date of notifying them of the compensation estimated by the committee by a registered letter with a receipt otherwise the estimation is considered final.

In all cases the action for compensation falls if such is not raised within a three years period as of date of its becoming a final estimation.

CHAPTER TWO REGISTRATION, PRESERVATION AND DISCOVERY OF ANTIQUITIES

ARTICLE 26

The Council undertakes enumerating, photographing, drawing, and registering immovable and movable antiquities together with gathering information pertaining to said antiquities in registers prepared for such uses. Registration is effected in accordance with terms and conditions of which a decree by the Board of Directors is issued. The registered antiquities are those registered at the date of effecting present law at the registers set for it.

The Council aims at generalizing archaeological survey for archaeological sites and lands and defining places and characteristics of the said and recording them on maps together with sending photocopies of such to both the competent local department and the General Authority for Urban Planning for the observance of such at the preparation of the general planning.

The Council shall prepare a register for environmental and urban data and factors affecting every archaeological site according to its importance.

ARTICLE 27

The Council undertakes preparing the registered archaeological places and sites and historical buildings for visit or study in a way that is not incompatible with their security and preservation. The Council also aims at revealing the aesthetic and historic characteristics and distinguishing features of the same.

The Council thereto employs the capabilities of archaeological sites and museums in developing archaeological awareness by all means.

ARTICLE 28

Movable antiquities shall be kept together with what entails its transference for objective considerations of architectural antiquities and all

shall be put at the Council's museums and stores. The Council undertakes organizing the exhibition therein and in its departments with scientific methods, together with preserving its contents and holding temporary internal exhibitions that are affiliated with such.

The Council is entitled to entrust the Egyptian universities with organizing and managing museums therein located or at its faculties together with ensuring the registration and security of such.

In all these cases, antiquities' museums and stores are considered among the public property of the State.

ARTICLE 29

The Council is charged with taking care of antiquities, museums, stores, and archaeological sites and areas and historical buildings besides the guarding of such through the competent police, and special watchmen and guards commissioned by the stated Council in accordance with the rules regulating such. The Council shall put a maximum limit for the extension of every inspection of antiquities in a way guaranteeing the ease of movement of such inspection in their area and enabling it to supervise its antiquities.

By a decree from the Board of Directors, the border of every archaeological site guarded by the Council shall be defined. Said may include, after consulting Ministry of Tourism, imposing admission fees to said sites provided that it does not exceed 5 (five) Egyptian pounds for Egyptians or 100 (one hundred) Egyptian pounds or what equals it of free currency in respect to foreigners. Stated fee does not detriment any that are imposed as stipulated in ARTICLE 39 of this Law.

ARTICLE 30

The Council and no other shall be concerned with the execution of maintenance and restoration work necessary for all registered antiquities and archaeological sites and areas and historical buildings.

Ministry of Religious Endowment "the Wakf Ministry", Egyptian Wakf Authority and Christian Wakf Authority shall bear expenses of restoration and conservation of archaeological and historical real-estate affiliated with and registered to such Ministry and authorities.

The Council shall bear the expenses of restoring registered historical buildings in the possession of individuals and other authorities unless the reason for restoration originating from the bad use of the possessor according to what the Competent Permanent Committee decides and in this case the possessors shall bear the expenses of restoration.

After the approval of the Competent Permanent Committee, Chairman of Council's Board of Directors may license competent authorities and scientific missions to undertake operations of restoration and conservation under the Council's supervision. Also specialized individuals may be given the license in writing to undertake such operations.

ARTICLE 31

The Council shall arrange priorities of permission for missions and authorities to excavate antiquities starting with places that are more subject to the environmental dangers and more affected by the State's projects of urban extension in accordance with an objective timetable that is decided by the Board of Directors.

ARTICLE 32

The Council undertakes discovery of antiquities located over earth surface and excavations for antiquities underground and in the local and territorial waters. According to terms and conditions stipulated in the executive regulation of this Law and after the approval of the Competent Permanent Committee, the Board of Directors may license any specialized

scientific institutions and universities, whether national or foreign, to excavate and search for antiquities in specified sites and for limited period of time due to a special license, which can not be assigned to any other party. Such license is granted only after verification of the availability of sufficient scientific, technical, financial and archaeological practical experience of the institution or the university demanding this license.

The above-mentioned provision is applicable even if the search and exploration were in a non- archaeological land.

The licensee are licensed to study, draw, photograph antiquities discovered by the same within the license period, and the right in the scientific publication about its excavations is preserved for five years as of date of its first discovery at the site.

ARTICLE 33

The Council's Board of Directors shall issue a decree with the terms and conditions which must be observed and executed at the excavation licenses so that the license includes an illustration of the boundaries of the area the search takes place, the time licensed, the minimum rate for working in such, and the insurances that must be deposited to the Council and terms for the execution of excavation together with the confinement to a special area until work in such area is completed, and the obligation to successive registration and undertaking guard and conservation of such and provide the Council with a complete registration and a comprehensive scientific report about the work to be licensed.

