



THE ANTIQUITIES ACT, 1975.



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THE ANTIQUITIES ACT, 1976.

¹Act No. VII OF 1976

[10th January, 1975]

An Act to repeal and re-enact the law relating to the preservation and protection of antiquities.

WHEREAS it is expedient to repeal and re-enact the law relating to the preservation and protection of antiquities and to provide for matters connected therewith or ancillary thereto;

It is hereby enacted as follows:—

1. Short title, extent and commencement. —(1) This Act may be called the Antiquities Act, 1975.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. Definitions. In this Act, unless there is any thing repugnant in the subject or context,—

(a) "Advisory Committee" means the Advisory Committee constituted under section 3;

²[(b) 'ancient', in relation to an antiquity, means an antiquity which has been in existence for a period of not less than seventy-five years;]

(c) "antiquity" means—

(i) any ancient product of human activity, movable or immovable, illustrative of art, architecture, craft, custom, literature, morals, politics, religion, warfare or science or of any aspect of civilization or culture,

(ii) any ancient object or site of historical, ethnographical, anthropological, military or scientific interest,

(iii) any national monument, and

(iv) any other object or class of such objects declared by the Federal Government, by notification in the official Gazette, to be an antiquity for the purposes of this Act;

¹For Statement of Objects and Reasons, see *Gaz. of P., 1975, Ext., Pt. III, p. 1541.*

The Act has been applied to Provincially Administered Tribal Areas of N.W.F.P. with certain modifications, see Notifn. No. 14/43-505(II) (H.D)/80. dt. 29-1-81, see Gaz. of N.W.F.P. Ext., p.

²*Subs. by the Antiquities (Amdt.) Act, 1992 (21 of 1992), s. 2, for clause (b).*

- (d) "dealer" means a person engaged in the business of buying and selling antiquities; and "deal in antiquities" means to carry on such business;
- (e) ¹[Director-General] means the ¹[Director-General] of Archaeology, Government of Pakistan, and includes an officer authorised by him to exercise or perform all or any of the powers or functions of the ¹[Director-General] under this Act ;
- (f) "export" means taking out of Pakistan by land, sea or air;
- (g) "immovable antiquity" means an antiquity of any of the following descriptions, namely:—
- (i) any archaeological deposit on land or under water,
 - (ii) any archaeological mound, tumulus, burial place or place of internment, or any ancient garden, structure, building, erection or other work of historical, archaeological military or scientific interest,
 - (iii) any rock, cave or other natural object of historical, archaeological artistic or scientific interest or containing sculpture, engraving, inscription or painting of such interest, and includes—
 - (1) any gate, door, window, paneling, dado, ceiling, inscription, wall-painting, wood work, metal work or sculpture or any other thing which is attached or fastened to an immovable antiquity;
 - (2) the remains of an immovable antiquity;
 - (3) the site of an immovable antiquity;
 - (4) such portions of land or water adjoining the site of an immovable antiquity as are reasonably required for fencing or covering or otherwise preserving such antiquity;

¹Subs. by the Antiquities (Amdt.) Act, 1992 (21 of 1992), s. 2, for "Director".

- (5) the reasonable means of access to, and convenient inspection of an immovable antiquity; and
- (6) any urban site, street, group of buildings or public square of special value which the Federal Government, being of the opinion that its preservation is a matter of public interest by reason of its arrangement, architecture or materials of construction, by notification in the official Gazette, declares to be an immovable antiquity for the purposes of this Act;
- (h) “national monument” means any building, structure, erection, place of internment, garden, portion of land or any other place or thing of national importance as may be determined and notified as such from time to time by the Federal Government in consultation with the Advisory Committee;
- (i) “owner” includes—
 - (i) any person legally competent to act on behalf of the owner, when by reason of infancy or other disability the owner is unable to act;
 - (ii) a joint owner invested with powers of management on behalf of himself and other joint owners and the successor in interest of such owner; and
 - (iii) any manager or trustee exercising the powers of management and the successor in office of such manager or trustee;
- (j) "protected antiquity" means an antiquity which is declared under section 10 to be a protected antiquity; and
- (k) "rules" means rules made under this Act.

3. Advisory Committee.—¹[(1) For the purposes of this Act, the Federal Government shall, by notification in the Official Gazette, constitute an Advisory Committee comprising of such members, including one member each from the Senate and the National Assembly, as may be deemed necessary. The Chairman of the Advisory Committee shall be the member of Parliament.]

(2) No act or proceeding of the Advisory Committee shall be deemed to be invalid by reason only of the existence of a vacancy in, or defect in the constitution of, the Committee.

4. Dispute as to whether any product etc., is an antiquity. If any question arises whether any product, object or site is an antiquity within the meaning of this Act it shall be referred to the Federal Government which shall, after consultation with the Advisory Committee, decide the same; and the decision of the Federal Government shall be final.

¹Subs. by the Antiquities (Amdt.) Act, 1992 (21 of 1992), s. 4, for sub-section (1).