

Legislative Frameworks of Architectural Heritage Conservation Acts; A Comparative Study across Nations

Dr. Hassan ELShahat Hassan Ahmed ELDib

Assistant Professor, Architecture Engineering Department, Faculty of Engineering, Canadian International College, dr.hassan.aldeeb@hotmail.com

Abstract:

Egypt is a country full of its unique architectural heritage, and preserving this heritage as a national value and a source of national income has been a priority for successive governments. The Egyptian Antiquities Protection Law No. 117, issued in 1983, its executive regulations, and subsequent amendments represent the law implicitly responsible for preserving Egyptian heritage. The numerous amendments to this law aimed to meet contemporary requirements and implementation challenges. The research problem is that the current Egyptian heritage conservation law and its legislative amendments remain inadequate in addressing the challenges of heritage conservation in Egypt. This research aims to leverage the international experiences to enhance the effectiveness of the Egyptian law for heritage preservation. By adopting a comparative descriptive analytical methodology, the study draws insights from heritage conservation laws in countries such as South Africa and New Zealand and aims to identify how these countries formulate their legislative frameworks for heritage conservation and compare them with the current Egyptian law and its amendments. The researcher has formulated a series of recommendations to enhance the effectiveness of the current Egyptian heritage conservation law. These recommendations draw on the strengths of the legal frameworks in countries like New Zealand and South Africa, particularly their focus on governance as a means of enforcing and applying the law. Key elements include developing long-term strategic heritage conservation plans, identifying authorized entities, transitioning from strategic to operational levels, and creating economic and financing plans. Additionally, they emphasize performance monitoring, inspection, and supervision of implementation. By addressing critical challenges and incorporating exemplary practices from various legal contexts, these recommendations aim to significantly improve heritage conservation efforts in Egypt.

Keywords:

Architectural Heritage Conservation;
Legislative Framework; Acts.

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1. Introduction

Preserving cultural heritage stands as a cornerstone in the global effort to safeguard the collective memory of humanity. Over centuries, civilizations have developed distinctive traditions, architectural marvels, and artistic expressions that encapsulate their unique identities and narratives. However, in the face of rapid urbanization, economic development, and natural disasters, these invaluable treasures face the looming threat of degradation and loss. To address this challenge, nations worldwide have implemented heritage conservation acts, establishing legal frameworks aimed at protecting and preserving their cultural legacies.

Egypt has made numerous legislative efforts to preserve its heritage, which this research will explore. Key legal mechanisms enacted by successive Egyptian governments include the Antiquities Protection Law No. 117 of 1983 and its executive regulations issued by the Ministry of Culture under Ministerial Decree No. 712 of 2010. Additionally, Law No. 144 of 2006, which

regulates the demolition of buildings and facilities that are not vulnerable to collapse and aims to preserve architectural heritage, and Law No. 91 of 2018, an amendment to the Antiquities Protection Law, reflect these efforts. These amendments were implemented to meet contemporary requirements and address practical challenges. The challenges in preserving Egyptian heritage, despite successive legal amendments, reveal several research problems. The research problem is that the current Egyptian heritage preservation law and its legislative amendments remain inadequate in addressing the challenges of heritage preservation in Egypt. This study will focus on examining the legal framework of the current laws. This research aims to leverage the international experiences to enhance the effectiveness of the Egyptian law for the protection of antiquities. By adopting a comparative descriptive analytical methodology, the study seeks to draw valuable insights from the heritage conservation laws of other countries, specifically South Africa and New Zealand. These

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countries have developed robust legislative frameworks for heritage preservation, which offer useful comparative models for Egypt. Examining the legislative framework of the Egyptian Antiquities Protection Law and its amendments and comparing it with the heritage preservation laws of South Africa and New Zealand, could allow Egypt to benchmark its heritage protection strategies against diverse international standards. South Africa's legislative focus on comprehensive heritage governance and management and community engagement can provide good examples of engaging local people and integrating multiple cultural narratives. At the same time, New Zealand's systematic approach to heritage site registration, classification and public consultation provides a model for governance and enhanced transparency and public participation in heritage conservation. By analyzing these frameworks, Egypt can identify effective practices and innovative approaches to strengthen its legislative measures, and thus improve the protection, management and promotion of its rich archaeological and cultural heritage. The researcher proposes a set of recommendations based on this comparative analysis, aimed at increasing the effectiveness of Egypt's Legislative Mechanisms for Heritage conservation.

