

Law No. 2 of 1980 on Antiquities 2 / 1980

Number of Articles: 43

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Khalifa Bin Hamad Al-Thani, Emir of the state of Qatar,
Having been conversant with the Amended Provisional Constitution, in particular articles 23, 31, 34 and 51 thereof;
Law No. 14 of 1964 on the Real Estate Registration System and amending laws thereof;
Law No. 13 of 1971 on the Courts of Justice and amending laws thereof;
Law No. 14 of 1971 promulgating the Penal Code of Qatar;
Law No. 15 of 1971 promulgating the Criminal Procedural Law;
Law No. 16 of 1971 promulgating the Law of Civil and Commercial Articles;
Law No. 4 of 1974 determining the Functions of the Ministry of Information;
Law No. 3 of 1975 on the Commercial, Industrial and Similar Public Premises;
The proposal of the Minister of Information;
The draft law submitted by the Cabinet; and
Having consulted the *Shura* council;
Hereby promulgate the following:

Part 1

General Provisions

Article 1

- a. Antiquities are deemed to include all monuments of civilizations, ruins of past generations and movable or immovable discoveries related to arts, science, ethics, morals doctrines, daily life, and public incidents or otherwise, with a history of forty years or more, provided that such monuments are of artistic or historical value.
1. In accordance with Article 5 below, antiquities are deemed to be public assets owned by the State unless their allocation is abolished pursuant to the provisions herein.

Article 2

Antiquities are divided into two categories: immovable and movable.

1. Immovable antiquities shall mean the ancient antiquities permanently constructed on land and which cannot be moved without causing destruction or permanent alteration to them. Such antiquities shall include the ruins of cities, buildings, archaeological mounts, caves, valleys, fortresses, fences, citadels, religious buildings, schools and others; whether above or belowground or in territorial waters.
2. Movable antiquities shall mean those which can be separated from the land and which may be moved from their locations without being

damaged or altered.

Article 3 (Amended By Law 23/2010) ☐

The Qatar Museum Authority QMA shall undertake the assessment of the archaeological value and significance of every movable or immovable antiquity. A decision regarding the definition of archaeological sites shall be issued by the board of trustees of QMA for endorsement by the Cabinet and subsequent publication in the *Official Gazette*.

Article 4 (Amended By Law 23/2010) ☐

- a. The maintenance and preservation of antiquities shall be assigned to QMA, which shall undertake the discovery, registration, maintenance and preservation of properties and patterns of antiquities. Such undertaking shall include exhibition to the public and propagation of archaeological culture. The owner may not object to such procedures.
1. Antiquities shall be registered by a resolution of the QMA board of trustees. All concerned individuals and entities shall be notified of such resolutions.
 2. Registered movable or immovable antiquities shall be listed in records prepared by QMA and such records shall indicate the significance of each item along with a description of its features. In the case of a movable antiquity, the record shall contain the names of the sequence of respective possessors.
 3. QMA shall implement procedures related to registration of immovable antiquities at the real estate register.

Article 5

All movable and immovable antiquities existing above or belowground are deemed to be public property of the State. Claims of ownership shall be according to the provisions of this law

Article 6

No landowner shall be entitled to dispose of antiquities existing above or below ground, nor to excavate antiquities therein or thereon.

Article 7 (Amended By Law 23/2010) ☐

- a. Damaging, deforming or manipulating antiquities is prohibited. The posting of signboards or other advertising materials in or on registered archaeological sites and historical buildings is also prohibited.
1. Construction of authorities or buildings on archaeological sites or sampling of soils or any other debris, materials or plants from such sites shall not be undertaken unless permitted by license from the competent authorities of QMA.
 2. No new buildings may be added to any archaeological monument, and no opening, outlet or other form of access may be made in archaeological buildings and archaeological fences.

Part 2

Immovable antiquities

Article 8 (Amended By Law 23/2010) ☐

QMA shall undertake a study of all immovable antiquities in Qatar, including the associated scientific documents and historical information. A separate file shall be kept for each item.

Article 9 (Amended By Law 23/2010) ☐

In accordance with Article 13 herein, in case it is established by the competent department in QMA that immovable antiquities exist in any location, the board of trustees of QMA may, in accordance with Article 3, designate such location, including its surroundings, as an archaeological site required for scientific research.

Article 10 (Amended By Law 23/2010) ☐

QMA shall compile a list of the immovable antiquities existing in Qatar and, using modern scientific techniques, shall photograph and survey them in order to properly describe the features and limits of archaeological sites and to prepare records and a detailed atlas

Article 11 (Amended By Law 23/2010) ☐

QMA shall prepare the immovable antiquities in such a way as to highlight the civilization of the country to visitors and to indicate their artistic and historical properties

Article 12 (Amended By Law 23/2010) ☐

- a. Registered immovable antiquities shall not be utilized for purposes other than those specified by QMA. Furthermore, no demolition, partial or total shifting, renovation or restoration of antiquities shall be allowed other than within the limits approved by QMA and executed under its supervision.
- 1. The use of registered antiquity locations to store remains or wastes, or as a cemetery or otherwise is strictly prohibited. Moreover, no irrigation systems or excavation are permitted in such locations. No trees shall be planted or removed, nor modifications that alter the landmarks of the locations made, without prior approval from QMA, and only under its supervision.

