

Decree-Law No. (11) of 2018 on Tangible Cultural Heritage

**President of the State of Palestine
Chairman of PLO Executive Committee**

In accordance with the provisions of the Amended Basic Law of 2003 as amended, in particular the provisions of Article (43) thereof,

And after having reviewed:

The provisions of the Antiquities Law (Chapter 5) of 1929 as amended, in force in the Southern Governorates;

The provisions of Penal Law No. (74) of 1936 as amended, in force in the Southern Governorates;

The provisions of Penal Law No. (16) of 1960 as amended, in force in the Northern Governorates

The provisions of the Provisional Antiquities Law No. (51) of 1966 as amended, in force in the Northern Governorates;

The provisions of the Provisional Palestinian Antiquities Museum Law No. (72) of 1966 as amended, in force in the Northern Governorates,

The provisions of Penal Procedure Law No. (3) of 2001 as amended;

AND based on the recommendation of the Council of Ministers dated 20/03/2018;

And in accordance with the powers vested in us,

And in pursuit of the public interest,

And in the name of the Palestinian Arab People,

We hereby promulgate the following Law:

CHAPTER ONE DEFINITIONS AND GENERAL PROVISIONS

Article (1)

The terms and expressions mentioned in this Decree-Law shall have the meanings ascribed thereto below, unless the context indicates otherwise:

State	The State of Palestine
Ministry	The Ministry of Tourism and Antiquities
Minister	The Minister of Tourism and Antiquities
Council	The Advisory Council for Tangible Cultural Heritage
Heritage	Immovable or movable cultural properties, located on the surface of the earth, underground, or submerged partially or fully in water,

	dating back to before the year 1917, or to a later date pursuant to the provisions of this Law
Immovable Heritage	Cultural properties that, by their nature, cannot be moved from one place to another.
Movable Heritage	Cultural properties separated from the land or from immovable heritage and can be moved from one place to another according to their nature
Registered Heritage	Heritage for which the Ministry has issued a registration certificate in the Register
Register	The National Register of Tangible Cultural Heritage
Protection Plans	The plans approved by the Ministry for the protection, development, management, and conservation of heritage, including implementation mechanisms
Heritage Conservation	The technical and scientific interventions aimed at highlighting the importance of heritage and using it in ways that ensure its preservation and sustainability
Surrounding Area	The area adjacent to the immovable heritage site, considered a natural, environmental, aesthetic, visual, or legal extension of the site, and deemed an integral part thereof
Heritage Promotion	The available and diverse means and methods used to introduce the heritage and utilize it for cultural, educational, social, touristic, commercial, and economic purposes
Heritage Holder	The person in possession of the heritage by virtue of ownership, lease, investment, or other legal dispositions defined by applicable laws
Survey	A scientific fieldwork program for studying and identifying the locations, features, and visible components of heritage on the earth's surface, including remains and material residues, using topographic maps, aerial images, and scientific methods for detecting heritage locations and features
Excavation	A fieldwork program for inspecting, documenting, and interpreting heritage sites, and for searching for heritage artifacts and other remains at a specific location on land or underwater
Heritage Inventory	The process of listing heritage sites within the State and surrounding areas, classifying them, identifying their significance, origin, history, and purpose of use
Preliminary Lists	Initial lists prepared by the Ministry for the purpose of registering heritage in the Register
License	A document issued by the Ministry authorizing the licensee to perform specific acts pursuant to the provisions of this Law
Written Authorization	The Ministry's approval permitting the applicant to obtain a license from the competent authorities to carry out the acts specified under the provisions of this Law

Article (2)

The provisions of this Decree-Law shall apply to tangible cultural heritage located on the surface of the land, underground, or partially or fully submerged in the waters of the State.

Article (3)

This Law aims to achieve the following:

1. Protecting the heritage of the State and preserving it for future generations.
2. Promoting awareness of Palestinian heritage and ensuring its optimal management.
3. Safeguarding the cultural and civilizational identity of the State.

Article (4)

1. Immovable or movable cultural properties shall be considered heritage in any of the following cases:
 - a. If they date back to before the year 1917.
 - b. If they date back to after the year 1917 and possess one of the following types of significance:
 - 1- Cultural Significance: The historical, rare, aesthetic, artistic, social, scientific, religious, architectural, spiritual, symbolic, representative, and interactive values of the cultural heritage for current and future generations.
 - 2- Economic Significance: Values associated with the direct or indirect economic dimensions and impacts of cultural heritage, forming a national resource contributing to the development of the local and national economy.
 - 3- Natural Significance: Values linked to heritage considered part of its environment, components, and cultural and natural landscape.
2. The Minister shall issue a decision designating the immovable or movable cultural properties referred to in Paragraph 1(b) of this Article as heritage.