2. Legislative Framework of the South

Africa Heritage conservation Act, 1999

The National Heritage Resources Act (NHRA) of 1999 is the primary legislation governing heritage conservation and management in South Africa. It replaced earlier laws and established a comprehensive framework for the identification, protection, and promotion of the country's heritage resources. (National Heritage Resources Act. South Africa ,1999). The below are the Key components as follows:

2.1. Establishment of Heritage Authorities:

The NHRA establishes various heritage authorities at national, provincial, and local levels to oversee heritage management and conservation efforts. These authorities are responsible for granting permits, conducting heritage impact assessments, and developing management plans for heritage sites. (National Heritage Resources Act. South Africa ,1999, p.18).

- South African Heritage Resources Agency (SAHRA): Established as the national body responsible for the identification, protection, conservation, and promotion of heritage resources.
- Provincial Heritage Resources Authorities (PHRAs): Established to manage heritage resources at the provincial level.

2.2. Grading of Heritage Resources:

A hierarchical structure governs the management of heritage resources, with SAHRA overseeing national-level responsibilities, provincial heritage resources authorities handling provincial-level tasks, and local authorities managing local-level functions. Both heritage resources authorities and local authorities are held accountable for their actions, decisions, and the execution of their respective duties within this framework.

(National Heritage Resources Act. South Africa ,1999, p.18).

- Grade I: Heritage resources of national significance.
- Grade II: Heritage resources of provincial significance.
- Grade III: Heritage resources of local significance.

2.3. Heritage Register:

The Heritage Register, as stipulated under this Act is a comprehensive record of heritage resources that have been identified as having cultural, historical, architectural, archaeological, and environmental significance. (National Heritage Resources Act. South Africa ,1999, p.66).

The Purpose of the Heritage Register is to systematically document heritage resources across South Africa and to facilitate the legal protection and management of these resources and to enhance public awareness and appreciation of heritage resources.

Criteria for Inclusion: Heritage resources may be included in the register based on their:

- Historical Value: Association with significant historical events or figures.
- Cultural Significance: Importance to the cultural practices and traditions of a community.
- Architectural Merit: Exemplary representation of a particular architectural style or period.
- Archaeological Value: Containing valuable archaeological artifacts or information.
- Environmental Importance: Sites of natural heritage that contribute to biodiversity and ecological balance.

Process of Registering Heritage Resources

- Identification: Heritage resources are identified through surveys, research, or nominations by individuals, communities, or organizations.
- Assessment: The significance of the resource is evaluated based on established criteria.
- Documentation: Detailed information about the heritage resource, including its location, description, and significance, is compiled.
- Public Consultation: Stakeholders, including local communities and interested parties, are consulted to gather input and support.
- Approval and Listing: The relevant heritage authority reviews the documentation and, if the

resource meets the criteria, approves its inclusion in the register.

- **Publication:** The registered heritage resource is officially listed, and the information is made accessible to the public.

Legal Implications

- **Protection Measures:** Registered heritage resources are legally protected. Any alterations, damages, or developments affecting these resources require permits from the relevant heritage authority.
- **Management Plans:** Management plans may be developed to guide the conservation and sustainable use of the registered heritage resources.
- **Monitoring and Enforcement:** Heritage authorities monitor the condition of registered resources and enforce regulations to prevent illegal activities.

2.4. Declaration of Heritage Sites:

The declaration of heritage sites is a key mechanism within the Act to ensure that places of cultural, historical, architectural, archaeological, and environmental significance are formally recognized and protected. (National Heritage Resources Act. South Africa ,1999, p.40).

The Purpose of Declaration is to formally recognize places of significant heritage value , ensure legal protection and appropriate management of these sites and to promote the conservation of heritage resources.

Process of Declaration

Identification, Assessment, Nomination and Proposal, Public Consultation, Review and Approval and The declaration is published in the government gazette, officially recognizing the site as a heritage site.