Article 13 (Amended By Law 23/2010) ☐

Taking into consideration the rules of expropriation for public utility, the board of trustees of QMA may allocate ownership to the State of any historical building or archaeological site, and may expropriate any registered and adjacent lands or buildings that contain antiquities.

Article 14 (Amended By Law 23/2010) ☐

Any person who either discovers an immovable antiquity or has knowledge of such a discovery shall notify the competent department at QMA or the nearest police station within ten days of the date of discovery or knowledge thereof. The board of trustees of QMA may award appropriate compensation to such person, regardless of the age, historical significance and description of the antiquity.
In the case of notification of the police station, the station shall immediately notify the competent authority at QMA.

Article 15 (Amended By Law 23/2010) ☐

Any person occupying land containing immovable antiquities shall permit access to such land at all times to the relevant authorities for inspecting, drafting plans, photographing, or any other purpose deemed necessary by QMA.

Article 16 (Amended By Law 23/2010)

The board of trustees of QMA may delete the registration of an antiquity by notice in the appropriate records and to all concerned individuals and entities.

Article 17 (Amended By Law 23/2010)

Archaeological sites and landmarks shall be preserved at all times during the preparation or extension of urban and rural planning. Planning projects shall not be endorsed in locations where antiquities exist unless approved by QMA.

Part 3

Movable antiquities

Article 18 (Amended By Law 23/2010)

Movable antiquities shall be kept in Qatar National Museum (QNM) and other museums to be established in the future. Antiquities shall be studied, restored, exhibited and properly stored in such museums.QMA shall undertake the organization of exhibitions, including in mobile museums, within and beyond the State, provided that the safety of such antiquities shall be secured.

Article 19 (Amended By Law 23/2010)

Authorities and individuals may acquire and preserve movable antiquities, provided that such items are presented to QMA for issuance of either an official registration document if the antiquity is significant, or a permit allowing unrestricted disposal if not significant. The possessor of a registered antiquity shall be responsible for its custody and safety and shall effect no modifications whatsoever to it. Where a registered antiquity is lost or damaged, its possessor shall promptly notify QMA.

Article 20 (Amended By Law 23/2010)

Within six months of the enforcement of this law, the possessor of a movable antiquity shall present it to QMA. Following the expiration of the aforesaid notice period all non-registered significant movable antiquities and all non-licensed insignificant movable antiquities shall be confiscated.

Article 21 (Amended By Law 23/2010)

QMA may request the possessor of a registered antiquity to submit it for study, drafting, photographing, production of a muster pattern or temporary exhibition, provided that it shall be returned promptly to its possessor in its original condition upon termination of its submission.

Part 4

Regulation of Antiquity

Article 22 (Amended By Law 23/2010)

The ownership of a registered movable antiquity may be transferred. Whoever sells a registered movable antiquity shall present the antiquity first to the QMA to consider the purchase thereof with the price agreed by the two parties. The seller shall furnish the QMA with the name and domicile of the new purchaser.

Article 23 (Amended By Law 23/2010) ☐

Any person who discovers a movable antiquity shall notify the competent department at QMA or the nearest police station within ten days of the discovery. The competent department may decide either to leave the antiquity in the discoverer's possession or to appropriate it upon payment to the discoverer of appropriate cash remuneration. In the case of notification to a police station, such station shall in turn immediately notify the concerned department of QMA

Article 24

The sale both of immovable antiquities in the State's possession and of movable antiquities in the State's museums is prohibited.

Article 25

Antiquities shall not be gifted unless strictly limited to the public interest. Provided, however, that a registered movable antiquity may be disposed of if similar versions of the same material, type, historical significance and artistic value are available. The decision to permit the gifting of antiquities shall be made by the Cabinet.

Article 26 (Amended By Law 23/2010) ☐

Upon Cabinet approval, QMA may exchange or lend antiquities to museums and academic authorities in Arab and foreign countries in accordance with special agreements for this purpose.

Article 27 (Amended By Law 23/2010) ☐

Trading in antiquities is prohibited, unless permitted by a license from QMA. Notwithstanding such permission, trading in antiquities shall be limited to registered antiquities or antiquities of unrestricted disposal. A license shall be granted in accordance with the rules and terms issued by the Cabinet.

Article 28 (Amended By Law 23/2010) ☐

- a. The export of antiquities is strictly prohibited. Movable antiquities may be exported, however, based on a decision of the board of trustees of QMA in cases where such export does not affect the archaeological or artistic heritage of Qatar.
- 1. An application to export antiquities shall be submitted on a special form mandated by QMA. However, QMA expressly reserves the right to grant or reject the application and to purchase any of the antiquities intended for export at the prices specified by the applicant.

