

General Report

I.1 Introduction

Egypt


a. Country:

- Organisation *SUPREME COUNCIL OF ANTIQUITIES
(SCA),*
- Person responsible *Prof. Dr. GABALLA ALI GABALLA,
Secretary General of SCA*
- Address *4 Dr. Fakhry Abdel-Nour Str.
City and post code *Abbasiya, Cairo, Egypt*
Telephone *(202) 2838084 or 2843627*
Fax *(202) 2831117*
E-mail *...**

b. Date of the report: *AUGUST 2000*

c. Signature of behalf of the State Party:

*PROF. DR. GABALLA ALI GABALLA
Secretary General of SCA*



A rectangular box containing a handwritten signature in cursive script that reads "G. A. Gaballa". A long, horizontal flourish extends from the bottom of the signature across the width of the box.

I.2 Identification of the cultural and natural properties:

I.2.1 National inventories:

- a. Have you undertaken the preparation of lists or of national inventories: Have you undertaken the preparation of lists or of national inventories: *Yes*

- b. Institutions responsible for the national inventories:

- Organisation:

For CULTURAL Heritage

the « SUPREME COUNCIL OF ANTIQUITIES »

Prof. Dr. G. A. GABALLA

For NATURAL Heritage

the « NATIONAL COMMITTEE OF UNESCO »

Mrs. Mervat Omar

16 el-Kawait Str., el-Dokki, Cairo, Egypt

Tel. (202) 3609641

Fax. (202) 3356947

I.2.2 Tentative lists:

- a. Have submitted Tentative lists of natural or cultural properties in your country since your adhesion to the World Heritage Convention: *Yes*
- b. If you have submitted these lists indicate:
 Dates of submission: *October 1994*
 Dates of revision: *November 1994*

I.2.3 Nominations:

- a. Names of the properties nominated for inscription:

1. Name of the property:
Date of submission:
2. Name of the property:
Date of submission:
3. Name of the property:
Date of submission:
4. Name of the property:
Date of submission:
5. Name of the property:
Date of submission:

See Page "6"

I.3 Protection, conservation and presentation of the cultural and natural heritage:

I.3.1 General policy development:

- a. Are the policy and plans aiming to give the Heritage a function in the life of the community:

Under preparation: *Yes-*
Date:

I.3.2 Status of services for protection, conservation and presentation:

- a. The services responsible for conservation under the authority of:

- i. For cultural heritage :

*SCA under the authority of the «Cultural Ministry»
(Address see above)*

- ii. For natural heritage:

**Cabinet of Ministers, Egyptian Environmental
Affairs Agency, Natural conservation sector,**

Dr. M. Fouda

14 Shagart-el-Dor Str., 1st Floor, Apt. 3

Zamalek, Cairo, Egypt;

Tel. (202) 341 9261

Fax. (202) 341 9265

And these services are responsible for protection, conservation and exploitation.

- b. Improvements be desirable in:

Management – Conservation and GIS

I.3.3 Scientific and technical studies and research:

- a. Significant scientific and technical studies concerning World Heritage sites:

- *Environmental researches and analysis for the protection of the sites in general and the monuments in particular.*
- *Archaeological sites are under the control of the SCA, for some extent laboratories are available at the sites itself or in Cairo for the scientific studies.*
- *GIS for the archaeological as well as for the natural sites are planned (the National Centre for Documentation of Cultural and Natural Heritage «CULTNAT»).*

- b. The State Party is working on:

Rehabilitation, Environment, GIS, Conservation.

I.3.4 Measures for identification, protection, conservation, presentation and rehabilitation:

- a. Egypt have specific legislation and policies concerning the National Heritage

Have they had an impact on the implementation of the World Heritage Convention in your country: *Yes*
Conservation, restoration and protection measures

The natural and cultural sites are under the authority of Egyptian cabinets and ministries; rehabilitation and conservation of the archaeological areas - Islamic Cairo, Memphis and Thebes – are undertaken by means of the local funds, UNESCO and bilateral Cooperation.

