



# Official Gazette of Iraq

## Law of Antiquities & Heritage No. (55) Of 2002

قانون الآثار والتراث

Translated in  
Ministry Of Justice  
Iraqi Gazette department  
Translation Section  
2022



## Laws

---

### **In the name of people The Presidency**

Accordance to what had been approved by the National Council & Revolutionary Command and what is based on the provisions of the article (53) of the Constitution,

We issued the following law:

**No. (55) Of 2002  
Law of Antiquities & Heritage**

**Chapter One  
Objectives of Law and the Means  
to Achieve Them**

**Article 1**

This law aims at the following:

First: Keeping Antiquities and Heritage of the Republic of Iraq as one of the most important national treasures.

Second: Detecting antiquities and heritage and introducing them to the citizens and the international community, highlighting the distinguishing role of Iraq's civilization in building human civilization.



## Laws

---

### Article 2

In order to achieve the objectives of this law, Antiquity Authority shall adopt the following:

First: Defining antiquities, heritage and historical sites.

Second: Excavating for antiquities throughout Iraq using the latest scientific and technical means.

Third: Maintaining antiquities, heritage and historical sites from damage, ruin and decay.

Fourth: Establishing modern museums to show antiquities and heritage items or their models to enable citizens and visitors to view them.

Fifth: Manufacturing samples of antiquities and heritage materials also production of photographs, photo slides and films for displaying, selling or exchanging them.

Sixth: Conducting studies, researches, organizing conferences and seminars that highlight Iraq's antiquities and cultural heritage.

Seventh: Working towards temporarily displaying antiquities and heritage items or their samples in the foreign museums to acquaint foreigners with the Iraqi ancient civilization.

Eighth: Preparing the specialists of antiquities and heritage and raising the efficiency of those who work among them through training courses and sending scholarships and fellowships for this purpose.

Ninth: Forming national antiquity and heritage survey teams to conduct a comprehensive survey of antiquities and heritage building in Iraq.

### Article 3



## Laws

---

First: Dispose of antiquities, heritage and historical sites shall be prohibited except in accordance with the provision of this law.

Second: The owner of a land in which the antiquity, heritage and historical sites are located shall be prohibited from disposing of it materially, excavating, digging it or changing its features.

### Article 4

For the purposes of this law, the following terms shall have the meanings indicated thereto:

First: Ministry: Ministry of Culture.

Second: Minister: Minister of Culture.

Third: Antiquities Authority: General Body for Antiquities and Heritage.

Forth: Head of the Antiquities Authority: Head of General Body for Antiquities and Heritage.

Fifth: Practicing Body: The body that entrusted in the management and maintenance of heritage buildings in Ministries of Interior, Endowments and Religious Affairs, and the Municipality of Baghdad.

Sixth; Technical Committee: The committee composed of specialist in archeology, heritage, arts, and law

Seventh: Antiquities: Movable and immovable properties that built, made, sculpted, produced, written, drawn or photographed by humans, and their ages are not less than (200) two hundred years, as well as human, animals, and plants structures.

Eighth: Heritage items: Movable and immovable properties that their ages are not less than (200) two hundred years, and have historical, national, nationalism, religious and artistic value; they are announced in a decision by the Minister.

Ninth: Historic Site: Site that was a place of important or historical event or has historical importance, regardless of how it's old.

Tenth; Antiquities excavation: Drilling and probing works that aim at detecting the movable and immovable antiquities in the



## Laws

---

underground or in the bottom of rivers, lakes, marshes or territorial water.

### Chapter two Immovable Antiquities

#### Article 5

First: The Antiquities authority shall keep special records for registering building and antiquities sites, writing down information and documents related to them, and easement rights accruing from neighboring properties, and publishing them in the Official Gazette to ensure their protection and maintenance.

Second: If the antiquity has already been registered and the easement rights in the neighboring properties have not been determined, they shall be determined in accordance with the law.

Third: The rights of easements including the creation of prohibited areas around the antiquities areas and building, and securing roads and access paths to them.

Fourth: The style, height, facades and colors of the new and renovated buildings adjacent to the antiquity sites shall be determined to be in harmony with the antiquity buildings adjacent to them, in coordination between the Antiquities Authority and the participating entity.