Article (5)

1. Heritage located within the State or in its territorial waters, whether discovered through lawful or unlawful excavations or by coincidence, shall be deemed public property of the State, except for heritage for which legal ownership is established by its owners.
2. Ownership of real estate does not grant its holder the right to dispose of the heritage located on its surface or underground, nor does it entitle them to excavate for it except in accordance with the provisions of this Decree-Law.
3. It is prohibited to sell, donate, endow, or dispose of heritage owned by the State for any reason whatsoever.
4. Heritage shall remain in the possession of its holder, who may not dispose of it except in accordance with the provisions of this Decree-Law.

Article (6)

The Ministry shall be the policy, legal, and administrative reference for heritage in the State and shall undertake the following tasks:

1. Promoting heritage and raising awareness of its importance.
2. Protecting heritage from any violations, as well as conserving and restoring it to ensure preservation.
3. Inventorying and classifying heritage according to its significance and registering it in the Register.
4. Supervising heritage museums and monitoring their activities.
5. Defining heritage areas and their boundaries and including them in structural and detailed maps in coordination with the Ministry of Local Government.
6. Managing and investing in heritage sites.
7. Preparing nomination files for listing heritage sites of outstanding universal value in the Tentative List and the World Heritage List, in coordination with relevant authorities.
8. Any other responsibilities under the provisions of this Decree-Law.

Article (7)

1. No person may undertake works related to heritage conservation, restoration, maintenance, or excavation as specified under this Law without first obtaining a license from the Ministry.
2. The conditions and procedures for licensing shall be defined in a regulation issued by the Council of Ministers.

Article (8)

1. The Ministry shall establish a Heritage Protection Fund with the objective of:
 - a. Providing the necessary funds for acquiring, conserving, restoring, reconstructing, or rehabilitating heritage.
 - b. Offering loans and financial assistance to encourage heritage holders to carry out restoration and reconstruction works.
2. The mechanism of operation of the Fund and the method of providing the necessary funds shall be defined in a regulation issued by the Council of Ministers.

Article (9)

The Minister shall issue a decision designating the specialized employees within the Ministry who shall enjoy the status of judicial officers, tasked with the following:

1. Seizing heritage held unlawfully in accordance with the provisions of this Decree-Law.
2. Conducting inspections and assessments of heritage sites or seized heritage objects and preparing related reports.
3. Halting any activities or violations at heritage sites and seizing tools used in such activities.
4. Taking all necessary measures to protect heritage.
5. Detaining the person responsible for the violation of heritage and referring them to the competent authorities.

CHAPTER TWO ADVISORY COUNCIL FOR HERITAGE

Article (10)

1. Pursuant to the provisions of this Decree-Law, an Advisory Council for Heritage shall be established, composed of thirteen (13) members and chaired by the Minister, with the following members:
 - a. The Deputy-Minister, as Vice-Chairperson.
 - b. The Assistant Deputy-Minister for Heritage.
 - c. The Assistant Deputy-Minister for Tourism.
 - d. A representative from each of the following governmental institutions, holding a degree no less than Director General:
 - 1) Ministry of Local Government.
 - 2) Ministry of Awqaf and Religious Affairs.
 - 3) Land Authority.
 - 4) Environment Quality Authority.
 - e. Representatives with relevant expertise from academic institutions.
 - f. Representatives with experience from non-governmental institutions working in the field of heritage.
 - g. One representative with expertise in heritage.
2. The Chairperson of the Council shall issue a decision approving the appointment of members listed in subparagraphs (e), (f), and (g) of Paragraph (1) of this Article, following consultation with the relevant parties.

Article (11)

The Council shall undertake the following functions:

1. Proposing guiding policies for the preservation, protection, management, and development of heritage.
2. Reviewing the strategic plan for heritage.
3. Exploring mechanisms to provide financial support for heritage preservation projects.
4. Proposing the registration of heritage in the National Register or its inclusion on the Tentative List and the World Heritage List.
5. Providing advisory support for the management and conservation of sites included on the World Heritage List.
6. Forming specialized technical committees to carry out tasks in accordance with the provisions of this Law.
7. Addressing any other matters presented by the Chairperson of the Council.

