



PROTECTION OF MOVABLE CULTURAL HERITAGE ITEMS

The Protection of Movable Cultural Heritage Act 1986 (the Act) is administered by the Minister for the Department of the Environment, Water, Heritage and the Arts.

The purpose of the Act is to protect, for the benefit of the nation, objects which if exported would significantly diminish Australia's cultural heritage.

The Act also allows Australia to return cultural heritage objects to other countries that have been illegally exported from their country of origin.

BACKGROUND TO THE RESTRICTIONS

Objects that people create or collect can be an important part of our cultural heritage. These objects can be artistic, technological or natural in origin.

There is increasing trade and exchange of this movable cultural heritage between nations.

This exchange can be of great benefit by enhancing international appreciation of cultural diversity.

It can also lead to the loss of significant aspects of a nation's cultural heritage as these objects are traded in the international market.

The import and export of certain goods listed in the National Cultural Heritage Control List may require a permit.

WHAT GOODS ARE RESTRICTED

The Act regulates the export of Australia's significant cultural heritage objects.

It is not intended to restrict normal and legitimate trade in cultural property and does not affect an individual's right to own or sell within Australia.

The Act implements a system of export permits for certain

heritage objects defined by the Act as 'Australian protected objects'.

Australian protected objects are objects which form part of the movable cultural heritage of Australia and which meet the criteria established under the National Cultural Heritage Control List.

The Act also includes provisions that allow the Australian Government to respond to official requests from foreign governments to return their nation's cultural heritage objects that have been illegally exported from that country.

NATIONAL CULTURAL HERITAGE CONTROL LIST

The Control List divides Australian protected objects into two classes:

- Class A objects which may not be exported
 - Class B objects which may be exported if granted a permit under the Act.
1. Class A objects for which a permit cannot be granted include:
 - a. Some of the most significant items of Aboriginal and Torres Strait Islander heritage (as stated in the Protection of Movable Cultural Heritage Regulations 1987)
 - bark and log coffins
 - human remains
 - rock art
 - dendroglyphs (carved burial and initiation trees) and
 - sacred and secret ritual objects.
 - b. Victoria Crosses awarded to Australian recipients.
 - c. The objects comprising the suit of armour worn by Ned Kelly at the event known as the siege of Glenrowan in 1880.

2. Class B objects which **may** be exported subject to a **permit** include:
- archaeological objects
 - objects of Aboriginal and Torres Strait Islander heritage not covered under Class A
 - natural science objects
 - objects of applied science or technology
 - objects of fine or decorative art
 - objects of documentary heritage
 - numismatic objects and medals not covered under Class A
 - philatelic objects and
 - objects of historical significance not covered under Class A.

OBTAINING A PERMIT TO EXPORT

You will need to obtain a permit to export items on the National Cultural Heritage Control List.

This list is available from the Cultural Property Branch of the Department of the Environment, Water, Heritage and the Arts.

More information is available on the internet at www.arts.gov.au/movable_heritage or on 02 6274 1810.

MORE INFORMATION

For information on any Customs matter, contact the Customs Information and Support Centre on 1300 363 263 or email information@customs.gov.au or browse the website www.customs.gov.au.