#### Article 6

First: The Antiquities Authority may own real estates that contain antiquities in accordance with the provision of the Expropriation Law no. (12) Of 1981,



## Laws

---

regardless of the value of the antiquities present in the real estate when estimating the expropriation allowance.

Second: The Antiquities Authority may evacuate the antiquities and heritage areas and their prohibited areas from people and funds in the case of danger threatening the people, antiquities and heritage areas.

### Article 7

All historical and antiquities sites, including antiquities hills belonging to public legal persons shall be registered in the name of the Ministry of Finance and shall be allocated for the purposes of the General Authority for Antiquities and Heritage.

### Article 8

The Antiquities Authority, in coordination with the relevant state departments, shall conduct a comprehensive archaeological survey of antiquities and heritage sites and buildings in Iraq to identify them on maps and cadastral documents with fixed scales and include them within their basic designs pointing out their usages as being lands and antiquities buildings, and notifying the Real Estate Registration Department and Baghdad Municipality or the relevant Municipalities.

### Article 9

First: State and socialist sector departments shall be obligated, when seizing lands, sorting them out or removing their coparcenary within the boundaries of the basic design of cities or outside them to avoid distribution and exploitation of antiquities sites and building, also to set appropriate prohibited areas for them in coordination with the Antiquities Authority.



## Laws

---

- Second: The authorities concerned with distributing agricultural lands those contain antiquities after their reclamation by way of leasing or selling shall be obliged to obtain a written approval of the Antiquities Authority on this.
- Third: The authorities concerned with preserving the antiquities, heritage and historical sites, when setting up public industrial, agricultural and housing projects, projects of planning and expanding or beautifying towns and villages, irrigation and drainage projects and road paving projects, shall be obligated to obtain a written approval for that from the antiquities authority before preparing these projects or when changing them.
- Fourth: When the implementation of any project of paramount importance in the development plan conflicts with the heritage site, the Antiquities Authority shall undertake the excavation in it at expense of the implementing agency for the project during a period appropriate to the accurate scientific excavation, taking into account the duration of the project implementation, and excavation costs shall be included within the project allocation in advance.
- Fifth: A building permit shall not be granted in areas that include antiquities sites and in places close to them within one kilometer, except after the written approval of the Antiquities Authority within (30) thirty days from the date of submitting the permit application.
- Sixth: The coordination shall be taken place between the Antiquities Authority and the Municipality of Baghdad or the competent municipality to grant a permit regarding antiquities buildings located within the boundaries of the city of Baghdad and the provinces.

### Article 10

Mosques, holy shrines, places of worship, tombs, cemeteries, hospices, hermitages, synagogues, churches, monasteries and owned or endowed khans shall be subject to the disposal of natural or legal persons owned or managed by them, provided that they are used for the purposes for which they were established without damaging or distorting them, taking into consideration their expansion and development in accordance with the requirements of the times, especially the holy shrines.



## Laws

---

### Article 11

- First: The Antiquities Authority shall periodically monitor the facilities that stipulated in Article (10) from this law and their owner or guardian shall undertake the maintenance and restoration under the supervision of the Antiquities Authority.
- Second: If it is proven that the owner or the guardian has refused the maintaining the facilities that stipulated in Article (10) of this law, the Antiquities Authority shall undertake this and collect the expenses disbursed by the owner or supervisor or from the resources of those places directly in accordance with the provisions of the Government Debt Collection Law no.(56) for the year 1977.
- Third: If the insolvency of owner or guardian is proven, it/ he/ she shall be exempted from paying the expenses of repair and maintenance, unless the building has its own resources.
- Fourth: The owner or person in charge shall not undertake the demolition of any of facilities that stipulated in Article (10) from this law, or transferring them in whole or in part, restoring, renewing or changing them except after obtaining the written approval of the Antiquities Authority, otherwise, the Antiquities Authority shall restore the facility to its original state at its/ his/ her expense, and subjecting it/ him/ her to penalties stipulated in this law and ruling for compensation, if necessary.

### Article 12

Whoever detects an immovable antiquity or knows about it shall be obligated to inform the nearest official body or public organization about it within (24) twenty-four hours, and this body shall immediately inform the Antiquities Authority.