Article (12)

1. The Council shall convene regularly every three (3) months, and may convene an extraordinary session at the request of the Chairperson or upon a written request submitted by at least one-third of its members.
2. The meeting of the Council shall be valid with the attendance of an absolute majority of its members, and its decisions shall be taken by a majority of the votes of those present. In the event of a tie, the side supported by the Chairperson of the session shall prevail.
3. The Council may invite specialists from individuals or governmental and non-governmental institutions to attend its sessions to express their views on matters on the agenda, without granting them voting rights.
4. The Chairperson of the Council shall issue internal regulations to govern the Council's operations.

CHAPTER THREE PROTECTION OF IMMOVABLE HERITAGE

Article (13)

The following shall be considered immovable heritage:

1. Archaeological Sites: Abandoned or demolished sites, or parts thereof, or any additions to them, including soil, water, underground land, and groundwater containing structures connected to them, heritage artifacts, or any other remains. These may appear in the form of a ruin, mound, or religious, civil, or military structure, and include old villages, cities, and residential clusters where surveys prove the existence of previous civilizational phases.
2. Monuments: Physical remains appearing independently or as part of buildings, installations, or elements composed of architectural works, carved landmarks, archaeological or engineering structures, along with their surroundings, annexes, installation requirements, and equipment, whose protection serves a public, national, regional, or local interest.
3. Historic Areas: Areas with homogeneous urban fabric, such as city and village centers or parts thereof, containing urban elements—streets, alleys, squares, aqueducts—that, through their interconnectedness, uniformity, and placement in the landscape, possess historical, artistic, scientific, or spiritual value.
4. Individual Buildings: Structures located outside and unconnected to historic areas, containing urban features.
5. Cultural Landscape: Areas featuring tangible and distinctive products of interaction between human activity and nature, representing the heritage of multiple eras of civilizational and natural development over generations, and bearing global, regional, or national significance.

Article (14)

1. The holder of immovable heritage must adhere to the technical standards specified by the Ministry when performing the following:
 - a. Preserving it from damage, collapse, or alteration.
 - b. Maintaining and restoring it.

2. If the holder fails to perform the tasks outlined in paragraph (1), the Ministry may grant them a specific period to carry out the required works or may undertake the necessary preservation and restoration measures at the holder's expense.

Article (15)

No person may commit any of the following acts:

1. Obscuring, distorting, damaging, altering, destroying, or affecting any element or component of the immovable heritage.
2. Removing, relocating, writing on, or engraving any part of the heritage.
3. Dumping waste, debris, or soil at the heritage site or in its surrounding area.
4. Selling, purchasing, or trading any materials extracted from immovable heritage.
5. Excavating or digging at heritage sites or elsewhere in search of buried treasures, including gold artifacts, even if located on privately owned land.

Article (16)

1. A holder shall forfeit possession of immovable heritage under the following circumstances:
 - a. If proven incapable of meeting preservation and protection requirements.
 - b. If negligent in fulfilling duties as stipulated in this Law.
2. Where any condition under paragraph (1) applies, the Ministry may expropriate the heritage after paying fair compensation in accordance with applicable legislation.
3. The Ministry shall determine methods for managing and utilizing expropriated heritage.

Article (17)

Competent authorities may not issue permits for the following actions without obtaining prior written authorization from the Ministry:

1. Installing signage, commercial advertisements, visible antennas, or pipes on the façades or roofs of immovable heritage, or affixing symbols to it.
2. Constructing, demolishing, grading, or adding to existing buildings.
3. Carrying out infrastructure work at the heritage site or in its surrounding area.
4. Selling or purchasing immovable heritage.
5. Implementing agricultural, investment, industrial, or commercial activities at the heritage site or its surrounding area.
6. Transferring ownership of registered immovable heritage.
7. Demolishing the heritage site in whole or in part.

Article (18)

1. The Ministry shall determine the boundaries of immovable heritage sites and their surrounding areas based on their significance and preservation requirements.
2. The Ministry may close the heritage site and prohibit access without written authorization if such action is necessary for its protection and preservation.

Article (19)

Local authorities, in coordination with the Ministry, shall take the following measures to protect immovable heritage:

1. Closing heritage sites, fencing them, and providing security.
2. Installing markers and facilitating access.

Article (20)

If the holder of immovable heritage wishes to sell it, the Ministry shall have the right of priority to purchase it.