Legal Implications

- **Protection Measures:** Once declared, heritage sites are subject to specific protection measures. Any alteration, damage, or destruction of the site is prohibited without a permit from the relevant heritage authority.
- **Management Plans:** Management plans are often developed to guide the conservation and sustainable use of the site. These plans outline maintenance, restoration, and public access strategies.
- **Permitting:** Any activities that may affect the heritage site require permits, ensuring that any changes are in line with conservation principles.

2.5. Heritage Impact Assessments (HIAs):

Heritage Impact Assessments (HIAs) are a critical component of the National Heritage Resources Act (NHRA) of South Africa, 1999.

They are intended to ensure that potential impacts on heritage resources are considered and managed appropriately in the planning and development process.(National Heritage Resources Act. South Africa ,1999, pp.62,64). The Purpose of Heritage Impact Assessments is to Identify and Protect Heritage Resources, evaluate the potential impacts of proposed activities or developments on these identified heritage resources and to provide Mitigation Strategies to avoid, minimize, or mitigate negative impacts on heritage resources.

Legislative Requirements

- **Trigger for HIA:** An HIA is required when certain types of developments are proposed. These typically include large-scale infrastructure projects, mining activities, changes to historically significant buildings, and any activities that might alter the landscape in areas with known heritage resources.
- **Permits and Approvals:** According to the NHRA, development affecting heritage resources cannot proceed without the appropriate permits. HIAs form part of the permitting process and are submitted to heritage authorities for review.
- **Public Participation:** The process involves consultation with stakeholders, including local communities and relevant interest groups, ensuring that their views and concerns are considered.

Process of Conducting an HIA

- **Preliminary Survey:** Initial investigations to identify whether heritage resources are present in the proposed development area.
- **Detailed Assessment:** If heritage resources are identified, a detailed assessment is conducted to understand the significance and condition of these resources and the nature of potential impacts.
- **Reporting:** The findings are documented in an HIA report, which includes:
 - A description of the heritage resources.
 - An assessment of the potential impacts of the proposed development.
 - Recommendations for mitigation or management of impacts.
 - A summary of stakeholder engagement and feedback.
- **Review and Decision:** The HIA report is submitted to the relevant heritage authority, such as the South African Heritage Resources Agency (SAHRA) or provincial heritage agencies, for review. The authority evaluates the report and decides whether to approve the proposed development, require modifications, or impose conditions to protect heritage resources.

2.6. Permits and Authorizations:

Permits and authorizations are critical mechanisms for regulating activities that may impact heritage resources. The NHRA establishes a framework for issuing permits and authorizations to ensure that heritage resources are protected, conserved, and managed appropriately. (National Heritage Resources Act. South Africa ,1999, p.74).

Purpose of Permits and Authorizations to control and regulate activities that may affect heritage resources to prevent unauthorized alterations, damage, or destruction of heritage sites and to ensure that any changes to heritage resources are conducted in a manner that preserves their significance.

Authorities Issuing Permits

- **South African Heritage Resources Agency (SAHRA):** Issues permits for Grade I heritage sites of national significance.
- **Provincial Heritage Resources Authorities (PHRAs):** Issue permits for Grade II heritage sites of provincial significance.
- **Local Heritage Resources Authorities (LHRAs):** Issue permits for Grade III heritage sites of local significance.

Permit Application Process

- **Submission:** Applicants must submit a detailed application to the relevant heritage authority, outlining the proposed activity and its potential impact on the heritage resource.
- **Assessment:** The heritage authority assesses the application, considering factors such as the significance of the resource, the nature of the proposed activity, and potential impacts.
- **Consultation:** The authority may consult with stakeholders, including local communities, experts, and other interested parties.
- **Decision:** Based on the assessment and consultations, the authority decides to grant or deny the permit. Conditions may be imposed to mitigate any adverse impacts.
- **Issuance:** If approved, the permit is issued with specific terms and conditions that the applicant must adhere to.

Conditions of Permits

Permits often come with conditions designed to protect and preserve the heritage resource, such as:

- **Monitoring:** Regular monitoring and reporting on the activity's impact on the heritage resource.
- **Conservation Plans:** Development and implementation of conservation management plans.
- **Expert Supervision:** Involvement of qualified heritage professionals to oversee certain activities.

