

ISRAEL LAW REGARDING ANTIQUITIES

In the following are portions of the Antiquities Law of the State of Israel (1978, updated 2000) which replaced British Mandatory Antiquities Ordinances. It has been selected for numismatists interested in understanding their rights and obligations regarding the discovery and ownership of ancient coins or other antiquities in Israel, and the possibility of export of those coins/antiquities.

Definitions

Antiquity (any object, whether detached or fixed, which was made by man before the year 1700 of the general era, and includes anything subsequently added thereto which forms an integral part thereof (Chap. 1, Sec. 1, Part 1).

«excavation» or «digging» includes a search for antiquities and a trial digging (Chap. 1, Sec. 1).

State Ownership of Antiquities

Where an antiquity is discovered or found in Israel after the coming into force of this Law, it ...become(s) the property of the State. A person who discovers or finds an antiquity ...shall notify the Director [of the Israel Antiquities Authority] within fifteen days of the discovery or find. [He who] alleges that any antiquity was discovered or found before the coming into force of this Law shall bear the onus of proof (Chap. 2, Sections 2-3).

The Director may waive State ownership of an antiquity in writing, and upon doing so the antiquity shall cease to be the property of the State (Chap. 2, Sec. 8).

Excavations

No Person shall dig on any land, or otherwise search, for antiquities, including the use of a metal detector, or gather antiquities, unless he has obtained a license to do so from the Director... (Chap. 3, Sec. 9).

If a person is found on an antiquity site with digging implements in his possession or nearby with which it must be supposed digging has recently been done on that site or is found with a metal detector in his possession or nearby, he shall, unless he proves otherwise, be presumed to have intended to discover antiquities (Chap. 10, Sec. 38).

Dealing in, Import and Export of Antiquities

A person may only deal in antiquities if he is in possession of a license thereof from the Director and in accordance with the conditions of the license... [The license] shall indicate the place of business...and shall be displayed there in a conspicuous position (Chap. 4, Sections 15-16).

Where a dealer in antiquities offers any article for sale as an antiquity, his plea that he did not know that the article was not an antiquity shall not be heard. A person shall not sell or display for sale a replica or imitation of an antiquity without indication thereon, in the manner prescribed by regulations, that it is not a genuine antiquity (Chap. 4, Sec. 21).

A person who contravenes [this section] is liable to imprisonment for a term of two years or a fine of 100,000 pounds (Chap. 10, Sec. 37, Part c).

A person shall not take out of Israel an antiquity of national value save with the written approval of the Minister [of Education and Culture]. A person shall not take out of Israel any other antiquity save with the written approval of the Director. A person shall not bring an antiquity into Israel from the region or any other country save with the written approval of the Director (Chap. 4, Sec. 22).

A person who contravenes [this section] is liable to imprisonment for a term of six months or a fine of 30,000 pounds (Chap. 10, Sec. 37, Part e).

Donald T. ARIEL
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For detailed questions regarding the Antiquities Law, the full text of the law should be consulted. Export licenses may be obtained at the Rockefeller Museum, Sultan Sulayman Street, Jerusalem, Sunday—Thursday, between 8:00 AM and 4:00 PM (by appointment, local telephone 6204688).