Private sector are involved in the conservation and protection of the World Heritage sites.

E.g. NEHRA, a private organization working together with the SCA in the project «the Holy Family travel in Egypt».

*For the natural sites see under **I.3.2.ii** and **I.2.1.b**.*

- b. Do you feel that a general heritage policy reform is necessary:
YES
- c. Scientific and technical measures taken by the State party to identify, protect, conserve and present the cultural and natural heritage are *inadequate and in great need of international participation*.
- d. Fields where improvements are desirable:
- *GIS and Risk-maps*
 - *Conservation of the monuments*
 - *Architectural conservations*
 - *Clay stabilization*
 - *Microclimate studies*
 - *Informatics technology (Computer facilities and training)*
 - *Environmental analysis (pollution effects)*

I.3.5 Training:

- a. Describe what has been done in the following areas
- i. Have you identified the training needs for institutions or individuals concerned with the protection and conservation of the heritage: *Yes*
- Needed:
Architectural restoration;
Conservation of stones, painting, Adobe;
Monitoring;
Management;
Informatics;
- ii. Have you identified the existing training opportunities in your country and in other countries: *No*

- iii. Have you developed training modules or programmes for the World Heritage sites: *No*
 - iv. Has your staff received heritage training in or outside of your country: *No*
 - v. *Do you have a national or regional training centre for the protection and conservation of the cultural and natural heritage: No.*
- b. Area where improvement would be desirable:
- *Scientific and Architectural Research*
 - *Microenvironment improvement*
 - *GIS*
 - *Risk-maps*

1.4 International cooperation and fund raising:

- a. Bilateral or multilateral activities for the protection and conservation of the World Heritage:
 - *Egyptian-French*
 - *Egyptian-American*
 - *Egyptian-German*
 - *Egyptian-Italian*
- b. *No World Heritage sites have been twinned with others at national or international level.*
- c. *NEHRA: (National Egyptian Heritage Revival Association) is working together with the SCA.*
 The annual budget allowance for the protection and conservation of the World Heritage sites *is part of the regular budget.*
- d. The Egyptian government set up NO programme for assistance and it include NO funds for conservation and protection in other countries.
- e. There is NO advisory mechanism between the World Heritage administrative authority and the department responsible for training.

1.5 Education, information and awareness building:

- a. EGYPT HAS NO NATIONAL PROGRAMME TO EDUCATE THE PUBLIC AND RAISE AWARENESS ABOUT WORLD HERITAGE.
- b. EGYPT DOES NOT PARTICIPATE IN THE UNESCO SPECIAL PROJECT YOUNG PEOPLE'S PARTICIPATION IN WORLD HERITAGE PRESERVATION AND PROMOTION.

Cultural Sites

Date of submission: 26 May 1999

1. Alexandria
2. Tanis
3. Temple of Isis
4. Rosetta
5. Pyramids of Maydum, Lahun and Hawara
6. Abydos
7. Dendara
8. Esna
9. Kom el-Ahmar, Nechen
10. Edfu
11. Kom-Ombo
12. Red sea coast Monasteries (St. Antony and St. Paul)
13. Wadi Natrun Monasteries (Suryan, Bishoy Makarios, Baramous)
14. Sohag Monasteries (the White and the Red Monasteries)
15. Prehistoric sites of Nabta and Shefren

Cultural and Natural

(natural heritage: see **I.3.2.ii** and **I.2.1.b**)

1. Siwa Oasis and Qattarah Depression.
2. Sant Kathrien site

ANNEX A5: ANTIQUITIES PROTECTION LAW



EGYPTIAN ANTIQUITIES ORGANIZATION

LAW No. 117 OF THE YEAR 1983

CONCERNING

THE ISSUANCE OF ANTIQUITIES'
PROTECTION LAW

[Published in the Official Gazette on August 11th, 1983]

antiquities. It was proved by experience that the hereinbefore legislation did not proceed with archaeological development therefore it was necessary to issue a new comprehensive Law.