## Laws

---

### Article 13

- First: Whoever occupies a land that included immovable antiquities and heritage sites shall allow to the Antiquities Authority to pass through the mentioned land, in order to reach those sites and buildings at the appropriate time to examine them, draw their maps, photograph, probe, excavate, maintain or restore them and allow to the workmen and their tools, devices and machines for mentioned purposes. If any damage occurs, the Antiquities Authority shall be obligated to pay the appropriate compensation for it by consent or court.
- Second: The presence of the Antiquities Authority for the purpose stipulated in the Item (First) of this article shall not be considered a case of seizure of land.
- Third: The owner of the area, the holder of the right to dispose of the land that owned by the state or person in charge of the endowment lands shall not be entitled to claim rent of equivalent when the Antiquities Authority prevent it/ him/ her from exploiting it in a way harmful to antiquities.

### Article 14

- First: The party damaged as a result of establishing the easement rights on its/ his/ her land shall be compensated or evacuating from the antiquities lands in accordance with the provisions of this law.
- Second: A committee shall be formed for the purpose of compensation stipulated in Paragraph (First) of this article, headed by a representative from the Antiquities Authority and the membership of two representatives from the relevant municipal departments in the Municipality of Baghdad or the administrative unit in the province, the Real Estate Registration department, the State Real Estate Department and from the Property Tax Directorate



## Laws

---

within whose borders the property is located within a period of (90) ninety days from the date of establishing easement or evacuation rights, otherwise, the decision of the Antiquities Authority about the establishment of easement or evacuation rights shall be repealed.

### Article 15

It shall be prevented:

- First: Trespassing the antiquities, heritage, and historical sites, including the hills and the flat lands where the archaeological finds were found, even if they were not published in the Official Gazette and were in circumstances that the usual person can know about.
- Second: Farming, housing or building construction or other new construction on archaeological and heritage sites and their prohibitions or altering their features.
- Third: Using archaeological sites as warehouses of rubble and waste, erecting buildings or cemeteries, or digging quarries in them.
- Fourth: Uprooting trees and other plants and eliminating facilities from the antiquities sites or any other works that results in changing the archaeological sites.
- Fifth: Constructing industries that pollute the environment or dangerous to public health in areas less than (3) three kilometers away from archeological sites and heritage building on each side.
- Sixth: Uprooting the archeological or heritage construction or deposing of its structural materials or using it in a way that possible to damage or change its features.



## Laws

---

### Chapter Three Movable Antiquities and Structural Materials

#### Article 16

The Antiquities Authority shall keep:

- First: Records in which the antiquities received from citizens who find them accidentally and handed them over to the Antiquities Authority chance are recorded.
- Second: Records in which the heritage and antiquarian materials found in places stipulated in Article (10) are recorded and providing their owner with special document and a periodic control shall be carried out over those records.

#### Article 17

- First: Natural and legal person shall be prohibited from possession of movable antiquities.
- Second: Whoever has movable antiquities shall deliver them within (30) thirty days from the effective date of this law.
- Third: The following shall be excluded from the provision of Item (First) of this article:
- a. The movable antiquities found in the places mentioned in Article (10) of this law.



## Laws

---

b. The licensed archaeological manuscripts and coins registered at the Antiquities Authority.

Fourth: The Owner, holder or the party in charge of the antiquities and items stipulated in Item (Second) of this article shall be committed to the following:

- a. Registering at the Antiquities Authority within (180) one hundred and eighty days from the effective date of this law or the date of its/ his / their possession of them.
- b. Preserving them and informing the Antiquities Authority in writing in writing of everything that may expose them to loss or damage to take the necessary measures to preserve them.
- c. Obtaining the approval of Antiquities Authority to transfer of their ownership or possession to an Iraqi person residing in Iraq who commits to fulfill the obligations of the former possessor or holder.
- d. Handing them over to the Antiquities Authority in return for a receipt upon requesting them from it/ him/ her for the purpose of studying or photographing them then returning them to it/ him/ her at the expense of the Antiquities Authority.

Fifth: The Antiquities Authority shall identify the responsible of the loss or damage of ruins and materials stipulated in Item (Third) of this article and forfeiting them if it is proven that the owner is wholly or partially is responsible for loss or damage.

### Article 18

First: Antiquities Authority may buy any archaeological manuscript or coin registered with it from its manuscript's or coin's owner in return for a price estimated by technical committee with the agreement of the both parties.

