

**Law No. (3) of 1424 FBP
on protecting antiquities, museums, ancient cities, and historical buildings**

The General People's Congress,

- In implementation of the resolutions of the Basic People's Congresses in their second ordinary session of 1403 FDP, corresponding to 1992 AD, drafted by the General Forum of Basic People's Congresses, People's Committees, professional syndicates, unions, and associations (the General People's Congress) in its ordinary session from 10-17 Shaaban 1403 FDP, corresponding to 22-29 January 1423 FBP;

Upon review of:

- Law No. (2) of 1983 AD on antiquities, museums, and documents;
- Law No. (116) of 1972 AD on regulating urban development;

formulated the following Law:

**Chapter (1)
Introductory Provisions**

Article (1)

In the application of this Law, the words and expressions set out below shall have the meanings opposite each, unless indicated otherwise by the context.

Artefacts and antiquities:

Everything created or produced by humans related to the human heritage and dating back more than one hundred years.

Immovable artefacts:

The remains of cities, archaeological mounds, citadels, fortresses, walls, mosques, schools, religious buildings, tombs, and caverns, whether underground, on the surface, or under regional waters. They also include features of a distinctive architectural nature and historical sites and evidence related to the efforts, struggle, and experiences of Libyans and linked to the country's political, cultural, and social history.

Movable artefacts:

Archaeological movables that were made to be by nature separate from immovable artefacts and can be transferred from their place without damage, such as statues, mosaics, pottery and glass pieces, ancient coins, and inscriptions, as well as certain traditional handicrafts.

Movable artefacts shall be deemed immovable artefacts if designed in service of an immovable artefact, such as parts, supplements, or decorations of such artefact.

Archaeological excavations:

Methodological excavations that aim to find immovable or fixed artefacts through systematic ground excavation, scientifically studying its surface, or searching waterways, lower layers of lakes and bays, and in the depths of regional waters.

Natural history collections:

Everything related to human, animal, and plant species, rock, stones, and metals with a museum-level aesthetic, as well as geological formations with natural and tourist properties.

Museums:

Special scientific and cultural institutions whose goal is to preserve, document, and display the human and natural heritage and scientific and technical progress, and spread knowledge and awareness among the public.

Documents:

Texts written or inscribed on any material or element such as stone, pottery, skins, metals, or bones and linked to human civilization and experience, including magnetic and video tape, manuscripts, documents, records, treaties, maps, edicts, decrees, printed materials, and other documents and papers at least fifty years old.

Ancient cities and historical neighbourhoods and buildings:

A homogeneous or distinct architectural entity, independent or integrated, within recognized boundaries or inside surrounding walls, including houses, schools, mosques, markets, streets, gardens, and all features, evidence, and artefacts within ancient neighbourhoods and cities built at least one hundred years ago, or that witnessed a significant historical event even if less than one hundred years ago.

Competent body:

The scientific and technical institutions responsible for administering, organising, caring for, and protecting artefacts, museums, documents, ancient cities, and historical neighbourhoods and buildings.

Specific General People's Committee:

The General People's Committee to which the scientific and technical institutions responsible for administering, organising, caring for, and protecting artefacts, museums, documents, ancient cities, and historical neighbourhoods and buildings are affiliated.

Chapter (2)

General Provisions

Article (2)

This purpose of this Law is to protect antiquities, museums, documents, ancient cities, and historical neighbourhoods and buildings. The implementing regulations of this Law shall set out the terminology and detailed definitions of each.

Article (3)

The competent body shall establish scientific and technical advisory committees. Such committees shall be formed and their members named under a decree issued by the General People's Committee, based on the submission of the specific general people's committee, and the implementing regulations shall set out their competencies and rules of procedure.

Chapter (3)

Protection of Antiquities, Museums, and Documents

Article (4)

The competent body shall define what is considered an immovable and movable artefact or document and register those it wishes to register as cultural and public property. It shall also maintain and monitor artefacts and organise and direct studies and publications thereon.

