

EXPORT OF ANTIQUITIES RULES, 1979

Islamabad the 19th August , 1979

S.R.O. 744 (I)79 - The following Export of Antiquities Rules, 1979 are hereby published in exercise of the powers conferred by section 37 Antiquities Act 1975 (VII of 1976) and in supersession of the Export of Antiquities Rules, 1969.

RULES

1. These rules may be called the *Export of Antiquities Rules, 1979*.

2. (1) In these rules, unless there is any thing repugnant in the subject or context,-

- (a) "Act" means the Antiquities Act, 1975 (VII of 1976);
- (b) "export licence" means an export licence granted under rule 4;
- (c) "form" means a form appended to these rules; and
- (d) "section " means a section of the Act.

(2) All words and expressions used but not defined in these shall have the same meaning as are assigned to them in the act.

3. (1) Any person having in his possession any antiquity may, if he intends to export it, apply for the grant of an export licence to the Director General :-

- (a) in the case of temporary export of an antiquity for the purpose of exhibition, examination or treatment for presentation under clause (a) of sub-section (1) of section 26, in form A;
- (b) in the case of export of an antiquity in accordance with an agreement with a foreign licensee for archaeological exploration or excavation within the terms of his licence under clause (b) of sub-section (I) of section 26, in form B; and
- (c) in the case of export of an antiquity which is not unique in nature in exchange for an antiquity of any foreign country under clause (c) of sub-section (1) of section 26, in form C.

(2) An application made under sub-rule (1) shall be accompanied by a fee of fifty rupees and two sets of photographs of the antiquity to be exported:

Provided that no fee shall be payable in respect of an application made by a foreign licensee for the export of an antiquity in terms of clause (b) for sub-section (I) of section 26, or for the export of an antiquity by or on behalf of the Federal Government.

(3) An application made under clause (a) of sub-rule (1) shall be accompanied by a bank guarantee for an amount equivalent to the value of the antiquity as a

security for the return of that antiquity to Pakistan within the period specified in sub-rule (I) of rule 7 unless extended by the Director General under the provision to that sub-rule:

Provided that if the Director General considers that the value of the antiquity has not been properly assessed, he shall re-assess it and ask the applicant to furnish a fresh bank guarantee for the value of the antiquity so re-assessed by him:

Provided further that no bank guarantee shall be required in the case of export of an antiquity by the Federal Government, a provincial Govt. or a Corporation set up by or under the authority of a Federal or provincial law.

4. On receipt of an application, the Director General may, before granting an export licence, ask for such information as he thinks fit, and require an antiquity to be produced before him or before any person authorised by him for the purpose of inspection.

5. An export licence shall be issued in form D, and shall be valid for a period of one month from the date of issue and may be renewed by the Director General.

6. An export licence shall not be transferable.

7. (1) An antiquity exported temporarily for preservation under clause (a) of sub-section (I) of section 26 shall be returned to Pakistan within a period of six months from the date of its export:

Provided that the Director General may extend the period for the return of the antiquity to Pakistan by a period not exceeding six months.

(2) If the antiquity is not return to Pakistan within the period specified in sub-rule (I) or within the extended period under the provision to that sub-rule, the amount of the bank guarantee furnished by the holder of the export licence shall stand forfeited to the Federal Government, and such holder shall also be liable to punishment under section 32.

8. The export of an antiquity in exchange for an antiquity of a foreign country shall be allowed only if the Director General is satisfied that-

- (a) the antiquity being exported is not unique;
- (b) the antiquity being imported in exchange from a foreign country will be useful for the dissemination of knowledge in Pakistan; and
- (c) the exchange of antiquities has been approved by the Federal Government.

9. The holder of the export licence shall, within fifteen days of the date of expiry of the export licence, inform the Director General in writing whether the antiquity has been exported, and, if the antiquity has been exported, shall furnish documentary evidence in support of his statement.

