

ANTIQUITIES RULES

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Chapter 5, section 30

(1st February, 1930)

Short title.

The Archaeological Board, its composition and procedure and the matters to be brought before it.

Amended 1950.

1. These rules may be cited as the Antiquities Rules.
2. (1) The composition of the Archaeological Advisory Board shall be as follows:
 - (a) seven representatives of the Government, viz: the Minister of Education and Culture or his representative; the Minister of Religious Affairs or his representative; the Minister of Labour and Popular Insurance or his representative; the Director and three other representatives of the Government, to be appointed by it;
 - (b) eighteen representatives of the public, to be appointed by the Minister of Education and Culture after consultation with the Director.
- (2) The names of the representatives of the public shall be published in *Reshumot*.
- (3) A representative of the public shall hold office for one year from the day of his appointment, but the Minister of Education and Culture may re-appoint him after the expiration of his term of office.
- (4) A representative of the public may resign by giving written notice to the Director.
- (5) The Minister of Education and Culture may discontinue the membership of a representative of the public if the representative has been absent, without cause deemed reasonable by the Minister, from two out of consecutive meetings of the Board.
- (6) The Minister of Education and Culture or a member of the Board appointed in that behalf by the Government shall act as Chairman of the Board.

6. Since 1951 this Ministry has been called the Ministry of Labour.

The Director shall act as Deputy Chairman of the Board and shall appoint the Secretary thereof.

- (7) The Director may bring before the Board, for consideration and opinion, all matters of archaeological or historical importance, and he shall bring before it as aforesaid the following matters:
 - (a) applications for licences to excavate;
 - (b) projects for the conservation of historical monuments.
- (8)
 - (a) The Chairman of the Board or his Deputy shall convene the Board as may be necessary and shall prescribe the time, place and agenda of the meeting.
 - (b) An invitation to each meeting of the Board shall be sent to all the members thereof not less than seven days before the date of the meeting and shall set out the agenda thereof.
 - (c) Nine members, including the Chairman or his Deputy, shall be a quorum at the meetings of the Board.

Licences to conduct archaeological excavations.

3.
 - (1) A licence to excavate shall be valid only until the 31st December of the year in which it is issued, unless it is otherwise specially endorsed by the Director.
 - (2) The holders of licences to excavate who desire to continue their excavations after their licences become invalid shall apply for the renewal of their licences.
 - (3) An application for a licence to excavate or a renewal of such licence shall be made in writing to the Director at least one month before the licence or the renewal is required.
 - (4) Licences to excavate shall be produced on demand to any district or police officer and to any officer of the Department.
 - (5) A licence to excavate shall be subject to the following conditions, in addition to those prescribed in Part III of the Antiquities Ordinance, and to any special conditions contained in the licence, —
 - (a) the antiquities found in the course of excavation shall be divided between the Department and the holder of a licence at the end of each season's work;
 - (b) the holder of the licence shall inform the Department in writing of the date on which he desires the division to be made, not later than fourteen days prior to that date, and shall submit at the same time —
 - (i) a complete list of all the antiquities discovered, suffi-

ciently descriptive to make it possible to identify each object and showing the number allotted to each by the excavator, such number being legibly written on the object or on a label securely attached to it; and
(ii) a note explaining the excavator's system of numbering, accompanied by such sketch plans, sections and other information as will provide a record of all architectural remains and of the circumstances attending the discovery of each object, such as position in the excavation, and associated objects;

(c) no division shall take place until the information prescribed above has been given, and no licence to export antiquities shall be granted until a division is made: Provided that, if in the opinion of the Director it is necessary for scientific or other reasons to postpone the division, such licence may be granted before the division is made;

(d) the information will not be communicated or published by the Department without the consent of the excavator until a period of two years has elapsed after the close of his excavations;

(e) the excavator shall not subject antiquities discovered by him in the course of his excavations to any chemical or electrolytic process of cleaning unless he has previously obtained permission in writing to do so from the Director: Provided that the excavator may employ preservative measures, such as the use of paraffin wax, to consolidate objects.

- Licences to deal in antiquities.
Amended 1958.
4. (1) An application for a licence to deal in antiquities (hereinafter referred to as a "licence") and an application for renewal of a licence shall be submitted in writing to the Director, stating the name of the applicant, his private address and his business address. The applicant shall add to the application for a licence a copy signed by him of an inventory, up to date in accordance with these Rules.
- (2) Upon the submission of an application under subrule (1), a licence fee or licence renewal fee shall be paid at the rate of five pounds per annum. If the application is rejected, the fee shall be refunded to the applicant.
- (3) The grant of a licence is left to the discretion of the Director, and the Director may revoke a licence if it appears to him that the licensee does not comply with the provisions of

these Rules or is unfit to hold a licence for any other reason whatsoever.