3) The period of the new Law :-

The new Law no 117 of the year 1983 guarantees an effective protection to antiquities and includes a clear determination of what may be an antiquities, a definition of the State's role in the protection of Said and sets regulations for the preservation and registration of such, organizes search and excavation of such antiquities whether to Egyptian or foreigners, organizes the exhibition of such in Egypt and abroad and sets the methods guaranteeing the protection of Said antiquities.

The most important new provisions in this Law are :-

- A - Prohibiting trade in antiquities absolutely together with granting tradesmen a one year period of grace as of date of effecting Said law to dispose of antiquities they have in a way that does not entail taking the antiquity outside Egypt.
- B - Considering owners of antiquities possessors whose right is limited to the possession of the antiquity between them, not an absolute ownership of what they possess of antiquity.
- C - Intensifying penalties in a way guaranteeing a complete observance to provisions of Said Law.

Actually, the issuance of the present law realized the aims of all those working and concerned with archaeology in Egypt, and Provisions of this law are considered effective steps towards Antiquities' protection in Egypt.

PREFACE

BY PROFESSOR Dr. AHMED KADRY
HEAD OF THE EGYPTIAN ANTIQUITIES AUTHORITY

The Egyptian Antiquities Authority has the pleasure to present this translation of the new Antiquities Protection Law issued by Law no. 117 of the year 1983, the issuance of which realized assembling legal regulations related to antiquities protection in a unified legislation, and dealt with many points of deficiency and defect together with the state of various new provisions in this respect.

I would like to point out that the issuance of the new Law was the inevitable necessity entailed by cultural and archaeological development relevant to heritage issues and concepts, and the increase and development of archaeological awareness.

The evidence for this is that legislative development in modern Egypt concerning antiquities' protection witnessed the following three successive stages :

1) The period before Law no 215 of the year 1951 :-

This period started with the age of Mohmed Ali's Family wherein antiquities protection was extremely modest and had not any effectivity. Consequently, Egyptian Antiquities were open to the plunder of foreigners that many of such were smuggled abroad.

2) The period of Law no. 215 of the year 1951 :-

By the issuance of Law no. 215 of 1951, it was possible to overcome many difficulties which originated due to partial legislations issued in the herebefore period. Law no. 215 of the year 1951 is considered the first general legislation in Egypt regulating various kinds of

Finally, I would like to pay tribute to the Legal Counsellor of the Authority, Mr. Adel Omar Sherif, (Member of the State Council), for the efforts he exerted, and for the cooperation he showed to accomplish Said Law.

DR. AHMED KADRY

NOTIFICATION

FROM THE LEGAL COUNSELLOR OF
THE EGYPTIAN ANTIQUITIES AUTHORITY

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.

October 1984

ADEL OMAR SHERIF

CONCERNING

THE ISSUANCE OF ANTIQUITIES' PROTECTION LAW

In the Name of the People

The President of the Republic

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

ARTICLE I

In respect of Antiquities Protection, Provision of the attached Law shall be effective.

ARTICLE II

The term "Authority" shall mean in the application of the provisions of this law, the Egyptian Antiquities Authority And the term "Standing Committee" Shall mean the standing committee concerned with the ancient Egyptian Antiquities and the antiquities of both the Ptolemy's and the Roman's ages, or the committee concerned with Islamic and Coptic antiquities and museums's directorates according to the case of which a decree for the formation of such is issued by the Head of the Authority.

ARTICLE III

The competent Minister in Cultural Affairs is entitled to issue the necessary decrees to enforce Said law.

CHAPTER ONE

GENERAL REGULATIONS

Law no. 215 of the year 1951 concerning Antiquities Protection shall be repealed together with any stipulation contradicting the provisions of Said law.

ARTICLE V

This Law shall be published in the Official Gazette and shall be effective as of the day next to its 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 :

Shawal 27th, 1403 A.H.
July 6th, 1983 A.D.