ARTICLE 34

License for foreign missions to search and excavate antiquities shall be subject to the following rules:

a) Each mission is obliged to restore and preserve whatever it undertakes discovering of architectural and movable antiquities, one after the other and before the end of its working season, this under the supervision of the competent organs at the Council and with their cooperation.

b) The association of the plan of every foreign mission for archaeological excavation work in Egypt with a complementary one wherein the mission undertakes any restoration work to present antiquities which were previously discovered, or whatever suits its capabilities of archaeological survey, enumeration, and registration of areas wherein it works or those nearby. This is executed with the approval of the Council or in cooperation with it.

c) The Competent Permanent Committee is entitled to estimate the work of any licensed authority.

ARTICLE 35

All discovered antiquities found by any of the foreign or Egyptian scientific excavation mission are the property of the State.

ARTICLE 36

All rights of intellectual property and trademark and the exploitation of such for the Council's benefit provided by Act No. 82 of 2002 are applicable to archaeological replica produced by the Council and photos of archaeological objects and sites owned by the Council. Rules set forth in this regard are stipulated by the executive regulation of the present law.

ARTICLE 36 bis

For achievement of its objectives, the Council is entitled to establish production units of a special nature. Rules for establishment and work

system of such production units are stipulated by the executive regulation of the present law.

ARTICLE 37

By a decree from the Council's Board of Directors, working licenses granted to any authority or mission for work in excavations may be terminated for transgressions made during their work without prejudice to penalties stipulated for the appropriation of antiquities without a right, or the smuggling of such. The Council may prevent any archeological mission or any foreign antiquities museum from practicing archaeological excavations at the Arab Republic of Egypt for a period not less than 5 (five) years if participation or assistance of any of its members in committing any crime of those referred to in this law was proved.

ARTICLE 38

The Supreme Council of Antiquities and missions of Egyptian Universities shall be exempted from custom duties on instruments, equipments and sets imported from abroad for work of excavations, restoration of archaeological and historical buildings and preparation of museums, antiquities centers affiliated with the same and artistic and archaeological exhibitions. The Customs Administration shall thereto release on provisional bases instruments and sets imported to the country by foreign missions for excavations, restoration and natural studies pertaining to antiquities for using the same in their set uses. These missions shall be completely exempted from custom duties in case they dispose of or transfer these instruments or sets to the Council or to archaeological missions at Egyptian Universities. The mission shall bear the value of stipulated customs duties if it disposed of said instruments or sets after the termination of its work to other than these organs.

ARTICLE 39

By a resolution from the Minster after the approval of the Council's Board of Directors, admission fees shall be defined for visiting museums and archaeological sites for Egyptians and foreigners. Said fees shall not exceed 1000 Egyptian Pounds for Egyptians and 5000 Egyptian pounds or what equals it of free currency in respect to foreigners.

CHAPTER THREE PENALTIES

ARTICLE 40

Without prejudice to any severer penalty stipulated by the penal law or any other law punishing, for the violation of the provisions of present law, by the penalties stated in the hereinafter articles.

ARTICLE 41

Whoever smuggles an antiquity outside the republic of Egypt, together with his knowledge of such act shall be punished by intensive imprisonment and by a mulct not less than 100,000 (one hundred thousand) Egyptian Pounds and not more than one million Egyptian Pounds. In this case the antiquity, object of the crime, shall be confiscated together with sets, instruments, machinery, and cars used in said crime for the benefit of the Council.

ARTICLE 42

Whoever steals an antiquity or part of such, whether this antiquity is a registered antiquity owned by the State, under registration or discovered through archaeological excavations of the Council or licensed missions, bodies or universities work for the purpose of smuggling such shall be punished by imprisonment and by a mulct not less than 50,000 (fifty thousand) Egyptian Pounds and not than 500,000 (five hundred thousand) Egyptian Pounds. Whoever hide an antiquity or part of such for the purpose of smuggling it shall be punished by imprisonment for not less than 7 (seven) years. In all cases the antiquity, object of the crime, shall be confiscated together with sets, instruments, machinery, and cars used in said crime for the benefit of the Council.

The following shall be punished by imprisonment for not less than one year and not more than 7 (seven) years and by a mulct not less than 50,000

(fifty thousand) Egyptian Pounds and not more than 100,000 (one hundred thousand) Egyptian Pounds:

1. Whoever intentionally pulls down or damages or spoils or changes the distinguishing features of a movable or immovable antiquity or intentionally separates part of the same.
2. Whoever executes archaeological excavation for the purpose of finding antiquities without license.

Penalty in the above-mentioned cases shall be by imprisonment and by a mulct not less than 100,000 (one hundred thousand) Egyptian Pounds and not more than 250,000 (two hundred fifty thousand) Egyptian Pounds if the doer is one of those working in the Supreme Council of Antiquities or officials or workers of excavation missions or of the contractors having a contract with the Council or their workers.

