



PEOPLE'S DEMOCRATIC REPUBLIC OF YEMEN

MINISTRY OF CULTURE AND GUIDANCE

Department of Antiquities and Museums

ANTIQUITIES AND MUSEUMS LAW

LAW No. 13 of 1970

1st Edition

UNESCO Cultural Heritage Laws Database
(Copyright and Disclaimer apply)

Part I

Interpretation and General Provisions

1. This Law may be cited as the Antiquities and Museums Law, 1970.

2. For the purpose of this law, unless the context otherwise requires, the following words and expressions shall have the meanings hereunder assigned to them :—

“Republic” means the People’s Republic of Southern Yemen.

“Minister” means the Minister of Culture and Guidance.

“Department” means the Department of Antiquities and Museums which duties are to preserve antiquities, establish and organise museums in the Republic and shall solely be responsible for determining the Archaeological value of objects, historic buildings and sites, and for registering, protecting, conserving, studying and making use of antiquities in accordance with the provisions of this Law. It shall be run by special regulations to be approved by the Council of Ministers.

“Director” means the Director of Antiquities and Museums.

“Museum” means any building used at present or in future to display antiquities connected with cultural heritage, arts, national custom and traditions.

“Antiquity” means :—

(a) all movable and immovable property erected, made, inscribed or written by human agency prior to 200 years ago.

(b) Antiquities Authorities may also consider as antiquity such movable and immovable property which is less than 200 years old, if they have reason to believe that public interest renders its preservation necessary because of its historical or artistic value on condition that this be done by a resolution from the Minister to be published in the *Official Gazette*.

“Immovable Antiquity” means the antiquity erected on and attached to soil such as building, mound and any other object connected with structures and constituting a part thereof.

“Movable Antiquity” means the antiquity detached from soil and building which can easily be transported from one place to another such as sculptures, coins, pictures inscriptions and manuscripts and all other objects illustrating aspects of sciences, arts, crafts, literatures and traditions.

3. All antiquities, movable or immovable, found in the Republic, be they on or beneath soil surface, shall be considered State Common Property. No individual or individuals or groups are allowed to dispose of, claim ownership or sequester such property except under the provisions and conditions of this Law.

4. Ownership of the land shall not entitle the owner to dispose of the antiquities found on or ben-

Part III

Movable Antiquities

13. Any person who discovers a movable antiquity or knows of such discovery, shall, within a month's time, report it to the nearest government authority, who shall obtain possession of the antiquity and send it to the Department, together with all relevant information and as early as possible, The Department shall estimate a suitable reward to the person who has discovered the antiquity or known of its discovery.

14. No movable antiquities shall, in any form be destroyed or disfigured.

15. No movable antiquities shall be forged, produced, imitated or made moulds or models of to traffic therewith.

16. No movable antiquities shall, in any form be trafficked.

17. No movable antiquities shall be exported.

18. No state owned movable antiquities shall be sold or present save that some movable antiquities which can be dispensed with and of which duplicates are available, may be exchanged with foreign museums, institutions and scientific foundations; provided that such an exchange shall attain a scientific or historical end to assist in enhancing the value of collections in the museums of the Republic. Such an exchange shall be made after a justifiable proposition has been submitted by the Department to the Minister for approval.

Part IV

Registration of movable Antiquities and Restrictions imposed on private ownership

19. Any person who is in possession of any movable antiquity including manuscripts shall register them with the Department within one year from the date of issue of this Law, and shall be given a written statement showing the registration number.

20. The owner of a registered movable antiquity shall keep with him a register similar to the one in the Department, which shall contain the following details :—

- (a) brief description of the antiquity and a number identical with that in the register of the Department.
- (b) its provenance .
- (c) how it has been acquired and the date of its acquisition, and the cost if purchased prior to the issue of this Law.

21. The Department shall have priority in purchasing a movable antiquity, should it decline to do so, ownership of the antiquity may be transferred under the supervision of the Department and with its knowledge.

22. The Department shall at all appropriate times inspect the registered antiquities in the possession of individuals, and examine the statement and register mentioned in Sections 19 and 20 of this Law.

23. The Department shall be entitled to receive antiquities legally registered for the purpose of

research, study, copying or photographing, provided that the owner be given a receipt showing the necessary required period for such a purpose.

24 The Department shall confiscate any movable antiquity not registered by its owner within the period specified in Section 19 of this Law.

25. The Department shall acquire any registered movable antiquity for historical, artistic or national reasons, provided that the owner be compensated after the value of the antiquity has been estimated by a technical board.