CHAPTER FOUR PROTECTION OF HISTORIC AREAS AND CULTURAL LANDSCAPE

Article (21)

The Ministry, in cooperation with local authorities, shall determine the boundaries of historical areas and their surrounding zones in order to preserve them and protect their cultural landscape.

Article (22)

No person may commit any of the following acts:

1. Removing, demolishing, or defacing any of the architectural fabric components in historic areas, individual buildings, or cultural landscapes.
2. Constructing buildings in courtyards, yards, alleys, or streets within historical areas.

Article (23)

1. It shall be permissible to construct or add a new building within historic areas or on individual buildings only upon obtaining prior written authorization from the Ministry in the following cases:
 - a. Construction on vacant plots of land that are not occupied by any building.
 - b. Construction on the site of a completely collapsed historic building, provided that the collapse did not occur in violation of the provisions of this Law.
2. It shall be permissible to construct or add buildings within cultural landscape sites or their surrounding areas, or to carry out infrastructure works and major development projects, only upon obtaining prior written authorization from the Ministry and conducting a study to assess the cultural and environmental impact.

CHAPTER FIVE PROTECTION OF MOVABLE HERITAGE

Article (24)

The following shall be considered part of the movable heritage:

1. Sculptures, pottery, artistic artifacts, coins, postage stamps, photographs, inscriptions, manuscripts, archival documents, textiles, currencies, seals, jewelry, traditional clothing, weapons, and manufactured items, regardless of their material, intended purpose, or uses.
2. Archaeological finds, burial remains, and items resulting from explorations and scientific research on land or underwater.
3. Human, animal, or plant remains dating back more than two hundred (200) years.
4. Handcrafted and artisanal works, such as embroidery, ceramics, and paintings.
5. Museum and private heritage collections.

Article (25)

A holder of movable heritage shall:

1. Preserve and protect it and refrain from making any alterations.
2. Provide the Ministry with a list of movable heritage in their possession every three (3) years or upon request by the Ministry.
3. Allow the Ministry to inspect the heritage collections in their possession and conduct related studies and research.
4. Notify the Ministry in writing if the movable heritage is at risk of damage or distortion to enable the Ministry to take appropriate protective measures.
5. Report the loss or theft of movable heritage to the police and the Ministry immediately upon discovery.

Article (26)

No person may undertake any of the following actions without obtaining a license from the Ministry:

1. Alter, restore, or conserve movable heritage.
2. Replicate or imitate movable heritage for legitimate purposes as determined by the Ministry.
3. Acquire movable heritage collections.
4. Lend movable heritage within or outside Palestine.
5. Organize exhibitions of original or replicated movable heritage.
6. Sell, purchase, use, or transport rubble and soil from heritage sites for construction, restoration, or other purposes.

Article (27)

The following actions are strictly prohibited:

1. Illegally possessing movable heritage.
2. Forging movable heritage.
3. Destroying, damaging, or distorting any movable heritage.

4. Trading or conducting commercial activities involving movable heritage, including foreign heritage.
5. Smuggling movable heritage out of the State or participating in any acts leading to such smuggling.
6. Committing any act that causes the movable heritage to lose the significance for which it was registered.

Article (28)

1. Movable heritage may be brought into the State only with prior written authorization from the Ministry or its designated representative abroad.
2. Authorization to bring movable heritage into the State is subject to the following conditions:
 - a. The country of origin must be known.
 - b. Its export from the country of origin must be licensed.
 - c. The entry must be for one of the following purposes:
 - 1) Lending or exhibiting in museums or exhibitions.
 - 2) Personal property of members of diplomatic missions.
 - 3) Private collections of hobbyists.
 - 4) Inherited property acquired by a Palestinian.

Article (29)

The Ministry may return movable heritage to the country of origin upon request, provided that:

1. It entered the State illegally.
2. Reciprocity is observed.
3. The country of origin submits the necessary evidence and documentation substantiating the legitimacy of its claim.
4. The country of origin bears all costs associated with the return.
5. No customs or other fees are imposed on the return.
6. The country of origin pays fair compensation to the bona fide purchaser.

Article (30)

1. Movable heritage may be lent within or outside the State for a specified period for the following purposes:
 - a. Study and scientific research.
 - b. Exhibition in national or international museums.
 - c. Conservation and restoration.
2. Lending movable heritage is subject to the following conditions:
 - a. The recipient must provide a guarantee acceptable to the Ministry.