- **Restoration:** Requirements for restoration or rehabilitation of the site post-activity.

Compliance and Enforcement

- **Inspections:** Heritage authorities may conduct inspections to ensure compliance with permit conditions.
- **Penalties:** Non-compliance with permit conditions can result in penalties, including fines, legal action, or revocation of the permit.
- **Revocation:** Permits can be revoked if the holder fails to comply with the specified conditions or if unforeseen adverse impacts occur.

2.7. Public Participation and Consultation:

The Act emphasizes public participation in heritage conservation, requiring consultation with affected communities, stakeholders, and heritage practitioners in decision-making processes. (National Heritage Resources Act. South Africa ,1999, p.16,62&64).

2.8. Offences and Penalties:

It specifies fines, imprisonment, or both for contraventions of different sections of the law. Additionally, it allows for the adjustment of penalties to account for inflation and empowers authorities to impose fines for non-compliance. It also describes the process for laying charges, court jurisdiction, and possible orders for restitution or prohibition of development. Furthermore, it mentions the possibility of community service in lieu of or in addition to fines or imprisonment. Lastly, it discusses the forfeiture of vehicles, crafts, equipment, or other items involved in offenses, with the option for sale or disposal by the relevant heritage resources authority. (National Heritage Resources Act. South Africa ,1999, pp.78-82).

2.9. Funding and Financial Assistance:

Funding and financial assistance play crucial roles in supporting the conservation, protection, and management of heritage resources. The NHRA provides mechanisms for obtaining and distributing financial resources to ensure the preservation of South Africa's heritage. (National Heritage Resources Act. South Africa ,1999, p.68).

The Purpose of Funding and Financial Assistance is to Support Conservation Efforts, Enable Restoration Projects, Support research and documentation related to heritage conservation and to Provide financial assistance to individuals, communities, and organizations involved in heritage conservation (Assist Stakeholders)

Sources of Funding

Government Allocations, Heritage Funds, Donations and Sponsorships and International Grants.

Mechanisms of Financial Assistance

- Grants and Subsidies: Direct financial assistance provided to eligible projects and stakeholders for specific heritage conservation activities.
- Loans: Provision of low-interest or interest-free loans to support heritage conservation projects.
- Tax Incentives: Tax benefits and incentives for individuals and organizations that invest in heritage conservation.
- Technical Assistance: Funding for technical support and expertise required for heritage projects.

Eligibility for Financial Assistance

- Heritage Sites and Objects: Projects aimed at the conservation, restoration, or rehabilitation of declared heritage sites and objects.
- Research Initiatives: Studies and research projects focused on heritage conservation, documentation, and education.
- Community Projects: Community-led initiatives that promote the conservation and sustainable use of local heritage resources.
- Non-Profit Organizations: Non-profit entities engaged in heritage conservation activities.

Application Process

- Submission of Proposals: Eligible entities submit detailed proposals outlining the scope, objectives, and budget of the heritage conservation project.
- Evaluation: Proposals are evaluated based on criteria such as significance, feasibility, and potential impact on heritage conservation.
- Approval: Approved projects receive financial assistance as per the terms and conditions specified by the funding authority.
- Monitoring and Reporting: Recipients of financial assistance are required to provide regular reports on the progress and utilization of funds.

Administration of Funds

- Heritage Authorities: The South African Heritage Resources Agency (SAHRA) and Provincial Heritage Resources Authorities (PHRAs) administer and manage the distribution of funds.
- Accountability: Stringent accountability and auditing mechanisms to ensure the proper use of funds and achievement of conservation objectives.

Conclusion:

The National Heritage Resources Act, No. 25 of 1999 (NHRA) of South Africa provides a comprehensive legislative framework for the protection, management, and promotion of heritage resources. Key components include the establishment of the South African Heritage Resources Agency (SAHRA) and Provincial

Heritage Resources Authorities (PHRAs) to oversee heritage conservation at national and provincial levels, respectively. The act categorizes heritage resources into Grades I, II, and III based on their significance and maintains a national register of heritage sites. It outlines procedures for declaring heritage sites, mandates Heritage Impact Assessments (HIAs) for proposed developments and regulates permits for activities affecting heritage resources. Specific provisions protect archaeological and paleontological sites, meteorites, burial grounds, and graves. The act also ensures public participation in conservation processes, promotes public awareness of heritage resources, and enforces penalties for violations. Additionally, it provides financial assistance for conservation efforts and includes administrative provisions for implementing the act, aiming to preserve South Africa's heritage for future generations.