HOSNY MUBARAK

* [Published in the Official Gazette on 8/11/1983]

ARTICLE 1

Any real-estate or chattel that was the product of the different civilizations or was the creation of arts, sciences, literature, and religion since the pre-historic age and during the successive historic ages till before 100 years is considered an antiquity; provided that it is of value or of an archaeological or historical importance as an aspect of the different aspects of civilization which took place on the Egyptian lands, or was of a historical relation thereto, and also the mummies of human races and beings contemporary to them.

ARTICLE 2

Any real-estate or chattel of a historical, 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 to the preservation of such and causing no change therein, this from the date of notifying him with 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 in coordination with 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 Authority attested that such lands is free from antiquities or lies out of the lands of the beautifying line authorized for the antiquity.

ARTICLE 4

Buildings which were considered archaeological and were registered in pursuance to previous decrees and decisions shall be considered archaeological.

Every natural or judicial person occupying a historical building or an archaeological place, the expropriation of which was not decided, must preserve such from any damage or defect.

ARTICLE 5

The Egyptian Antiquities Authority is the authority concerned with the supervision of all that is related to archaeological affairs at its museums and stores, and at archaeological and historical places and areas, even if discovered by accident.

The Authority undertakes discovering the antiquities existing over the earth's surface, and exploring such which exist under the earth's surface and at the local waters and the Egyptian regional waters.

The Head of the Authority's directorate may license the specialized scientific corporations whether national or foreign to look for and explore antiquities at specific places and for limited periods with a special untransferable licence. This licence is not granted except after ascertaining the availability of the financial technical and scientific efficiency and the scientific archaeological experience in the applicant for licence.

Anyone who does not notify the Authority of what he has of antiquities for registration, during the abovementioned period is considered an unlawful possessor and he is not entitled to benefit from the possession provisions stipulated in said law.

ARTICLE 9

The possessor of the antiquity may dispose of such any form of disposal after getting a written approval from the authority in accordance with the procedures and rules of which a decree by the competent minister in cultural affairs is issued provided that such disposal does not result in transferring said antiquity outside the country.

Provisions of possession stated in said law shall be applicable on whoever the ownership or possession of the antiquity is transferred to in accordance with the provision of said law or through inheritance.

In all cases the Authority has the priority of having the antiquity under disposal in return for a valuable consideration, moreover, the authority is entitled to have whatever it sees of antiquities or to recover antiquities taken of architectural elements which tradsmen or possessors have in return for a valuable consideration.

ARTICLE 10

By a decree from the president of the Republic, upon recommendation of the competent minister in cultural affairs, the Authority may exchange some of the movable and repeated antiquities with states or museums or scientific institutes whether Arab or foreign.

The abovementioned provision is applicable even if the search and exploration were in a land owned by the party applicant for licence.

ARTICLE 6

All antiquities are considered public property except the wakfs. The possession or ownership or transfer of such is not permitted except in the terms and conditions stipulated in said law and the decrees implementing it.

ARTICLE 7

Trade in antiquities shall be prohibited from date of effecting said law and present tradesmen are hereby granted a one year period of grace to arrange their circumstances and to dispose of antiquities they have. In respect to what remains a their disposal of antiquities after said period, they shall be deemed possessors and provisions concerning the possession of antiquities stipulated in said law thereby applicable to them.

ARTICLE 8

Possession of any antiquity shall be prohibited from date of effecting said law except in cases of existing owner or possession at the time of implementation of said law or such which originates in accordance with its provisions.

Tradesmen and non tradesmen who are possessors of antiquities must notify the Authority with the antiquities they have within a six months period from date of implementation said law, and must preserve such antiquities until their registration by the Authority in accordance with provisions of said law.

By a decree from the President of the Republic in realization for public utility some of the antiquities may be exhibited abroad for a specific period.

Said provision shall not be applicable on antiquities specified by the Authority's directorate whether because said antiquities are among those unique or for fear of damage.