Second: The seller shall commit not to publish any manuscript only with Antiquities Authority's written approval.



## Laws

---

### Article 19

- First: Whoever detects a movable antiquity or a heritage material or learns of its detection shall commit to inform nearest official body or public organization within (24) twenty four hours from the date of its detection or knowing about it.
- Second: The department or public organization which has notified of the movable antiquity or the heritage material shall undertake informing the Antiquities Authority about this immediately.
- Third: The Antiquities Authority may grant the detector of movable antiquity or a heritage item or who knows about the detection an appropriate reward for informing about that, and the reward decided by the technical committee shall not be less than the value of the material of antiquity if it is gold, silver or gemstone, regardless of its age, workmanship or historical or artistic value.

### Article 20

- First: Whoever brings movable antiquity into Iraq, in accordance with the law, shall be obliged to submit a permit of it to the Custom Authority as soon as it is brought in.
- Second: The Custom Authority shall inform the Antiquities Authority about the details of movable antiquity or heritage material within (48) forty eight hours from the date of submitting the permit to it.
- Third: Whoever enters the movable antiquity or heritage item shall be obligated to register it at Antiquities Authority within (30) thirty days in accordance with Paragraphs (b, c and d) of Item (Fourth) of Article (17) of this law.



## Laws

---

Fourth: The Antiquities Authority shall confiscate the movable antiquity or heritage item entering into Iraq if it is proven that it has been illegally taken out of its homeland, taking into account the principle of reciprocity.

### Article 21

First: The Antiquities Authority may take the movable antiquity or heritage item out of Iraq for the purposes of scientific studies, maintenance or temporary display in accordance with a bylaw issued by the minister.

Second: The movable antiquities and heritage items that can be dispensed with due to the presence of similar ones may, by a decision of the cabinet, be exchanged with the museums, institutes, universities and Arabic and foreign institutions in order to achieve scientific or historical interest and to help enriching the Iraqi museums.

Third: The Antiquities Authority shall undertake displaying the movable antiquities and heritage items to the public in museums and exhibition inside Iraq.

### Article 22

First: The following shall not be permitted:

- a. Forging or imitating the antiquity material
- b. Making molds or models of antiquity material
- c. Breaking or distorting the antiquity or heritage item by writing, digging or changing its features.

Second: The Antiquities Authority or whomever it entrusts shall undertake the manufacture of molds or models stipulated in Para (b) of Item (First) of this article in accordance with specific conditions and methods to prevent fraud and cheat.

Third: Selling or donating antiquities and heritage items or taking them outside Iraq in conditions other than those stipulated in this law.



**Chapter Four  
Immovable Heritage  
Properties**

**Article 23**

- First: The Antiquities Authority shall be obliged to continue in documenting the heritage buildings and areas in order to complement its scientific approach and implement the duties entrusted to it in protecting the cultural heritage in Iraq.
- Second: The participating entity shall keep a special register in which the heritage buildings, areas and residential neighborhoods of a heritage architectural character shall be recorded for their historical or heritage importance, their architectural features or their Arab and Islamic heritage importance, in accordance with the Antiquities Authority's view, and it shall announce it in writing.
- Third: The participating entity shall declare that the buildings, areas and residential neighborhoods stipulated in the Item (Second) of this Article are a protection area, and it (mentioned entity) shall prepare maps for them, and issue the necessary decisions to protect them as an architectural heritage, and shall determine the aspects of their use and establish the necessary prohibitions and the easement rights incurring from the properties neighboring them within (90) ninety days from the date of announcing them in the Official Gazette.
- Fourth: The Antiquities Authority shall notify the competent Real Estate Registration department of placing a sign of not disposing of heritage buildings documented with it (namely Antiquities Authority), and it (namely Antiquities Authority) shall



## Laws

---

issue its decision regarding their protection or non-protection within (90) ninety days from the date of placing the sign.

### Article 24

First: The participating entity may expropriate the heritage buildings in accordance with provisions of Expropriation Law.

Second: The participating entity shall evacuate the heritage and historical buildings and their prohibitions from people and money in the event of a danger threatening the lives of persons or heritages buildings in accordance with the rules issued by the mentioned entity.