3. Legislative Framework of the Heritage

New Zealand Pouhere Taonga Act 2014

(2014 No 26)

The Heritage New Zealand Pouhere Taonga Act 2014 establishes a legislative framework for the preservation, protection, and management of New Zealand's historic and cultural heritage. Key items of this legislative framework include:

3.1. Heritage New Zealand Pouhere Taonga (HNZPT) Structure and Functions:

(Heritage New Zealand Pouhere Taonga Act No. 26, 2014.p.13)

- Establishes HNZPT (Heritage New Zealand Pouhere Taonga) as the lead agency responsible for heritage protection.
- Defines the functions and powers of HNZPT, including identifying, protecting, preserving, and conserving historic places, areas.

3.2. Historic Places and Areas Registration: (Heritage New Zealand Pouhere Taonga Act No. 26, 2014.p.29)

- Provides for the establishment of the New Zealand Heritage List which records historic places, historic areas.
- Specifies the criteria for inclusion in the Heritage List and the process for registration, including public consultation and the rights of property owners.

3.3. Protection of Historic Places and Areas:

(Heritage New Zealand Pouhere Taonga Act No. 26, 2014.p.30)

- Detailed the processes for declaring and protecting historic places and areas.
- Provided mechanisms for the preservation and conservation of registered sites.
- Mandates the protection of archaeological sites and requires that any activity that may modify or

destroy an archaeological site must have an archaeological authority from HNZPT.

- Defines archaeological sites as places associated with pre-1900 human activity that may provide evidence of New Zealand's history.

3.4. Heritage New Zealand Pouhere Taonga Board and Māori Heritage Council:

(Heritage New Zealand Pouhere Taonga Act No. 26, 2014.p.13)

- Establishes the governance structure of HNZPT, including the HNZPT Board and the Māori Heritage Council.
- Outlines the roles and responsibilities of these bodies in managing and protecting heritage, ensuring Māori heritage considerations are integral to decision-making.

3.5. Funding and Support:

(Heritage New Zealand Pouhere Taonga Act No. 26, 2014.p.66)

- Provides for the establishment of funds and financial support mechanisms for heritage conservation projects.
- Details processes for grants and funding allocations to assist with heritage preservation efforts.

3.6. Public Engagement and Education:

(Heritage New Zealand Pouhere Taonga Act No. 26, 2014.p.48,66)

- Encourages public awareness and appreciation of New Zealand's heritage.
- Promotes educational programs and initiatives to support heritage conservation.
- Requires consultation with stakeholders, including iwi and hapū, local authorities, and the public, in heritage management processes.
- Encourages collaborative approaches to heritage conservation and protection.

3.7. Review and Reporting:

(Heritage New Zealand Pouhere Taonga Act No. 26, 2014.p.35-36)

The Purpose of Review and Reporting is to ensure the

Accountability, Provide the Transparency in the operations and decisions made by HNZPT, Identify areas for Improvement in heritage management practices and policies and ensure Compliance with statutory obligations and objectives outlined in the Act.

Key Provisions for Review and Reporting

• Annual Report:

- HNZPT is required to prepare and submit an annual report to the Minister responsible for heritage.
- The annual report must include information on the activities, achievements, and financial statements of HNZPT.
- It should detail how HNZPT has fulfilled its

functions and met its strategic objectives over the past year.

- The annual report is made available to the public to ensure transparency.

• Five-Yearly Review:

- The Act mandates a comprehensive review of HNZPT's performance and operations every five years.
- This review assesses how effectively HNZPT has performed its functions and achieved its objectives.
- The review examines the appropriateness of HNZPT's strategies and practices in conserving heritage resources.
- Recommendations for improvements and future directions are provided as part of the review.

• Ministerial Reporting:

- HNZPT must report to the Minister on any specific matters when requested.
- These reports help the Minister monitor the ongoing activities and performance of HNZPT.