Immovable artefacts, movable artefacts, and documents registered under laws and decrees before this Law enters into force shall be deemed registered in accordance with the provisions hereof.

Article (5)

All immovable and movable artefacts and documents, whether underground, on the surface, or under regional waters shall be deemed public property, with the exception of those registered under the names of individuals and bodies under legislation in force prior to the issuance of this Law.

Article (6)

A person who owns, rents, or uses land in any manner shall not acquire the right to excavate, search for, or dispose of antiquities located therein or on the surface thereof, except in accordance with this Law.

Buildings located inside archaeological areas may not be disposed of or any changes made to the use thereof except with the approval of the competent body.

Article (7)

No public or private body may establish any plan, modification, or beautification to the organisation of cities or towns, approve a project to divide the land for buildings, build a new road, or make any modifications to ancient portions thereof in the locations where there are immovable artefacts, except by agreement with the competent body and under the conditions set out in the implementing regulations of this Law.

Article (8)

- a. The destruction, damage, or defacement of immovable or movable artefacts by writing, etching, changing their features, separating a portion thereof, posting announcements, or placing signs thereon shall be prohibited.
- b. Photography for commercial purposes or publication shall also be prohibited except with the approval of the competent body and for the compensation set by the specific general people's committee.
- c. The destruction, defacement, or damage of documents or the removal of a portion thereof shall be prohibited, and the export and trading thereof shall be banned.
- d. The destruction of traditional handicrafts of an archaeological nature shall be prohibited, and the export or melting thereof shall be banned.

Article (9)

- a. The competent body shall adopt the necessary measures required to protect artefacts during times of war and peace, by agreement with the related bodies, and prepare the necessary shelters to rescue heritage and precious artefacts in particular, in observation of the international agreements to which Libya is a party.
- b. Archaeological sites and cities shall be deemed important vital locations, and the competent bodies shall facilitate their registration internationally.
- c. Banks shall accept the deposit of valuable archaeological pieces at the request of the competent bodies whenever necessary.

Article (10)

The General People's Committee, based on the proposal of the specific general people's committee in agreement with the competent body, may issue a decree imposing an admission fee for museums and archaeological sites and cities. The decree shall set out the bodies and categories that are exempted from paying this fee.

Article (11)

Anyone who discovers or learns of the discovery of an immovable or movable artefact while working on an excavation, construction, or any other works, shall report it to the competent body or nearest local public security or police station within five days at most. The station shall protect the site of the artefact and notify the competent body of such. The competent body has the right to obtain the discovered artefact and shall pay compensation to the party that discovered it in line with the expenses they sustained, in accordance with the laws and rules set out in the implementing regulations. If the competent body decides not to preserve the discovered artefact or to give it to the party that discovered it, the competent body shall issue them a certificate of ownership.

Article (12)

Decrees registering immovable artefacts owned by parties other than the state shall be reported to the competent department of the Real Estate Registration Authority for entry into the real estate register and the owner of such artefacts shall be notified thereof. Registration shall cause this Law to apply to them and their descendants. The registration decree shall be published in the Official Gazette.

Article (13)

If the registration of an immovable artefact causes damage to the owner thereof, they may demand compensation from the competent body for this damage, on condition that this claim is submitted within a year at most from the date they are notified of the registration decree or the date it is published in the Official Gazette, whichever is first.

The implementing regulations of this Law shall set out the rules on assessing compensation.

Article (14)

Owners of registered immovable and movable artefacts may not repair, renovate, or dispose of them in any way prior to obtaining the approval of the competent body. The competent body shall have a priority right to purchase said artefacts.

Article (15)

Under a decree from the General People's Committee, ownership of immovable artefacts registered under the name of a party other than the state may be transferred, along with anything necessary for the transit of such artefacts, for compensation determined under the principles and rules of the implementing regulations.

Article (16)

No modification or change may be made to registered immovable artefacts owned by a party other than the State and such artefacts may not be used for non-touristic, historical, or scientific purposes, without written authorisation from the competent body.

No new construction may lean against or be or attached to registered archaeological property and no modifications may be made to buildings bordering registered immovable artefacts, except with written permission for such from the competent body.