Article 29 (Amended By Law 23/2010) ☐

- a. Antiquities imported to Qatar without an export license from the country of origin shall be held by the customs, post, security and other authorities. Such items shall subsequently be delivered under an official record to QMA, which shall investigate the matter accordingly.
- 1. If the investigation establishes that the antiquities have, with the importer's knowledge, been smuggled or otherwise taken out of the country of origin in violation of prevailing laws, they shall be administratively confiscated and considered as property of the State.
- 2. Such items may be returned to the country of origin based on reciprocity arrangements. However, if it is established that the importer acted in good faith, the board of trustees may, upon fair compensation to the importer, appropriate the items to the State.

Part 5

Excavation of antiquities

Article 30

Excavation of antiquities shall include all excavations, boring and other works for the purpose of discovering movable and immovable antiquities above or belowground or in territorial waters

Article 31 (Amended By Law 23/2010)

QMA is the sole competent authority entitled to undertake or authorize excavation works by scientific societies and archaeological missions to explore the antiquities under special license pursuant to this law. No entity or individual - even if the landowner- shall undertake any excavation of antiquities unless permitted by license from QMA.

Article 32 (Amended By Law 23/2010)

QMA shall agree with the landowner on the principle of excavation and the amount of compensation for any damage caused. In the event no agreement is reached, the land may be held through administrative procedure without prejudice to the provisions of article 13 herein.

Article 33 (Amended By Law 23/2010)

Excavation licenses shall not be granted to archaeological bodies, societies and delegations unless upon verification of their scientific and financial competences. QMA may require certain technical elements within the entities that undertake such excavation.

Article 34 (Amended By Law 23/2010)

- The following particulars shall be included in licenses required for excavation of antiquities:
1. Capacity of licensed entity or mission, as well as previous experience in excavation for antiquities.
 2. Determination, with supporting maps, of archaeological domain to be excavated.
 3. Project execution timeline.
 4. Any other conditions deemed necessary by QMA.

Article 35 (Amended By Law 23/2010)

- The licensed entity shall abide by the following conditions:
1. Photograph and draft archaeological sites;
 2. Promptly register the discovered antiquities in special records;
 3. Provide proper security and care;
 4. Provide QMA with excavation results at short intervals;
 5. Provide a brief report at the end of each season as required by QMA;
 6. Enable QMA representatives to supervise the excavation operations; and
 7. Safely transport discovered antiquities to the Qatar National Museum at the end of each season.

Article 36 (Amended By Law 23/2010)

- a. The excavating entity shall publish the scientific results of its work within two years after completion. This term may be extended to five years by a decision of the QMA board of trustees.QMA may publish such results of its own accord or through other entities, without any objection thereto by the excavating entity.

1. In addition to copies of any films made of its discoveries, the excavating entity shall provide QMA with copies of published research and duplicates of photographs. In this case, all scientific property rights in the results of the excavations and the right of priority in publishing such results shall vest in the excavating entity.

Article 37 Cancelled (Repealed By Law 23/2010)

Article 38

- a. All antiquities discovered by excavators become the property of the State. Movable items shall be deposited at Qatar National Museum and other museums to be established in future.

1. The archaeological missions may be awarded grants in consideration of their efforts, such as duplicates of discovered antiquities or those that can be disposed of due to the existence of similar versions of the same material, type, historical significanceand technical value.

2. Archaeological missions shall exhibit granted antiquities for not more than one year in a public museum or a museum related to an academic institution.

Article 39 (Amended By Law 23/2010)

- a. Where a licensed entity violates the provisions of this law or any conditions stipulated in a license, the excavation works may be stopped immediately by a decision of the QMA board of trusteesbased on a recommendation by the concerned department.

1. No works may resume unless and until the violation has been remedied. Where a violation is substantial, the license may be revoked by a decision of the QMA board of trustees based on a recommendation by the concerned department.

Part 6

Penalties

Article 40 (Amended By Law 23/2010)

Without prejudice to any other greater penalty provided in any other law, any person convicted of a violation of this law or bylaws thereof, shall be sentenced to imprisonment not exceeding three years or a fine not exceeding ten thousand (10,000) Riyals, or both. In all cases, the movable antiquity shall be confiscated and delivered to QMA.

Article 41 (Amended By Law 23/2010)

QMA officials vested by the Public Attorney with the powers of judicial investigators shall investigate and ascertain crimes that violate the provisions of this law. Such investigators shall be entitled to inspect all locations wherein activities subject to this law are exercised, and to access all locations wherein such crimes occur, in order to prepare appropriate records of their investigations.

Article 42 (Amended By Law 23/2010)

The board of trustees of QMA shall issue the by-laws and decisions necessary for the application of this law.

Article 43

All competent authorities, each in its respective jurisdiction, shall enforce this law with effect from the date of its publication in the *Official Gazette*.

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