• Strategic Plan:

- HNZPT is required to develop and maintain a strategic plan that outlines its long-term goals and the strategies to achieve them.
- The strategic plan must be reviewed regularly to ensure it remains relevant and effective.
- Progress against the strategic plan is reported in the annual report.

• Audits and Inspections:

- HNZPT's financial statements and operations are subject to audits and inspections.
- These audits ensure financial integrity and compliance with legal and regulatory requirements.

• Public Consultation and Engagement:

- HNZPT engages with the public, stakeholders, and iwi (Māori tribes) in its review processes.
- Public feedback and stakeholder input are considered in the review and reporting processes.

Conclusion:

The Heritage New Zealand Pouhere Taonga Act 2014 establishes a comprehensive legislative framework for the preservation, protection, and management of New Zealand's historic and cultural heritage. It designates Heritage New Zealand Pouhere Taonga (HNZPT) as the lead agency responsible for these efforts, detailing its functions and powers. The Act provides for the creation of the New Zealand Heritage List to record historic places and areas, sets criteria for registration, and mandates public consultation. It includes protections for archaeological sites, requiring HNZPT approval for modifications, and allows for heritage covenants with property owners. The Act

empowers HNZPT to enforce compliance, with penalties for violations, and establishes a governance structure including the HNZPT Board and Māori Heritage Council to ensure Māori heritage considerations. Additionally, it provides funding mechanisms for conservation projects, promotes public engagement and education, and mandates regular reporting and reviews of heritage management activities.

4. Legislative Framework of the Antiquities Protection Law, 117.Egypt (1983), Executive regulations issued in 2010 and amendments no. 91, 2018

In the previous section of the research, the Legislative Framework for heritage preservation laws in various countries were examined. In the forthcoming section, the focus will shift to reviewing the Legislative Framework of Egyptian laws for the protection of antiquities. To ensure a comprehensive study, additional legislation complementing this law was also considered, including the executive regulations of the Egyptian Law for the Protection of Antiquities issued in 2010 and related laws such as Law No. 144 of 2006, which regulates the demolition of the buildings and the facilities not slated for collapse and the preservation of the Architectural Heritage. Additionally, the amendments to the Egyptian Law for the Protection of Antiquities, specifically Law No. 91 of 2018, will be reviewed.

4.1. Establishment of Heritage Authorities:

The Supreme Council of Antiquities (SCA), now part of the Ministry of Tourism and Antiquities (Prime Minister's Decision No. 2462 of 2022, 2022), is the primary body responsible for overseeing the protection, conservation, and promotion of Egypt's archaeological heritage. It coordinates with various governmental and non-governmental organizations to implement policies and regulations aimed at safeguarding heritage sites and antiquities. The SCA is tasked with issuing permits for excavations, supervising archaeological activities, and ensuring compliance with national and international heritage protection standards.

4.2. Protection of Antiquities:

The Antiquities Protection Law establishes comprehensive measures for the protection, preservation, and conservation of antiquities and archaeological sites throughout Egypt. It prohibits the unauthorized excavation, removal, export, sale, or destruction of antiquities without proper permits from the competent authorities.

4.3. Registration and Licensing:

The law requires all archaeological excavations, surveys, and research activities to be conducted under the supervision and authorization of the Supreme Council of Antiquities (SCA). Individuals or institutions intending to undertake such activities must obtain licenses from the SCA, which sets out

the conditions and guidelines for archaeological work.

4.4. Ownership and Custody:

Antiquities discovered in Egypt, whether on land or underwater, are considered the property of the state. The law stipulates that all antiquities belong to the Egyptian people and are under the custody and protection of the state, represented by the SCA.

4.5. Penalties and Enforcement:

The Antiquities Protection Law imposes severe penalties on individuals or entities found guilty of violating its provisions. Offenses such as illegal excavation, trafficking in antiquities, or damaging archaeological sites are subject to fines, imprisonment, and confiscation of artifacts. Enforcement mechanisms are implemented by the SCA and law enforcement agencies to ensure compliance with the law.