### Article 25

The participating entity shall vacate the rented heritage building for the purpose of maintenance and restoration after warning the tenant within (90) ninety days from the date that it/ he/ she is notified of the warning as an exception to the Real Estate Rental law no (87) of 1979.

### Article 26

State and socialist sector departments shall be obligated, when establishing public projects, to preserve heritage and historical buildings in coordination with the Antiquities Authority.

### Article 27





## Laws

---

The owner of the heritage building covered by protection or documentation shall enjoy the following privileges:

First: Obtaining a grant or an advance to help it/ him/ her to preserve the heritage building and the participating party shall disburse it for it/ him/ her in accordance with rules issued by it.

Second: Exemption from real estate tax.

Third: Renting out the heritage building as an exception to the provisions of Real Estate Rental law no (87) of 1979.

### Article 28

First: It shall not be permissible:

- a. To trespassing or demolishing the heritage buildings and neighborhoods announced in the Official Gazette or changing the profession and specialization in which the heritage shops, markets and streets are practiced or cancelling their main function that granted them the heritage character.
- b. Cancelling the heritage character of a heritage shop existing in the property of others by vacating it, and the General Body for Taxes shall estimate the rent allowance in the event of a dispute between the lessor and the tenant in order to preserve the heritage shop and prevent its demise.
- c. Demolishing, rebuilding, restoring or changing the use of buildings covered by preservation or documented ones, except with approval of the Antiquities Authority and a permit from participating party that ensures consistency with the architectural characteristics and general standards of the preservation area and the buildings documented and maintaining them, and a decision on granting the permit within (30) thirty days from the date of submitting the application.

Second: The participating entity may order the party violating the provision of Para (c) of the Item (First) of this article to handle the violation in the manner and



## Laws

---

the period specified for it, otherwise it shall treat violation at its/ his/ her expense.

Third: The participating party shall compensate the party affected by establishing easement rights on its land stipulated in the Item (Third) of article (23) of this law or evacuation from heritage areas in accordance with the Item (Second) of article (24) of this law within (90) ninety days from the date of establishing the easement or evacuation rights, otherwise, the decision of the party participating the establishment of easement rights or evacuation shall be withdrawn.

### Chapter Five Antiquities excavation

#### Article 29

The Antiquities Authority shall be responsible for carrying out antiquities excavation in Iraq and it may authorize Iraqi, Arab and Foreign scientific bodies, scientists, universities and institutions to excavate antiquities after the Antiquities Authority confirms its ability and scientific and financial competence.

#### Article 30

First: It shall be permissible to excavate in the lands owned by the state or by natural or legal persons within which the antiquities areas are located.

Second: The parties and persons stipulated in the Article (29) of this law shall obligate to return the lands that were excavated to their condition prior to the



## Laws

---

excavation and to compensate their owners for the damage they suffered after the expiry of the excavation period, and it shall be estimated by a decision of the Antiquities authority.

Third: Antiquities authority shall determine the period of excavation in other than state lands and it may be extended by a decision of the minister.

### Article 31

The excavation shall be scientifically carried out under the supervision of a body formed by the minister or his/ her authorized representative, consisting of:

First: The head of the body or mission who shall be required to be a well-known archeologist has already practiced archeological excavations.

Second: An engineer specializing in the history of architecture.

Third: An assistant practicing in drawing and photography.

Fourth: Specialist in reading ancient writings when needed.

### Article 32

The following shall be required for excavations that take place outside the scope of the Antiquities Authority:

First: Submitting an excavation request to the Antiquities Authority, provided that it includes:

a. The applicant's status, previous experience and financial ability.



## Laws

---

- b. The applicant's affiliation with a well-known scientific body concerned with excavating and studying antiquities that grants its authorization to him/ her.
- c. The number of his/ her employees and their scientific qualifications in the field of excavation.

### Second:

- a. A map showing the boundaries of the excavation area and indicating the archeology site to be excavated.
- b. Report on the five-year programmed of work to be followed in excavation.
- c. The minister's approval of excavation's applicant based on the Antiquities authority's study of the application and expressing its opinion on it.
- d. Excavation's applicant is bound by a contract with the Antiquities authority in which the rights and obligations of the both parties are determined.