ARTICLE 11

The Authority is entitled to accept cession of corporation or individuals for their ownership of historical real-estate through donation or sale with a symbolic price or through laying such under the Authority's disposal for no less than 5 years, whenever the State finds such a national interest.

ARTICLE 12

The antiquity is registered by a decree from the competent minister in cultural affairs upon recommendation of the authority's directorate and the decree issued for the registration of the real antiquity to its owner or his representative announced through the administrative way, 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 Public Administration.

ARTICLE 13

Registration of the real antiquity and notifying the owner of such in accordance with provisions of the previous article 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 is not permitted, while such expropriation is permitted with regards to adjacent lands after the approval of the competent minister in cultural affairs upon recommendation of the authority's directorate.
- 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 licence from the head of the Authority after the approval of the competent standing committee provided that the execution of the work be licenced be under the direct supervision of the delegate of the Authority.

If the party concerned executed any work without the referred licence, the Authority undertakes returning the case to its previous state on the expense of the transgressor without prejudice to the right of having a compensation and without prejudice to the penalties stipulated in this law.

- 5 - The owner is obliged to have a written approval from the Authority 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 real estate is registered. The Authority must thereto declare its opinion within a period of 30 days as of date of notifying said Authority with the application for disposal.
- 6 - The Authority is entitled at anytime to carry out on its expense whatever it deems necessary for the preservation of the antiquity. Such provisions shall remain applicable even if what in the real estate of antiquity was transferred.

ARTICLE 17

Without prejudice to penalties stipulated in present law or other laws, the head of the Authority's directorate may, by a decree from the standing committee for antiquities and without the need to resort to court, decide removing any infringement on an archaeological site or real estate through the administrative way, and the competent police of antiquities undertakes executing the decree of a removal. The transgressor is obliged to return the case to its previous state otherwise the Authority may undertake execution of such on his expense.

ARTICLE 18

Lands owned by individuals may be expropriated for their archaeological importance. Moreover, by a decree from the President of the Republic the same may be temporarily appropriated until procedures of expropriation are completed and the land shall thereby be considered all but antiquity as of date of temporarily appropriating the same. The possibility of the presence of antiquity in the expropriated land is not observed in the compensation.

ARTICLE 19

Upon the request of the Authority's directorate, the competent minister in cultural affairs may issue a decree to determine the beautifying lines of public antiquities and archaeological areas. Lands lying within said lines shall be considered archaeological lands and provisions of present law shall be applicable thereupon.

ARTICLE 20

Granting building licences at archaeological sites or lands shall not be permitted.

ARTICLE 14

By a decree from the competent minister in cultural affairs upon recommendation of the authority's directorate and after consulting the standing committee for antiquities, 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 organs that notified before of its registration. The same shall be recorded on the margin of the antiquity's register at the Authority and on the margin of the real estate register at Real-Estate Publicity Administration.

ARTICLE 15

Any existing exploitation from individuals or corporations to an archaeological place or a land or building of a historical value shall not result in any statute of ownership by limitation, and the Authority is entitled to evacuate the same whenever it deemed such evacuation necessary in return to a valuable consideration.

ARTICLE 16

Upon recommendation of the authority's directorate and in return to a valuable consideration, the competent minister in cultural affairs is entitled to arrange easement of title on real-estate near archaeological sites and historical buildings to ensure preserving the aesthetic characteristics of general appearances of said estate. The decree issued thereto determines real-estates or parts of such resulting in one or more easements of title and the scope of such title and the restrictions which consequently originate on the right of the owner or the possessor.

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 authorized beautifying lines.

Implanting trees or the cutting of such or carrying rubble or taking soil or fertilizers or sand or the execution of any such work which result in changing the characteristics of said sites and lands shall be prohibited except with a licence from the Authority and under its supervision.