ARTICLE 42 bis

Whoever steals an antiquity or part of such that is owned by the State shall be punished by imprisonment for a period not exceeding 7 (seven) years and by a mulct not less than 50,000 (fifty thousand) Egyptian Pounds and not more than 250,000 (two hundred and fifty thousand) Egyptian Pounds. Except for the mulct penalty, whoever hide an antiquity or part of such if obtained from any crime shall be punished by imprisonment for a period not exceeding 5 (five) years. In all cases the antiquity, object of the crime, shall be confiscated together with sets, instruments, machinery, and cars used in said crime for the benefit of the Council.

ARTICLE 43

The following shall be punished by imprisonment for a period not less than one year and not more than 5 (five) years and by a mulct not less than

10,000 (ten thousand) Egyptian Pounds and not more than 100,000 (one hundred thousand) Egyptian Pounds:

1. Whoever transfers, without a written permission from the Council, an antiquity owned by the State or a registered antiquity or intentionally tears the same off its place.

2. Whoever transfers archaeological buildings or lands or parts of such to a residence or yard or store or factory or cultivates the same or prepares it for cultivation or implants trees therein or makes a barn or digs drainage or irrigation canals or sets in the same by any other such work or infringes upon the same by any other means without license in accordance of the provisions of this law.

3. Whoever counterfeits one of the ancient antiquities with the aim of deception or fraud.

ARTICLE 44

Whoever violates provisions of ARTICLES 6, 8, 13, 17 and 20 of this law shall be punished by penalties stated in ARTICLE 43 of this law. In all cases the antiquity, object of the crime, shall be confiscated together with sets, instruments, machinery, and cars used in said crime for the benefit of the Council.

ARTICLE 44 bis

Whoever violates provisions of ARTICLE 5 bis, 24 and 36 of this law shall be punished by imprisonment for a period not more than one year and by a mulct not less than 5,000 (five thousand) Egyptian Pounds and not more than 20,000 (twenty thousand) Egyptian Pounds or one of either above-mentioned penalties. In all cases the antiquity, object of the crime,

shall be confiscated together with sets, instruments, machinery, and cars used in said crime for the benefit of the Council.

ARTICLE 45

The following shall be punished by imprisonment for a period not more than one year and by a mulct not less than 1,000 (one thousand) Egyptian Pounds and not more than 50,000 (fifty thousand) Egyptian Pounds or one of either above-mentioned penalties:

1. Whoever puts advertisements or propaganda posters on the antiquities.

2. Whoever writes or inscribes on the antiquity or puts paints on such.

3. Whoever spoils or damages an immovable or a movable antiquity or separates part of such.

4. Whoever appropriates rubble or fertilizers or soil or sand or other materials from an archaeological site or land without license from the Council or exceeds terms in the license granted to him in quarries or brings to the site or archaeological place fertilizers or soil or waste or other materials.

In all cases the guilty is obliged to pay a compensation for the damages originating from the violation.

ARTICLE 45 bis

Whoever notified the competent authorities or investigation bodies of his crime before proceeding to investigate shall be exempted from the penalty stated in ARTICLES 41 and 42 of this law. The court may exempt the guilty from the penalty if the said admitted his guilty of the crime that leads to confiscation of the antiquities, subject of the crime, or helps to repatriate such antiquity whether locally or abroad.

ARTICLE 46

Whoever violates provisions of ARTICLE 18, 19 and 20 of this law from those working in the State shall be punished by imprisonment for a period not less than two years and by a mulct not less than 100 (one hundred) Egyptian Pounds and not more than 500 (five hundreds) Egyptian Pounds together with obliging him to pay a compensation for the damages originating from the violation.

ARTICLE 47

In case of violation of ARTICLES 7, 21 and 22, the antiquities shall be confiscated for the benefit of the Supreme Council of Antiquities.

CHAPTER FOUR FINAL REGULATIONS

ARTICLE 48

Head of the Council's Board of Directors, antiquities directors, museums directors, assistant curators, superintendents, directors of archeological areas, antiquities inspectors and assistant inspectors are entitled to enjoy the quality of judicial arrests with regards to impounding crimes and violations stipulated in this law and decrees issued in implementation of said law.

ARTICLE 49

Mulcts stipulated in accordance with provisions of present law and fees prescribed in ARTICLES 29 and 39 of this law shall go to the fund financing antiquities and museums projects at the Council. The Council may grant recompenses from revenues of these sums, which the Head of the Board of Directors decides to whoever participates in guiding or impounding violations, this is in pursuance to terms and conditions of which a decree from the Council's Board of Directors is issued.

ARTICLE 50

All sums payable to the Council in the application of present law may be collected through administrative confiscation.

ARTICLE 51

The Council undertakes coordinating work among authorities and bodies concerned with planning, housing, tourism, public utilities, security and councils of governorates in a way guaranteeing the protection of antiquities, museums, and historical buildings from shakes, shocks and reasons for leak and pollution, industrial danger and its historical and archaeological environment in a way realizing the balance between urban needs and the necessity of preserving antiquities and heritage.

ARTICLE 52

The Council is the authority entitled to form technical and archaeological committees which shall examine the archaeological objects, subject of the crimes. Said committees shall prepare technical and archaeological reports on the results of such examination and shall submit the same to the courts and investigation bodies. Procedures to form said committees are regulated by the executive regulation of the present law.