- b. It must be returned in the same condition as when it was lent.
 - c. The heritage holder must provide the Ministry with a copy of the report of the study conducted under the lending arrangement.
- 3. The procedures, conditions, and duration of lending shall be determined pursuant to a regulation issued by the Council of Ministers.

Article (31)

- 1. Any person who discovers or learns of the discovery of a submerged heritage site, or who accidentally retrieves shipwrecks or movable heritage from underwater, must:
 - a. Leave the items in place.
 - b. Not cause any damage or alteration to them.
 - c. Report their location to the police.
- 2. The police must hand over the heritage items to the Ministry pursuant to an official record.
- 3. The Ministry shall take all necessary measures to preserve submerged or retrieved heritage if it is at risk of damage or destruction.

Article (32)

- 1. The Palestinian Archaeological Museum in Jerusalem shall be deemed the State's national museum.
- 2. The Ministry may:
 - a. Establish museums.
 - b. Issue licenses to others, including government bodies, to establish museums.
- 3. A regulation shall be issued by the Council of Ministers to regulate the operation of museums and determine their relationship with foreign and other relevant museums.

Article (33)

- 1. In the event of armed conflict, the Ministry shall take the following measures to protect heritage:
 - a. Document and photograph heritage subject to protection.
 - b. Develop emergency preparedness plans.
 - c. Construct shelters designated for preserving heritage.
 - d. Provide enhanced protection for heritage in accordance with international mechanisms for heritage protection during armed conflict.
 - e. Remove movable heritage from areas of combat or military targets, or provide sufficient protection for them in place.
- 2. The Ministry may submit a request to UNESCO to place cultural heritage of global or national importance under the system of special or enhanced protection.

CHAPTER SIX PROTECTION PLANS

Article (34)

1. The Ministry shall determine the sites and boundaries of immovable heritage areas on structural plans.
2. Planning committees shall obtain the Ministry's approval prior to endorsing structural, detailed, or spatial plans for any area, without prejudice to the provisions of the applicable Law on the Organization of Cities, Villages, and Buildings.
3. Coordination shall take place between planning committees and the Ministry in the following cases:
 - a. Preparation of local authorities' structural or development plans and their updates throughout all stages of work; such plans may not be issued or amended without the Ministry's prior approval.
 - b. Indicating the location of immovable heritage and the surrounding area on structural, detailed, or spatial plans as protected areas.

Article (35)

1. Local authorities shall prepare protection plans for immovable heritage located within their jurisdiction, in alignment with the Ministry's directives on heritage conservation, management, and protection.
2. Protection plans prepared by local authorities shall not be enforceable unless approved by the Ministry.
3. Local authorities shall implement the protection plans within their jurisdiction under the supervision of the Ministry.
4. The Ministry, in cooperation with relevant competent authorities, shall prepare and implement protection plans for immovable heritage located outside the jurisdiction of local authorities.

Article (36)

The Ministry shall prepare the necessary protection plans for cultural landscape sites in cooperation with relevant international and local heritage organizations.

Article (37)

The holder of movable heritage shall prepare protection plans for the heritage in their possession, provided that the Ministry approves such plans.

CHAPTER SEVEN THE NATIONAL HERITAGE REGISTER

Article (38)

A register shall be established at the Ministry for the recording of immovable and movable heritage.

Article (39)

1. The Ministry shall conduct a general inventory of heritage in the State, which shall include information and data related to the heritage for the purpose of study and for proposing preliminary lists of heritage intended to be recorded in the Register.
2. Special lists shall be prepared for heritage located outside the State or smuggled from it in order to recover it through legal means.
3. The Minister shall issue the necessary instructions to determine the inventory mechanism and the time required for its completion.

Article (40)

The Ministry shall issue a registration certificate and record the heritage in the Register as follows:

1. Announce the inclusion of the heritage in the preliminary inventory lists in two daily newspapers and at the premises of the relevant local authority for two consecutive days, and open the objection period for two months from the date of announcement; this period may be extended by decision of the Minister.
2. The Ministry shall form specialized committees to consider objections submitted by the holder regarding the inclusion of heritage on the preliminary lists. The committee shall decide within ninety (90) days from the date of submission, either to exclude the heritage from the preliminary lists and lift its legal protection, or to complete the registration procedures and issue a registration certificate.