Article (17)

The establishment of quarries, factories, or other places or facilities less than five hundred (500) meters away from immovable artefacts shall be prohibited without approval from the competent body, in accordance with the conditions established in this regard.

Article (18)

Except with written permission from the competent body, none of the activities set out below may be performed on registered immovable property or within the protected area allocated thereto:

- a. Set up a building or storage for debris or waste.
- b. Demolish, move, or remove any part thereof.
- c. Execute any modification or restoration that impacts the artefact's architectural character or archaeological value.
- d. Establish a new road or build an irrigation facility.
- e. Use it as a cemetery.

Article (19)

Anyone who is in possession of an artefact before this Law enters into force shall notify the competent body of such within six months from the date this Law takes effect. The competent body shall either return the artefact to its owner or possessor after it is registered and issue them a certificate allowing the disposal thereof or keep the artefact after paying the compensation set out in the implementing regulations.

Article (20)

Immovable artefacts registered under a third party may not be moved from one location to another, nor may reproductions or moulds of unique pieces be moved for permanent display from one location to another. Moulds or copies of models of registered movable artefacts may not be made without authorisation from the competent body, in accordance with the procedures and controls set out in the implementing regulations.

Article (21)

Owners of movable artefacts must provide them to the competent bodies if requested, to study, photograph, make moulds thereof, publish thereon, or put them on temporary display in a museum or exhibition, provided they are returned to their owners in the same condition they were received no later than one year from the date they were received.

Article (22)

The unlicensed search, collection, acquisition, or disposal of movable antiquities shall be prohibited.

Article (23)

- a. The trading of movable antiquities shall be prohibited, with the exception of those artefacts where the competent body has issued a certificate allowing disposal thereof. Disposal of movable artefacts in the possession of collectors or merchants prior to the date this Law enters into force shall take place in one of the following manners:
 1. Transfer to the State in exchange for compensation paid to the possessor, in accordance with the implementing regulations.
 2. Continued possession thereof by the owner and their descendants, provided the artefact is registered under the possessor's name in a special record at the competent body along with a photograph and description thereof.
- b. The artefact may only be disposed of, moved, or restored under authorisation from the competent body and in accordance with this Law. Such artefacts shall be subject to the oversight of the competent body from time to time to confirm its safety and that it has not been disposed of.
- c. Owners of movable artefacts shall preserve them and take the necessary precautions to protect them from loss and theft.

Article (24)

The competent body shall conduct archaeological excavations in any location in Libya. In doing this, it shall have the right to appropriate property owned by individuals and public and private bodies and shall adopt the procedures for transferring such property to the public interest in accordance with Law No. (116) of 1972 regulating urban development. The competent body may authorise exploratory archaeological excavations or temporary on-site practical investigations anywhere in the State's territory or regional waters.

Article (25)

No one may conduct archaeological excavations without a permit from the competent body, even if they own the location where the excavation is taking place.

Archaeological excavations may only be conducted by archaeologists and archaeological expeditions put together by scientific institutions, institutes, and associations, in accordance with the conditions set out in the implementing regulations.

Article (26)

All artefacts discovered by those authorized to perform the excavation shall be the property of the State. With written approval from the competent bodies, authorised parties may do the following:

- a. Make reproductions in plaster or the like of artefacts discovered, provided such not damage the artefacts.
- b. Make certain necessary photographs, drawings, and maps of the artefacts discovered.

Article (27)

All public museums and the contents thereof located in Libya shall be deemed State property. The competent body may establish, organise, and participate in public museums and heritage-related expositions in Libya and abroad.

Universities, academic bodies, and associations may prepare and organize specialized museums for the purposes of study and scientific research, in coordination with the competent bodies.

Article (28)

The competent body may loan certain redundant archaeological findings discovered during excavations by universities and institutes in Libya for research and study. The loan period shall be determined by agreement between the parties.

Specialised museums may not acquire archaeological findings discovered by coincidence or presented as a gift from persons without the approval of the competent bodies.