- (4) A licence shall not be granted for a period exceeding one year. Every licence shall expire on the 1st of January of every year, irrespective of the date on which it was granted.
- (5) A licence shall be available only for the person in whose name it is made out:
Provided that upon notification to the Director of the death of the licensee and of the names of his heirs or representatives, such heirs or representatives may continue to act under the licence for a period not exceeding one month from the death of the licensee.
- (6) A licence shall be prominently exhibited at the licensee's place of business.
- (7) Where the Director has revoked, or refused to renew, a licence, the licensee shall return it to the Director or to a State employee empowered by the Director in writing in that behalf.

Duties of 4A.
licensee.

- (1) A licensee shall not sell antiquities save at the place specified in the licence.
- (2) A licensee shall mark every antiquity on sale at his place of business with the same serial number as appears in the inventory maintained under these Rules.
- (3) The licensee shall maintain an inventory, in two copies, and shall record therein, in the form set out in Part I of the Schedule (see p. 19), every antiquity on sale at his place of business. The inventory shall be up to date, and every antiquity shall be recorded therein immediately upon acquisition.
- (4) Where a licensee sells replicas of antiquities done in plaster, metal or any other material, such replicas shall be exhibited in a special cabinet, or in some other special receptacle, which shall bear a large label indicating that the articles exhibited therein are replicas of antiquities. The licensee shall maintain, in the form set out in Part II of the Schedule, an up-to-date special inventory of such replicas as aforesaid, and the provisions of these Rules relating to inventories shall apply also to inventories under this subrule.
- (5) Once in three months, a licensee shall send a copy of the inventory, signed by him, to the Director.
- (6) An employee of the Department of Antiquities of the Ministry of Education and Culture may, at any reasonable time,

inspect any place in respect of which a licence has been granted, and the licensee shall extend to such an employee every facility required for the inspection of any antiquity and of the inventory in the licensee's possession, and he shall give the employee any such information as he may request. Upon the termination of every inspection as aforesaid, the inspecting employee shall sign the inventory and shall indicate therein the date of the inspection.

(7) A licensee who owns any antiquity the exportation of which is prohibited under section 16 of the Antiquities Ordinance shall —

(a) inform the purchaser of such antiquity of the prohibition, and

(b) communicate to the Director the purchaser's full name and his address in Israel on the day of the sale.

(8) A licensee shall inform every purchaser of antiquities that it is necessary to obtain a licence to export antiquities and shall exhibit prominently at his place of business, and draw the attention of purchasers to, any notice relating to the exportation of antiquities which the Director may supply for the purpose.

Licence to export
antiquities and
export fee.

5. (1) Application for a licence to export antiquities shall be made in writing to the Director, giving the following particulars —

(a) a list of the antiquities, containing a description of each object sufficient for identification;

(b) a declaration of the value of each object.

(2) An applicant for a licence to export antiquities shall give any further information regarding such antiquities that the Director may require.

(3) Before a licence to export antiquities is granted, an applicant for such licence shall pay to the Department an export fee on the value of the antiquities, at the rate in force from time to time.

(4) The fee on the exportation of antiquities shall be at the rate of ten per cent on the declared value of the antiquities, or if the Director disputes the declared value, then at the value to be fixed by an independent appraiser appointed by the Board.

Prohibition on the
import of antiquities
from Syria save
under licence.

6. No antiquity shall be permitted to enter Palestine from Syria or the Grand Lebanon unless its exportation has been sanctioned by a licence issued by the competent authority in the country of export.

**SCHEDULE
(Rule 4A)**

**Part I
Inventory Form for Antiquities**

Serial number	Description of antiquity	In case of discovery		In case of purchase etc.			Sale of antiquity				Remarks			
		Manner of acquisition (purchase, discovery etc.)	Place of discovery	Date of discovery	From where acquired by seller	Name of seller	No. of identity card or passport	Address of seller	Signature of seller	Name of purchaser		No. of identity card or passport	Address in Israel and abroad	Date of sale

**Part II
Inventory Form for Replicas of Antiquities**

Serial number	Article from which replica was made	In case of replica ordered by the dealer			Material of which replica consists	In case of acquisition of replica				Sale of replica				Remarks	
		Name of maker of replica	Address	Date of making		Name of seller	No. of identity card or passport	Date of acquisition	Signature of seller	Price paid to maker or seller	Date of sale	Name of purchaser	No. of identity card or passport		Price paid by purchaser