### Article 33

The Antiquities authority shall inspect excavations and detected antiquities at any time it deems appropriate.

### Article 34

First: The Antiquities authority shall cease excavation works when it violates one of the conditions of excavation and shall warn the excavator to remove the violation within an appropriate period determined by the Antiquities authority.



## Laws

---

Second: The minister may revoke his/ her approval of the excavation if the excavator does not remove the violation, the violation is serious or the excavator's situation requires so.

### Article 35

First: The antiquities detected during the excavation shall be deemed as public funds, as well as the information obtained from the results of the excavation, including picture, maps and schemas that may not be disposed of or published inside or outside Iraq, except with the Antiquities authority's written approval.

Second: The Antiquities authority may grant the following to the excavator in return the wages he/ she spent:

- a. The moulds of the detected antiquities, their pictures, their schemas and maps.
- b. Breaking pottery, organic matters and soil for the purpose of analysis and study, provided that he/ she gives the results of the study to the Antiquities authority within a year from the date of his/ her receipt of these materials.

Third: The articles provided for in Item (Second) of this article shall be exempted from export license and customs duties and shall be exported under the direct supervision of the Antiquities authority.

### Article 36



## Laws

---

Photographs and moving photographs images (videos included. translator) of archeological sites and heritage areas may not be invested commercially and in the media except with the approval of the Antiquities authority.

### Article 37

The Antiquities authority shall work towards restoring the Iraqi stolen antiquities from outside Iraq in line with international conventions and by legal means and possible diplomatic means.

## Chapter Six Penalties

### Article 38

Whoever has an antiquity and has not handed it over to the Antiquities Authority within (30) thirty days from the date of entry into force of this law shall be punished by imprisonment for a duration not exceeding (10) years and compensation of twice the estimated value of the antiquity.

### Article 39



## Laws

---

Whoever has a registered manuscript, coin or heritage item he/ she causes it to be lost or damaged in whole or part in bad faith or negligently shall be punished by imprisonment for a duration not exceeding (10) years and compensation of twice the estimated value of the antiquity.

### Article 40

First: Whoever steals an antiquity or heritage material in the possession of Antiquities Authority shall be punished by imprisonment for a duration of less than (7) seven years and not more than (15) fifteen years, and shall be punished by a compensation of (6) times the estimated value of antiquity or heritage item in case of non-recovery. The penalty shall be life imprisonment if the perpetrator is in charge of managing, preserving or guarding the stolen antiquity or heritage material. The penalty shall be death if theft occurs by threat, coercion or by two or more persons, and one of them is carrying a visible or hidden weapon.

Second: The accomplice in the commission of the crimes stipulated in Item (First) of this article shall be considered as a perpetrator.

### Article 41

First: Whoever intentionally takes out or set about taking an antiquity material out of Iraq shall be punished by death.



## Laws

---

Second: Whoever intentionally takes out a heritage item out of Iraq shall be punished by imprisonment for a duration not exceeding (3) three years and a fine of (100,000) one hundred thousand dinars.

### Article 42

Whoever initiates excavation or trying to detect them without the written approval of the Antiquities Authority and causes damage to the archeological site or its prohibitions and antiquity materials therein shall be punished by imprisonment for a duration not exceeding (10) ten years, and by compensation twice the estimated value of damage, seizing the extracted antiquities and confiscating tools of excavation. The penalty shall be imprisonment for a duration not exceeding (15) fifteen years if the damage is caused by members of the Antiquities Authority.

### Article 43

First: Whoever digs, constructs, plants, dwells in a declared archeological site or removes, modifies, breaks, plucks out, distorts or demolishes an antiquity or archaeological or heritage building, or disposes of its construction materials or uses it in a way possible to result in damage or alteration of its character, shall be punished by imprisonment for a duration not exceeding (10) ten years and by compensation twice the estimated value of the damage and remove the trespass at his/ her own expense.

Second: Any employee or representative of a legal person who willfully causes damage to archeological sites or houses and heritage neighborhoods shall be punished by the penalty provided for in Item (First) of this article.

### Article 44





## Laws

---

Whoever trades archeological items shall be punished by imprisonment for a duration not exceeding (10) ten years and a fine of one (1,000,000) million dinars with confiscation of trafficked items, and the penalty shall be imprisonment and a fine of (2,000,000) two million dinars if the perpetrator is a member of the Antiquities Authority.