Article (29)

The competent body shall keep, organise, and categorise documents in a manner making them user-friendly for researchers, historians, and others.

Article (30)

The competent body may photograph, copy, and record documents in the possession of individuals and public and private bodies.

Article (31)

The competent body shall collect documentary heritage, old and new, inside Libya and abroad, and reproduce and use it.

Article (32)

A decree from the specific general people's committee shall set out the way certain documents, identified therein, may be circulated or published.

Article (33)

Persons interested in artefacts may view and study documents with the approval of the competent body. No natural person or legal entity may sell registered documents except with approval of the competent body, which shall have a priority right to purchase such.

Article (34)

Academic bodies or researchers shall submit two copies of the studies or research they are conducting on antiquities, museums, documents, ancient cities, or historical buildings to the competent body.

Chapter (4)
Protection of Ancient Cities
and Historical Neighbourhoods and Buildings

Article (35)

Ancient cities and historical neighbourhoods and buildings and all features, evidence, and artefacts thereof shall be deemed historical and cultural property of humankind and may not be disposed of in any manner except through the competent body. The implementing regulations shall set out the conditions related to such.

Article (36)

Ownership of real estate in ancient cities and historical neighbourhoods and buildings shall not result in the party, whether a natural person or legal entity, that owns or is using such property in any manner acquiring the right to dispose, demolish, remove, maintain, restore, build, or rebuild such property, except with the written approval of the competent body.

Article (37)

Historical buildings in ancient cities and historical neighbourhoods may not be allocated or used for the purposes of residence or engaging in public or private economic activities, except in accordance with the conditions set out in the implementing regulations of this Law.

Article (38)

Engaging in any activities, constructions, or any activities that may cause damage to ancient cities and historical neighbourhoods or buildings in the protected area surrounding it shall be prohibited. The public bodies related to infrastructure, public facilities, and environmental services shall manage and maintain networks for providing services in ancient cities and neighbourhoods, in accordance with the technical and historical specifications approved by the competent body under the procedures and controls set out in the implementing regulations.

Article (39)

Compromise of the integrity and features of ancient cities and neighbourhoods and their architectural fabric while performing maintenance, restoration, or rebuilding shall be prohibited.

Exposing historical buildings to defacement or the destruction of their architectural elements while performing maintenance or restoration activities shall also be prohibited.

Article (40)

The implementing regulations shall specify the competent body to establish and approve the preliminary architectural plans on ancient buildings owned by natural persons or legal entities located in ancient cities and historical neighbourhoods and buildings.

Article (41)

Artisans who practice historical creative arts and popular collectibles in ancient cities and historical neighbourhoods and buildings shall be exempted from paying fees for the use of their properties and fees for obtaining and renewing their handicraft licenses throughout the period in which they are practising the handicraft.

The categories of exempted handicrafts and the exemption rules shall be set out in a decree from the General People's Committee.

Article (42)

With the exception of the law prohibiting the use of languages other than Arabic, one or more foreign languages may be used for tourism and scientific purposes in the names used to identify archaeological features, museums, documents, ancient cities, and historical neighbourhoods and buildings.

Article (43)

The passage of aircraft and breaking the sound barrier over antiquities, museums, ancient cities, and historical neighbourhoods and buildings shall be prohibited.

Article (44)

Natural persons and legal entities shall be prohibited from authorising, publishing, or distributing any diagram, composition, or any literary or artistic composition including tourist picture cards relating to a building, hotel, or the history of ancient cities and historical neighbourhoods and buildings, unless approved by the competent body in accordance with the conditions set out in the implementing regulations.

Article (45)

Cultural, literary, and artistic institutions, activities, and events established in ancient cities and historical neighbourhoods and buildings may be exempted from the entertainment tax.

Article (46)

No entity may establish or modify plans to regulate the protected areas surrounding ancient cities and historical neighbourhoods and buildings, approve projects to construct buildings of any type thereon, or make any modifications to the ancient portions thereof except with official written authorisation of the competent body and under the conditions set out in the implementing regulations.