Article (41)

The registration certificate shall specify the importance, age, brief description, classification, level of protection, required interventions and protection plans of the heritage, and any other data determined by the regulations and instructions issued under this Decree-Law.

Article (42)

The Ministry shall record discovered heritage after conducting related studies and research and shall issue a registration certificate for it.

Article (43)

Heritage recorded in the Register shall be classified as follows:

1. Heritage of Global Importance: Heritage of representative value for humanity.
2. Heritage of National Importance: Heritage of value to the State.
3. Heritage of Local Importance: Heritage valued by small groups in the community within a specific area.

Article (44)

The Ministry shall notify the holder of its decision to register the heritage in the final Register through one of the following methods:

1. By registered mail with acknowledgment of receipt, if the holder's address is known.

2. By publishing in a daily newspaper, and posting the decision at the heritage site and at the local authority center affiliated with the site, if the holder's address is unknown.
3. If the heritage has multiple holders, the registration decision shall be delivered to any one of them.

Article (45)

The Ministry shall notify the Land Authority of the immovable heritage recorded in the Register so that it may be marked in the immovable property register as recorded heritage.

Article (46)

A heritage holder may, upon obtaining written permission from the Ministry, do the following:

1. Transfer ownership to a person within the State.
2. Donate it to the Ministry or to a person within the State.

Article (47)

The Ministry may determine for the holder of registered or endangered heritage the method of use, preservation, maintenance, and restoration. It may also require the holder to change such method to ensure conservation and protection.

Article (48)

The Ministry shall publish the Register in full for the first time in the Official Gazette after five years from its establishment and shall update it periodically every five years.

Article (49)

Registered heritage in the Register shall enjoy the following benefits:

1. Exemption from renovation and maintenance license fees.
2. Access to technical and financial assistance from the Ministry to prepare studies for renovation, maintenance, rehabilitation, and reconstruction using appropriate scientific methods.
3. Access to national and international support programs.

Article (50)

The Ministry shall have the right to evict any person unlawfully occupying a publicly-owned registered heritage site, in accordance with applicable laws.

CHAPTER EIGHT SURVEY AND EXCAVATION

Article (51)

1. The Ministry shall be responsible for conducting heritage surveys and excavations.
2. The Ministry may issue a survey and excavation license to a specialized local or international mission and supervise it in accordance with the provisions of this Law.

Article (52)

1. A licensed party undertaking excavation or survey works must adhere to the following:
 - a. Take all necessary measures to protect and preserve the discovered heritage.
 - b. Prepare a comprehensive excavation and survey work plan, subject to the Ministry's approval.
 - c. Submit a preliminary report to the Ministry within a maximum of three months from the end of the excavation season, including excavation site plans, a complete and clear inventory of findings, photographs, and documentation.
 - d. Prepare both printed and electronic bulletins related to the excavations within one month from the submission of the preliminary report and provide the Ministry with two copies of each for archiving.
 - e. Submit a final report to the Ministry upon completion of the excavation, including excavation results, related studies, and a technical description of the site.
 - f. Deliver all materials extracted from the excavation to the Ministry within no later than five years from the date of completion.
 - g. Bear all expenses related to excavation and survey activities.
 - h. Conduct the survey works within the period specified by the Ministry in the license.
2. The licensee may not publish or broadcast any information about the excavations or heritage discoveries without prior written approval from the Ministry.
3. Any licensee who violates paragraph (1) of this Article shall be denied a new excavation license for ten years.

Article (53)

No person may commence scientific studies related to heritage or any major developmental or construction projects without obtaining prior written authorization from the Ministry.

Article (54)

1. The Ministry may carry out survey, excavation, or digging operations at potential heritage sites located on privately owned lands, provided that a justified request is submitted to the Council of Ministers for temporary expropriation of such lands.
2. The Council of Ministers shall issue a temporary expropriation decision, which shall include the following:
 - a. The duration of the temporary expropriation, not to exceed five years.
 - b. Fair financial compensation for the duration of the temporary expropriation.

Article (55)

1. The Ministry shall conduct rescue excavations or documentation for the purpose of conserving and protecting heritage in the following cases:
 - a. When the heritage is at risk of destruction.

- b. When the heritage is discovered accidentally due to natural causes or during the execution of construction, infrastructure, or excavation works.
2. The costs of rescue excavation or documentation shall be borne by the person conducting the construction, infrastructure, or excavation works.
3. The Ministry shall suspend the activities specified in paragraph (2) of this Article until the rescue excavation or documentation works are completed.