### Article 45

Whoever, without permission of the Antiquities Authority, trades in a forged or imitated antiquity item shall be punished by imprisonment for a duration not exceeding (3) three years and a fine of (100,000) one hundred thousand dinars and confiscating the tools and materials used in the crime. The penalty shall be imprisonment if the perpetrator of the crime is a member of the Antiquities Authority.

### Article 46

Whoever trespasses buildings, shops or heritage neighborhoods declared in the official gazette by demolishing or changing their intended use shall be punished by imprisonment for a duration not exceeding (7) seven years, and he/ she shall commit to returning them to what they were before the trespass at his/ her own expense .

### Article 47



## Laws

---

First: Whoever owns one of the buildings provided for in Article (10) of this law or his/ her guardian if he/ she demolishes, transfers in whole or part, repairs, renovates or changes it without the Antiquities Authority's written approval shall be punished by imprisonment, and the building shall be returned to what it was at his/ her own expense.

Second: Whoever violates the provisions of articles (12), (15), (19/ First), (20/ First and Third), (22/ First and Third) and (36) of this law shall be punished by imprisonment for a period not exceeding (2) two years or a fine of (100,000) one hundred thousand dinars and the confiscation of the seized antiquities and criminal items.

### Chapter Seven General and Final Provisions

#### Article 48

First:

- a. The Antiquities Authority may grant a monetary reward to those who report illegal possession of antiquities or heritage materials or who help seizing those antiquities.
- b. The head of the Antiquities Authority shall be competent to adjudicate cases resulting from the crimes stipulated in articles (12), (15), (19/ First), (20/ First and Third), (22/ First and Third) and (36) of this law.



## Laws

---

- c. The head of the Antiquities Authority shall be granted the authority of a misdemeanor judge to exercise the powers stipulated in Paragraph (b) of Item (First) of this article.
- d. Decisions and rulings issued by the head of the Antiquities Authority in his/ her capacity as a misdemeanor judge shall be challenged within a period of (15) fifteen days from the date of notification of the judgment or decision or considering it notified of before a permanent appellate body headed by at least one judge of the second class to be named by the minister of justice and two other members nominated by the minister of culture and the decisions of the body shall be final.

Second: The inspector in the Antiquities Authority shall be empowered with an investigator authority for the purposes of this law.

Third: The guard and the observer in Antiquities Authority shall be empowered with a judicial control member authority for the purposes of this law.

Fourth: Reports of identification archeological sites, heritage buildings or archeological, heritage or forged items submitted by the Antiquities Authority shall be deemed as evidence before courts.

### Article 49

The technical committee shall take over the following:

First: Determining whether the properties are archeological, heritage or forged.

Second: Estimating the value of the items provided for in Item (First) of this article in accordance with the commercial prices in the market not less than their value if they are gold, silver or gemstone.



## Laws

---

Third: Estimating the amount of compensation of damage to the antiquity or archeological or heritage item.

Fourth: Determining the reward amount for those who detect or report an antiquity.

### Article 50

The minister shall issue rules of procedure specifying the following:

First: Fees of:

- a. Access to museums, archeological areas, and historical and heritage buildings.
- b. Escorting the guides in archeological places and historical heritage and buildings.
- c. Photography and moving photography (videos included. translator) in museums, archeological areas and historical and heritage buildings.
- d. Statements of lands.

Second: The prices of the items stipulated in the Item (Second) of Article (22) of this law.

Third: Allowances for those in charge of detection work.

### Article 51

First: The Antiquities Smuggling Prevention Law no. (40) Of 1926, the Antiquities Law no. (59) Of 1936, and Ancient Antiquities Export Fees Law no. (73) Of 1937.



## Laws

---

Second: Museum Visit Fees Regulation No. (35) Of 1946 shall be continuing until issuing what replaces or repeals it.

### Article 52

The minister may issue instructions to facilitate the implementation of the provisions of this law.

### Article 53

This law shall be implemented from the date of its publication in the official gazette.

**Written in Baghdad on the 28<sup>th</sup> day of Sha'baan in 1423AH, corresponding to the third of November in 2002 AD.**



## Laws

---

**Saddam Hussein**

**The President of the Republic**