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

By a decree from the competent minister in cultural affairs provisions of present article may be applicable on lands of which the authority becomes evident on the basis of studies it undertakes, of the presence of antiquities at the depths stated lands. Provision of this article shall thereto be applicable on the desert areas and places where operation of stone quarries is licensed.

ARTICLE 21

Archaeological sites and lands, and buildings of places of historical importance must be observed when lying out of cities, districts, and villages where the same 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 Antiquities Authority in writing in deference to easements of title arranged by the Authority.

The Authority must declare its opinion within a period of 3 months as of date of submission. In case the Authority does not declare its opinion within said period, the matter may be submitted to the competent minister in cultural affairs to issue a decree thereto.

ARTICLE 22

The competent organ is entitled to licence building at places adjacent to archaeological sites within inhabited places after taking the Authority's approval.

The competent organ must include in the licence provisions which the authority sees guaranteeing the establishment of the building in a proper way that does not predominate over the antiquity or spoil its appearance and ensure for such a suitable sanctum together with observance of the archaeological and historical environment and specifications guaranteeing protection of stated antiquity. The Authority must declare its opinion in the application for licence within a period of 60 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 immovable antiquity is under a duty to notify the Antiquities Authority of such. The antiquity is considered the ownership of the State and the Authority must undertake the necessary procedures to take care of such antiquity. Within a period of 3 months, the Authority is entitled either to take stated immovable antiquity 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 authority may grant whoever guided to the antiquity a recompense which is determined by the competent standing committee, if said committee saw that this antiquity is of special value.

ARTICLE 24

Whoever accidentally finds a movable antiquity or part or parts of an immovable place he is in must to notify such to the nearest administrative power within 48 hours as of time of finishing the same. Moreover, he must take good care of such antiquity till handing it over to the competent power otherwise he is considered an owner of antiquity without a licence, and the power referred to must immediately notify the Authority of such.

The antiquity becomes the ownership of the State and the Authority is thereby entitled to grant whoever found the antiquity and notified of such a recompense which is determined by the competent standing committee if said Authority deemed the antiquity valuable.

ARTICLE 25

A committee formed by a decree from the competent minister in cultural affairs wherein the directorate is represented undertakes estimating the compensation stipulated in articles 9, 15, 16 and 18

Those concerned may raise a complaint to the competent minister from the committee's estimation within a period of 60 days as of date of notifying them 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 one year's period as of date of its becoming a final estimation.

ARTICLE 26

The Antiquities Authority 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 provisions of which a decree by the authority's directorate is issued. The registered antiquities are those registered at the date of effecting present law at the registers set for it.

The authority aims at generalizing archaeological survey, archaeological sites and lands at defining places and characteristics of the said and recording them on maps together with sending photocopies of such to both the competent local unit and the general authority for urban planning for the observance of such at the preparation of the general planning.

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

ARTICLE 27

The Antiquities Authority 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 authority also aims at revealing the aesthetic and historic characteristics and distinguishing features of the same

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

CHAPTER TWO

REGISTRATION PRESERVATION

AND

DISCOVERY OF ANTIQUITIES

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 authority's museums and stores. The authority undertakes organizing the exhibition therein and in its departments with scientific method, together with preserving contents of said museums, stores and departments and supervising the necessary means of protection and security for said contents and holding temporary internal exhibitions that are affiliated with such.

The authority 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 Antiquities Authority 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 authority in accordance with the rules regulating such. The authority shall put a maximum limit for the extension of every inspection of antiquities in a way guaranteeing the ease of movement of such antiquities in their area and enabling the authority to supervise its antiquities.

By a decree from the authority's directorate, the border of every archaeological site guarded by the authority shall be defined. Said may include imposing admission fees to said sites provided that it does not exceed ten Egyptian pounds or

accordance to an objective timetable that is decided by the authority's directorate.

ARTICLE 32

Other parties may not execute operations of search or excavation for antiquities except under the direct supervision of the authority through whoever it appoints for such purpose of experts and technicals, in pursuance to provisions of license issued thereof.