4.6. Export Control:

The law regulates the export of antiquities and cultural artifacts, requiring permits from the SCA for the exportation of any items deemed of archaeological or historical significance. Export permits are granted based on the assessment of the cultural value of the artifacts and adherence to international conventions and agreements.

4.7. International Cooperation:

Recognizing the global significance of Egypt's cultural heritage, the law encourages international cooperation and collaboration in the field of archaeology and heritage preservation. It provides a legal framework for joint archaeological missions, repatriation of stolen artifacts, and cooperation with international organizations and institutions.

Conclusion:

The Antiquities Protection Law in Egypt has its framework for the safeguarding, preservation, and conservation of antiquities and archaeological sites nationwide. It strictly prohibits unauthorized excavation, removal, export, sale, or destruction of antiquities without proper permits from the Supreme Council of Antiquities (SCA). This law mandates that all archaeological activities must be conducted under SCA supervision, with individuals or institutions requiring licenses specifying guidelines set by the SCA. It asserts state ownership and custody of discovered antiquities, subjecting violators to severe penalties including fines, imprisonment, and confiscation of artifacts. Additionally, the law regulates the export of antiquities, requiring permits based on cultural value assessments and international agreements. Encouraging international cooperation, the law facilitates joint archaeological missions, repatriation efforts, and collaboration with global organizations, emphasizing the significance of Egypt's cultural heritage.

5. The main differences between Heritage Conservation Acts Legislative Framework

Table 1: Legislative Framework - The main differences between the studied Heritage Conservation Acts

Sr.	The item of difference	South Africa Heritage Conservation Act 1999	Heritage New Zealand Pouhere Taonga Act 2014	Antiquities Protection Law, 117.Egypt (1983) and it's amendments
1.	Scope and Coverage	The South Africa Heritage Conservation Act 1999 primarily focuses on the conservation and management of cultural and natural heritage resources within South Africa. It covers a broad range of heritage sites, including buildings, structures, archaeological sites, and natural features.	The Heritage New Zealand Pouhere Taonga Act primarily focuses on the conservation and management of cultural and historic heritage within New Zealand. It covers a wide range of heritage resources, including buildings, structures, archaeological sites, and cultural landscapes.	The Antiquities Protection Law of Egypt, on the other hand, specifically targets antiquities and archaeological sites within the territory of Egypt. It is concerned with the protection of ancient monuments, artifacts, and archaeological treasures that hold significance to Egypt's rich history and cultural heritage
2.	Governance Structure	The South Africa Heritage Conservation Act establishes a governance structure that includes the South African Heritage Resources Agency (SAHRA) as the primary statutory body responsible for heritage conservation, with regional branches and stakeholder engagement mechanisms.	The Heritage New Zealand Pouhere Taonga Act establishes Heritage New Zealand Pouhere Taonga as the primary statutory body responsible for heritage conservation in New Zealand. It operates under a governance structure comprising a Board of Trustees and a Director-General, with regional branches across the country.	The Antiquities Protection Law of Egypt likely designates a governmental body or authority responsible for overseeing the implementation of the law and managing Egypt's antiquities
3.	Legal Framework	The South Africa Heritage Conservation Act provides a comprehensive legal framework for heritage conservation, including provisions for the identification and declaration of heritage resources, conservation management plans, heritage impact assessments, and enforcement mechanisms.	The Heritage New Zealand Pouhere Taonga Act provides a comprehensive legal framework for heritage conservation, encompassing identification, registration, conservation planning, enforcement mechanisms, and stakeholder engagement.	The Antiquities Protection Law of Egypt likely focuses more narrowly on the protection of antiquities and archaeological sites, with provisions related to excavation permits, export control, penalties for illicit trafficking, and measures to combat looting and vandalism.
4.	Cultural Context	The South Africa Heritage Conservation Act reflects South Africa's diverse cultural and natural heritage landscape, including recognition of indigenous heritage and the incorporation of indigenous perspectives and values into heritage conservation practices.	The Heritage New Zealand Pouhere Taonga Act reflects New Zealand's unique cultural and historical context, including the recognition of indigenous Māori heritage and the incorporation of Māori perspectives and values into heritage conservation practices.	The Antiquities Protection Law of Egypt is deeply rooted in the country's ancient history and civilization, aiming to safeguard artifacts and monuments that represent Egypt's cultural identity and heritage legacy.
5.	Review and Reporting	Heritage resources authorities to produce and submit regular reports detailing their activities, financial status, and progress in heritage management and conservation. These reports are essential for maintaining transparency, accountability, and public awareness. Additionally, the Act mandates periodic reviews of heritage policies and strategies to ensure their effectiveness and alignment with national and international best practices.	Heritage authorities must produce an annual report detailing its activities, financial performance, and progress towards its strategic objectives. Review of its operations every five years, evaluating its effectiveness in managing and conserving heritage resources. This review process involves public consultation, ensuring transparency and accountability. The findings and recommendations from these reviews are used to guide future heritage management practices.	The law mandates regular reporting by the Ministry of Antiquities on the status of heritage sites, financial allocations, and progress in conservation efforts. The executive regulations and subsequent amendments also call for periodic reviews of heritage policies and strategies to evaluate their effectiveness and compliance with national and international standards.
5.	International Cooperation	The three laws may include provisions for international cooperation and collaboration in heritage conservation efforts, but the specific mechanisms and priorities for such cooperation may vary depending on the context and objectives of each country.		