26. The owner shall conserve and preserve the antiquity under the supervision of the Department. In the event of his failure to do so, the Department shall confiscate the antiquity.

Part V

Excavation for Antiquities and Conducting soundings and Surveys

27. The Department alone shall have the right to excavate for antiquities or grant permits to scientific organizations to carry out excavations in accordance with this Law and with the approval of the Minister.

28. Permit to excavate shall be granted after ascertaining that the organisation applying for the said permit satisfy the following conditions:—

- (a) scientific and technical competence.
- (b) financial capacity.
- (c) objects of excavation.
- (d) the application shall contain the name of the organization, the names of its personnel and their academic qualifications and past experience.

(e) name of the site proposed for excavation.

The organization shall be composed of:—

- (a) a director with experience in archaeological excavations.
- (b) a surveyor.
- (c) a photographer.
- (d) an epigraphist.
- (e) a conservationist.

The Department may relax some of the above if it thinks that the nature of the proposed site does not require all the conditions.

29. The organization shall be bound by Labour Ordinances and procedures applicable in the Republic with regard to workmen wages and protection.

30. The Director shall study the application and and submit it to the Minister for approval.

31. An excavation permit granted shall be valid for one year and may be renewed in writing to the Director, provided that the period of actual excavation shall not be less than three months.

32. The permit holder shall comply with the following conditions :—

- (a) to provide the excavating expedition with all the equipment necessary for surveying, excavating, photographing and conserving of antiquities by recognized scientific methods;
- (b) to send reports showing the stages of excavation and the results thereof;
- (c) to draw maps and take the necessary photographs of all discovered structures, provided that these shall be clear and containing details that show the condition of the structures at the time of discovery;
- (d) he shall not demolish or remove any part of the structures unless and until consultation has been made with the Department and approval obtained thereof;
- (e) he shall keep a register containing a number for the discovered antiquity together with a brief description and illustrated with photographs ;

(f) he shall take all necessary precautions for the conservation of any immovable antiquities discovered in the site and shall arrange for the packing and transporting of movable antiquities from the site to the Department ;

(g) he shall produce to the Department, at the end of the excavation work, a preliminary report of the results of the excavation, together with maps, plans and photographs that have been done at the site ;

(h) he shall be accompanied by a representative of the Department, who shall have the right to observe and be acquainted with all stages of excavation, and shall be allowed to keep a register similar to the one of the excavating organization ;

(i) he shall undertake to pay all expenses covering the representative's transport fares and full boarding and shall also pay him daily allowances in accordance with the financial regulations applicable in the Republic ;

(j) he shall be responsible for the safeguard of the site during the period specified in the permit and until he has finally completed his work at the site.

33. The Minister may, on the request of the Director and in certain circumstances, restrict the excavation permit with some conditions other than those mentioned in previous sections of this Law, provided that is made clear to the applicant for the permit and laid down in the contract .

Part VI
Penalties

39. An imprisonment for a period not exceeding two years and not less than two months or a fine of not more than two hundred dinars and not less than twenty dinars or both such imprisonment and fine shall be imposed upon any person who :—

- (a) commits any act prohibited under this Law or under any resolution issued therewith, or
- (b) fails to perform any act that is required of him in accordance with this Law, or
- (c) disfigures, destroys, imitates or produces to traffic therewith or effaces or removes or conceals any antiquity, or
- (d) repairs without permission any immovable antiquity or any part thereof or any movable antiquity; or
- (e) steals any antiquity.

40. Any person who discovers an antiquity or knows of its discovery and fails to report it or state the circumstances of the discovery or the origin of the antiquity, or wilfully makes a false statement of such circumstances or of such origin, shall be liable to an imprisonment for a period not exceeding one month or a fine of not more than twenty dinars or to both such imprisonment and fine .

41. All antiquities for which the contravention of this Law is committed shall be confiscated.

42. Any person who smuggles or attempts or assists to smuggle antiquities outside the Republic,

shall be liable to an imprisonment for a period not exceeding two years and not less than three months or to a fine of not more than five hundred dinars and not less than one hundred dinars or to both such imprisonment and fine .

43. Any person who contravenes the provisions of Section 16 of this Law, shall be liable to an imprisonment for a period not exceeding two years and not less than three months or to a fine of not more than three hundred dinars and not less than fifty dinars or to both such imprisonment and fine, and all antiquities intended to traffic therewith shall be confiscated.