The head of the mission or his representative are licensed to study, draw and photograph antiquities discovered by stated mission. The mission's right in the scientific publication about its excavations is preserved for a maximum period of five years as of date of its first discovery at the site, after which the right of stated mission in the priority of publication falls.

ARTICLE 33

The Authority's Directorate shall issue a decree with the terms and conditions which must be observed and executed at the excavation licences 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 authority 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 that is secured with guard and preservation and the provision of the authority 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 :

what equals it of free currency in respect to foreigners. Stated fee does not detract any that are imposed as stipulated in article 39 of this law.

ARTICLE 30

The Authority and no other shall be concerned with the execution of preservation and renovation work necessary for all registered antiquities and archaeological sites and areas and historical buildings.

The Wakf Ministry, the Egyptian Wakf Authority and the Christian Wakf Authority shall bear expenses of renovation and preserving archaeological and historical real-estates affiliated with and registered to such ministry and authorities.

The Authority shall also bear the expenses of renovating registered historical buildings in the possession of individuals and other authorities unless the reason for renovation originating from the bad use of the possessor according to what the competent standing committee decides and in this case the possessors shall bear the expenses of renovation.

After the approval of the competent standing committee, the Head of the Authority's Directorate may license competent authorities and scientific missions to undertake operations of renovation and preservation under the authority's supervision. Also specialized individuals may be given the licence in writing to undertake such operations.

ARTICLE 31

Authority 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

- A - Every 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 Antiquities Authority 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 renovation 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 which the approval of the Authority or in cooperation with it.
- C - The Authority alone and not the licensee, is entitled to produce new patterns for antiquities discovered in the excavation after the licensee complete the scientific publication about said antiquities.
Nevertheless, the Authority may grant the licensee in this case, replicas of said antiquities.

ARTICLE 35

All discovered antiquities found by the foreign scientific excavation missions are the property of the State.

Nevertheless, the Authority may decide a recompense for distinguished missions if they performed significant work in the excavations and the renovations, this by granting some of the moveable antiquities discovered by the mission to an antiquities museum which the Stated mission defines so that such be exhibited in its name whenever the Authority decide the possibility of dispensing with these antiquities for their

being a replica to other pieces take from the same excavations in substance, kind, quality, historical and aesthetic significance this after the completion and registration of information related to such antiquities.

ARTICLE 36

The competent standing committee or the competent Authority's directorate according to the case, undertakes reviewing the results of the missions' work and suggesting a recompense for any of these.

The Authority is entitled to grant the licensee some moveable antiquities, it also has the right of choosing the antiquities which it sees rewarding him with, without an interference from stated licensee and on condition that the amount of granted antiquities in this case does not exceed 10% of the moveable antiquities found by the mission and that the authority has other pieces similar to the abovementioned ones in substance, kind, quantity, historical and aesthetic significance provided that granted antiquities, or precious stones or papyrus or manuscripts or architectural elements or parts cut thereof.

Agreement concluded by the Authority in this regard must include stipulations prohibiting trade in granted antiquities whether inside or outside the country.

ARTICLE 37

By a decree from the Authority's Directorate, working licences granted to authorities 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 Authority may prevent any archaeological mission or

any foreign antiquities museum from practicing archaeological excavations at the Arab Republic of Egypt for a period that is not less than 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 Antiquities Authority and missions of Egyptian Universities shall be exempted from customs duties on instruments, equipments, and sets imported from abroad for work of excavation and renovation museums and 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 excavation, renovation and natural studies pertaining to antiquities for using the same in their set uses. These missions shall be completely exempted from customs duties in case they dispose of or transfer these instruments or sets to the Authority 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 decree from the Authority's Directorate admission fees may be imposed for visiting museums or antiquities. Said fees may not exceed 10 Egyptian Pounds with regards to foreigners as to every antiquity or museum of the Authority solely.

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 or participate in such act shall be punished by temporary hard labor or by a mulct not less than 5000 Egyptian pounds and not more than 50,000,- 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 on behalf of the authority.