10. If an officer of customs has any doubt as to whether any product object or thing which is being exported is an antiquity for the purposes of the Act, he may refer the matter to the Director General with a full description of the product, object or thing, and shall produce it before the Director General or any person authorized by him, and the Director General shall communicate his decision to the officer of customs,

11. If the product, object or thing is, in the opinion of the Director General, an antiquity, he shall issue a certificate in form E.

12. If the owner of the product, object of thing is aggrieved by the decision of the Director General, he may request the Director General in writing to refer the matter to the Federal Government, and, on receiving such request, the Director General shall submit the case to the Federal Government for its decision under section 4.

ANTIQUITIES ACT, 1975 (VII OF 1976)

[See rule 3(1)(a)]

FORM 'A'

Application for licence for temporary export of an antiquity for the purpose of exhibition, examination or treatment for presentation under section 26(1) (a)-

1. Name and address of applicant (in block letters)
2. Name and address of the owner of the antiquity.
3. Name and address of the consignee (in block letters)
4. Full description of the antiquity.
5. Source from which the antiquity was obtained.
6. Value of the antiquity.
7. Name of the Bank and amount of bank guarantee (enclose bank guarantee in original).
8. Two sets of the photographs of the antiquity are enclosed.
9. Purpose for which it is desired to export the antiquity.
10. Date by which the antiquity will be returned to Pakistan.
11. Proposed date and method of export(if exported through agent, give name and address of agent).

I hereby certify that the information given in this application is correct.

Signature of applicant

Date

ANTIQUITIES ACT, 1975 (VII OF 1976)

[See rule 3 (I) (b)]

FORM 'B'

Application for licence for export of an antiquity by a foreign licensee under section 26 (1) (b).

1. Name and address of the foreign licensee (in block letters).
2. Name and address of the consignee (in block letters).
3. Proposed date and method of export (if exported through agent, give name and address of agent).
4. Full description of the antiquity.
5. Place from which the antiquity was recovered.
6. Two sets of the photographs of the antiquity desired to be exported are enclosed.

I hereby certify that the information given in this application is correct,

Signature of applicant

Date

ANTIQUITIES ACT, 1975 (VII OF 1976)

[See rule 3 (I) (c)]

FORM 'C'

Application for licence to export an antiquity in exchange of antiquity from a foreign country under section 26 (I) (c).

1. Name and address of the application / institution (in block letters).
2. Name and address of the owner of the antiquity.
3. Name and address of the foreign institution receiving the antiquity.
4. Proposed date and method of export (if exported through agent, give name and address of the agent).
5. Full description of the antiquity in respect of which the application is made.
6. Two sets of the photographs of the antiquity desired to be exported are enclosed.
7. Full description of the antiquities to be received in exchange.
8. Two sets of photograph of the antiquity to be in exchange are enclosed.
9. Whether exchange of antiquity-antiquities has been approved by the Federal Government? If so, enclose approval in original.

I hereby certify that the information given in this application to the best of my knowledge and belief is correct.

Signature of applicant

Date

ANTIQUITIES ACT, 1975 (VII OF 1976)

(See rule 5)

FORM 'D'

Licence to export an antiquity/antiquities.

No. of licence.....date of issue.....

This licence is hereby granted to Mr.....
(here give name and address of the owner).....
to export out of Pakistan (here describe the antiquity), which is an antiquity for the
purpose of the Antiquities Act, 1975 (VII of 1976), through (here give the name
and address of the agent) to the (name and address of the consignee and the
country) under clause (a)(b) (c) of sub-rule (1) rule 3 of the export of antiquities
rules, 1979.

This licence is valid upto

Director General of Archaeology, Pakistan.

Date.....

Number of licence.

ANTIQUITIES ACT, 1975 (VII OF 1976)

(See rule 17)

FORM 'E'

CERTIFICATE

1. Name and address of the owner.
2. Full description of the product(s)/object(s)/thing(s).
3. Certified that the product(s)/object(s)/thing(s) described above is an
antiquity/are antiquities for the purposes of the antiquities Act, 1975
(VII of 1975)

Director General of Archaeology, Pakistan.