6. Conclusion:

In summary, while the Antiquities Protection Law, 117.Egypt (1983) and its amendments, the South Africa Heritage Conservation Act 1999 and Heritage New Zealand Pouhere Taonga Act 2014 share the goal of heritage conservation, they differ in their scope, legal framework, governance structure, cultural context, and international cooperation mechanisms, reflecting the distinct heritage landscapes and priorities of each country. The research findings reveal that legal frameworks for heritage conservation in countries such as New Zealand and South Africa are characterized by their emphasis on governance as a mechanism for enforcing the law and ensuring its application. This includes developing long-term strategic plans for heritage conservation, identifying approved entities, supervising implementation, and moving from strategic to operational levels. And developing economic and financing plans, in addition to monitoring performance and inspection. Which means that governance as a mechanism needs to reconsider Egyptian law to enhance heritage preservation efforts.

7. Recommendations:

The below recommendations are prepared based on the analytical study of the Legislative framework of the Heritage conservation Acts of the other countries and the aim is to enhance the Egyptian Act which is supporting the Egyptian Heritage conservation as follows:

Establish a Comprehensive Legal Framework:

Develop a comprehensive legal framework for heritage conservation. This framework should include provisions for the identification, protection, and management of antiquities and archaeological sites, as well as mechanisms for heritage impact assessments, conservation planning, and enforcement.

Enhance International Cooperation:

Strengthen international cooperation and collaboration in heritage conservation. This could involve ratifying international conventions and agreements, establishing partnerships with other countries and organizations, and participating in joint research and capacity-building initiatives to address common challenges in heritage preservation.

Alignment with Existing Legislation and Policies:

Ensure that conservation management strategies and plans under the Antiques Protection Law align with existing legislation, policies, and international agreements related to heritage conservation. Incorporate provisions for the identification and

description of protected antiquities sites managed by governmental agencies or designated authorities.

Strengthening Governance Structures:

Focus on governance as a means of enforcing and applying the law. Key elements include developing long-term strategic heritage conservation plans, identifying authorized entities, transitioning from strategic to operational levels, and creating economic and financing plans. Additionally, emphasize on performance monitoring, inspection, and supervision of implementation.

Community and Stakeholder Engagement:

Implement mechanisms for robust public participation and consultation in heritage conservation processes, ensuring local communities, including indigenous groups, are actively involved in decision-making.

Regular Review and Reporting:

Mandate regular reviews and public reporting on the state of heritage conservation, the effectiveness of the law, and the activities of the Supreme Council of Antiquities (SCA) to ensure accountability and continuous improvement.

Enhance Transparency and Public Access to Information

Ensure that all reports, strategic plans, and review outcomes are easily accessible to the public. Publish these documents online and in accessible formats to promote transparency and public awareness of heritage conservation efforts.

Align with International Best Practices

Regularly benchmark against international best practices in heritage conservation and management. Adopt and adapt successful strategies and practices from leading heritage conservation frameworks worldwide to continuously improve Egypt's antiquities protection laws.

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