CHAPTER NINE HERITAGE PROMOTION

Article (56)

1. The Ministry, in cooperation with local authorities or any other competent bodies, shall prepare and supervise heritage promotion plans.
2. Heritage promotion plans must take into account the following:
 - a. Achieving a balance between the requirements of heritage promotion and the preservation of its identity, authenticity, and integrity.
 - b. Optimal utilization of tangible heritage sites.
 - c. Development and management of heritage sites in a manner that ensures their conservation and sustainable use.

Article (57)

In promoting heritage, the Ministry aims to:

1. Raise awareness of the importance of heritage preservation.
2. Develop qualified personnel capable of promoting heritage.
3. Establish local and international relationships to exchange expertise in heritage development and promotion.
4. Promote industries and economic services related to heritage.

Article (58)

1. The Ministry may manage and invest in publicly owned heritage sites, in whole or in part.
2. The Ministry may grant a license to the holder or to a third party to manage and invest in heritage.
3. The Ministry has the right to suspend the license temporarily or permanently if it is found that the management or investment of the heritage negatively affects it.
4. The Council of Ministers shall issue a regulation specifying the methods of managing, investing in, and promoting heritage.

CHAPTER TEN PENALTIES

Article (59)

Anyone who prevents, obstructs, or hinders Ministry employees who serve as judicial officers from carrying out their duties shall be punished by imprisonment for a term not less than six months and not more than one year, or by a fine not exceeding five thousand Jordanian dinars or its equivalent in legally circulated currency.

Article (60)

Anyone who distorts historical facts related to heritage or falsely attributes heritage status without accurate historical evidence shall be punished by imprisonment for a term not less than three years and not more than ten years, and by a fine not less than five thousand and not exceeding ten thousand Jordanian dinars or its equivalent in legally circulated currency, or by either of these two penalties.

Article (61)

Anyone who carries out, without a license from the Ministry, any acts related to heritage as specified under the provisions of this Law shall be punished by imprisonment for a term of three to seven years, and by a fine not less than ten thousand Jordanian dinars or its equivalent in legally circulated currency, or by either of these two penalties.

Article (62)

Anyone who commits any of the following acts shall be punished by imprisonment for a term not less than two years and a fine not exceeding three thousand Jordanian dinars or its equivalent in legally circulated currency, or by either of these two penalties:

1. Discovers heritage and fails to notify the police or the Ministry.
2. Refuses to provide information, data, or documents to the Ministry resulting in harm to heritage.
3. Refuses or fails to deliver discovered or accidentally found heritage to the Ministry.

Article (63)

Anyone who commits any of the following acts without obtaining prior written permission from the Ministry shall be punished by imprisonment for six months and a fine not less than three thousand and not exceeding five thousand Jordanian dinars or its equivalent in legally circulated currency, or by either of these two penalties:

1. Installing signs, commercial advertisements, antennas, or visible pipes on the facades or roofs of heritage properties or affixing symbols on them.
2. Carrying out agricultural, investment, industrial, or commercial activities at the heritage site or its surrounding area.
3. Executing infrastructure works at the heritage site or its surrounding area.
4. Constructing, demolishing, bulldozing, or adding to existing buildings.

Article (64)

Anyone who commits any of the following acts without obtaining prior written permission from the Ministry shall be punished by imprisonment for a term not less than five (5) years and by a fine not less than ten thousand and not exceeding thirty thousand Jordanian dinars or its equivalent in legally circulated currency, or by either of these two penalties:

1. Demolishes, wholly or partially, a tangible heritage site.
2. Sells or purchases tangible heritage.
3. Transfers ownership of tangible heritage registered in the National Register.

Article (65)

Anyone who commits any of the following acts shall be punished by imprisonment for a term not less than seven years and not exceeding ten years, and by a fine not less than twenty thousand and not exceeding fifty thousand Jordanian dinars or its equivalent in legally circulated currency:

1. Obscures, distorts, vandalizes, alters, destroys, or otherwise affects any component of tangible heritage.
2. Removes, displaces, writes, or engraves on any part of heritage.
3. Sells, purchases, or trades any material extracted from tangible heritage.
4. Carries out excavation or digging in tangible heritage sites in search of gold treasures or other artifacts, even if the land is privately owned.