ARTICLE 42

The following shall be punished by imprisonment for a period not less than 5 years and not more than 7 years and by a mulct not less than 3000 Egyptian pounds and not more than 50,000,- Egyptian pound :

- A - Whoever steals an antiquity or part of such that is owned by the state or hides the same or participates in any such crimes. In this case, the antiquity, sets, instruments machinery and cars used in the crime are to be confiscated on behalf of the authority.
- B - Whoever intentionally pulls down or damages or spoils or changes the distinguishing features of an antiquity or historical building or a separate part of the same or participates in any such action.
- C - Whoever executes archaeological excavation or participates in such work without a licence. Penalty in this case shall be temporary hard labor and a mulct not less than 5000 Egyptian Pounds and not more than 50,000,- Egyptian

CHAPTER THREE

PENALTIES

tian Pounds if the doer was one of those working in the State, supervising or working in antiquities or officials or workers of excavation missions or of the contractors having a contract with the authority or their workers.

ARTICLE 43

The following shall be punished by imprisonment for a period not less than 1 year and not more than 2 years and by a mulct not less than 100 Egyptian Pounds and not more than 500 Egyptian Pounds or one of the aforementioned penalties :

- A - Whoever transfers, without a written permission from the Antiquities Authority, a registered antiquity or an antiquity owned by the State or tears the same off its place.
- B - 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 emplants trees therein or makes a barn or digs drainage or irrigation canals or sets in the same any other such work or infringes upon the same by any other means.
- C - Whoever appropriates rubble or fertilizers or soil or sand or other materials from an archaeological site or land without licence from the authority or exceeds terms in the licence granted to him in quarries or brings to the site or archaeological place fertilizers or soil or waste or other materials .
- D - Whoever intentionally exceeds terms in the licence granted to him for archaeological excavation.
- E - Whoever had an antiquity the disposal of which was effected contrary to what stipulated in the law.
- F - Whoever counterfeits one of the ancient antiquities with the aim of deception or fraud.

CHAPTER FOUR

FINAL REGULATIONS

leakage and pollution industrial danger and the change of historical and archaeological entities

ARTICLE 44

Whoever violates provisions of articles 2,4,7,11,18,21, and 22 of this law shall be punished by penalties stated in the hereinbefore article.

ARTICLE 45

The following shall be punished by imprisonment for a period not less than 3 months and not more than one year and by a mulct not less than 100 Egyptian Pounds and not more than 500 Egyptian Pounds or one of either abovementioned penalties :

- A - Whoever puts advertisements or propaganda posters on the antiquities.
- B - Whoever writes or inscribes on the antiquity or puts paints on such.
- C - Whoever spoils or damages an immovable or a movable antiquity or separates part of such by way of mistake.

ARTICLE 46

Whoever violates articles 18,19,20 of those working in the State shall be punished by imprisonment for a period not less than 2 years and by a mulct not less than 100 Egyptian Pounds and not more than 500 Egyptian Pounds together with obliging the said to pay a compensation for damages originating from the violation

ARTICLE 47

In case of violating articles 7,21,22 antiquities shall be confiscated to the Antiquities Authority.

FINAL REGULATIONS

ARTICLE 48

The Head of the Authority's Directorate, antiquities directors and museums directors and super intendents and assistant superintendents, supervisors, directors of archaeological areas, and antiquities inspectors and assistant inspectors are entitled to enjoy the quality of judicial arrests or impounding in the name of the law 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, 39 of said law shall go to the fund financing antiquities and museums projects at the authority. The authority may grant recompenses, from revenues of these sums, which the head of the authority decides to whoever participates in guiding or impounding violations, this in pursuance to terms and conditions of which a decree from the authority's directorate is issued.

ARTICLE 50

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

ARTICLE 51

The Authority undertakes coordinating work among authorities and organs concerned with planning, housing, tourism, public utilities, security and councils of governorate