Article (47)

The competent body may exchange redundant popular collectibles with related international bodies and organisations.

The competent body shall monitor the recovery and photographing of historical documents and foreign correspondence abroad related to the history of ancient cities in Libya.

Article (48)

The expropriation of historical buildings in ancient cities and historical neighbourhoods shall be pursuant to a decree from the General People's Committee, based on the submission of the specific general people's committee and in accordance with Law No. (116) of 1972 AD regulating urban development.

Article (49)

Occupants of properties shall maintain and renovate their property periodically, and the competent body may set a suitable period for them to implement such, under its supervision and monitoring. The implementing regulations shall set out the conditions and controls required for such.

Article (50)

Painting the façades of properties in ancient cities and historical neighbourhoods and buildings in a manner that is not in line with the prevalent colour thereof, covering them with foreign or hybrid substances, or hanging advertisements thereon shall be prohibited.

The interior designs of public buildings, shops, and stores located in ancient cities and historical neighbourhoods and buildings shall adhere to the recognized traditional style in line with the cultural heritage of each city or historical neighbourhood.

Chapter (5)

Penalties

Article (51)

Without prejudice to any more severe penalty set out in the Penal Code or any other law:

- a. Anyone who violates Articles (7), (8), (14), (16), (17), (18), (19), (20) or (25.1) of this Law shall be punishable with imprisonment, a fine of not less than ten thousand Libyan dinars and not more than twenty thousand Libyan dinars, or one of the two penalties.
- b. Violators shall be ordered to return the item to its origin, under the supervision of the competent body, by the deadline set thereby. If they fail or are unable to do so within the set period, the competent body may return the item to its origin at its account and seek to recover its expenses through administrative seizure.
- c. Items seized at the scene of the crime shall be confiscated.

Article (52)

Anyone who obliterates a historical feature, whether through erasure, burial, or destruction of a portion thereof, or who defaces a historical feature, whether by replacing its original architectural elements with others that are not original or making modern additions or changes thereto, shall be punishable with imprisonment for a period of not more than one year, a fine of not less than two thousand Libyan dinars and not more than five thousand Libyan dinars (LYD 5000), or one of the two penalties.

Article (53)

Anyone who directly causes the use of any archaeological or historical property for commercial, artisanal, or residential purposes without official permission issued thereto by the competent body shall be punishable with imprisonment for a period of not more than one year, a fine of not less than two thousand Libyan dinars (LYD 2000), or one of the two penalties.

Article (54)

Anyone who hides a historical name or historical artefact that they find while performing removal, demolition rebuilding, or maintenance activities on any property and did not at the time report it to the competent body or police station shall be punishable with imprisonment for a period of not more than six months, a fine of not less than three thousand Libyan dinars and not more than five thousand Libyan dinars (LYD 5000), or one of the two penalties.

Article (55)

Anyone who demolishes, rebuilds, or maintains a property owned thereby or by a third party without prior permission from the competent body or who violates a condition of the demolition, rebuilding, or maintenance activities established by the competent body, makes any other changes in violation of these conditions, or introduces inauthentic materials incompatible with the features of the property's interior architectural form shall be punishable with imprisonment for a period of not more than three months, a fine of not less than three thousand Libyan dinars (LYD 3000), or one of the two penalties.

Article (56)

Anyone who violates Article (50) of this Law shall be punishable with a fine of not less than five hundred Libyan dinars (LYD 500) and not more than one thousand Libyan dinars (LYD 1000).

Article (57)

Anyone who violates any other provision of this Law shall be punishable with a fine of not more than five hundred Libyan dinars (LYD 500).

Article (58)

The implementing regulations of this Law shall be issued under a decree from the General People's Committee based on a proposal from the specific general people's committee.

Article (59)

Law No. (2) of 1983 AD on antiquities, museums, and documents shall be repealed and any provision that conflicts with those of this Law shall also be repealed.

Article (60)

This Law shall be enforced by the competent bodies and published in the Official Gazette and in the various media. It shall enter into force from the date of its publication in the Official Gazette.

General People's Congress – Libya

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