Article (66)

Anyone who disposes of solid, medical, or industrial waste or construction debris in heritage areas or their surroundings causing harm to the heritage or its aesthetic landscape shall be punished by imprisonment for one year and a fine of five thousand Jordanian dinars or its equivalent in legally circulated currency.

Article (67)

Anyone who imports movable heritage into the State without obtaining prior written permission from the Ministry shall be punished by imprisonment for six months or a fine of two thousand Jordanian dinars or its equivalent in legally circulated currency.

Article (68)

Anyone who commits the following shall be punished by imprisonment for a term not less than three years and not exceeding ten years, and by a fine not exceeding ten thousand Jordanian dinars or its equivalent in legally circulated currency:

1. Illegally possesses movable heritage.
2. Sells counterfeit movable heritage as if it were authentic.

Article (69)

Anyone who commits any of the following acts shall be punished by imprisonment for a term not less than five years and not exceeding ten years, and by a fine not less than fifteen thousand Jordanian dinars or its equivalent in legally circulated currency:

1. Forges movable heritage.
2. Destroys, damages, or distorts any movable heritage.
3. Transfers ownership of movable heritage without written authorization from the Ministry.
4. Engages in the trade of movable heritage or participates in or incites such trade.
5. Smuggles movable heritage out of the country or participates in or facilitates such acts.
6. Steals movable heritage.

Article (70)

The penalty for any acts criminalized under the provisions of this Law shall be doubled in the following cases:

1. Repetition of the offense.
2. If the perpetrator is an employee of the Ministry or any competent public or local authority entrusted with heritage preservation.
3. If the offense is committed within an official heritage institution or site.

Article (71)

1. The Ministry shall take all necessary measures to stop any violation or assault on heritage, including the removal of the violation and restoration of the heritage to its original state at the expense of the violator.
2. The court may award compensation based on the value of the heritage in cases where restoration is not possible.

CHAPTER ELEVEN FINAL PROVISIONS

Article (72)

1. The Ministry may pay a reward to any person who:
 - a. Accidentally discovers heritage and reports it.
 - b. Provides information leading to the discovery of heritage.
 - c. Know of a heritage discovery and reports it.
 - d. Provides information that contributes to preventing harm or assault against heritage.
2. The Minister shall issue instructions specifying the criteria and amount of the reward.

Article (73)

1. If any competent authority seizes stolen, smuggled, lost, or unlawfully possessed heritage, it must safeguard and deliver it to the Ministry pursuant to an official record.
2. If the seized heritage is a reported lost item, the Ministry shall return it to the rightful possessor in accordance with the provisions of this Law.

Article (74)

1. The Ministry shall collect fees for:
 - a. Licenses and authorizations granted pursuant to the provisions of this Law.
 - b. Site inspections and assessments.

2. The amount of the fees shall be determined by a regulation issued by the Council of Ministers.

Article (75)

1. The possessor of heritage shall regularize their status within a maximum period of one year from the effective date of this Law.
2. Museums shall regularize their status within six months from the effective date of this Law.

Article (76)

1. Without prejudice to the provisions of this Law, the regulations issued pursuant to previous laws shall remain in force upon the entry into effect of this Law, until repealed, amended, or replaced.
2. The lists of historic buildings and archaeological sites issued under the Antiquities Law of 1935, the Antiquities Law (Chapter 5) of 1929, and the Temporary Antiquities Law No. (51) of 1966, or any list published in the Official Gazette, shall remain valid until integrated into the national register.

Article (77)

The Council of Ministers shall adopt the necessary regulations for the implementation of the provisions of this Decree-Law.

Article (78)

1. The following laws are hereby repealed:
 - a. The Provisional Antiquities Law No. (51) of 1966 as amended, in force in the Northern Governorates.
 - b. The Antiquities Law (Chapter 5) of 1929 as amended, in force in the Southern Governorates.
2. Any provision contrary to the provisions of this Decree-Law is hereby repealed.

Article (79)

This Law shall be presented to the Legislative Council at its first convened meeting for approval.

Article (80)

All competent authorities, each in its respective field, must implement the provisions of this Decree-Law, and it shall enter into force thirty (30) days after its publishing in the Official Gazette.

Issued in the city of Ramallah on: 29/04/2018 AD
Corresponding to: 13 Sha'ban 1439 Hijri

MAHMOUD ABBAS
President of the State of Palestine
Chairman of PLO Executive Committee