

# Apply for export license for cultural property

If you want to export cultural property from Germany, you need an export license under certain conditions.

## Competent Department

- [Der Senator für Kultur, Referat 11 - Museen, Staatsarchiv Bremen, Landesarchäologie Bremen, Landesamt für Denkmalpflege, Obere Denkmalschutzbehörde, Kulturgutschutz](#)

## Basic information

You need a license to export cultural property from Germany if the cultural property exceeds certain age or value limits. Cultural assets are, for example, works of art, archaeological objects, archival materials, manuscripts or antiques such as furniture, musical instruments or jewelry. You can find out about the age and value limits, for example, on the internet portal of the Federal Government Commissioner for Culture and the Media on the protection of cultural property.

If the permit requirement is dependent on a financial value of the cultural asset, this value is

- the price paid within the last 3 years for a purchase or sale, or
- in other cases, a justified domestic appraised value at the time of application.

You can apply for the permit at the competent authority. A distinction is made between permanent and temporary export. The export is temporary if it is for a period limited from the beginning to a maximum of 5 years.

You apply for a permit to export cultural property in writing to the competent authority of the federal state in which the cultural property is located at the time of application. If you are a legal entity, your head office in the federal territory is decisive for the local jurisdiction.

Note: You can also use a new online procedure in pilot operation to apply for export licenses for cultural property. The online procedure includes an optional pre-check to determine, based on a few questions, whether an export license is needed in a specific case. In general, you no longer have to select the correct application yourself; it is determined automatically on the basis of the information provided. The pilot operation

serves to further test and optimize the procedure. At the same time, the procedure is to be expanded by the end of 2022 so that digital issuing of the license is also possible.

## Requirements

You will be granted a permit in accordance with Regulation (EC) No. 116/2009 or in accordance with Section 24 (1) No. 2 of the Cultural Property Protection Act if

- you are entitled to apply,
  - as the owner or an authorized third party
- you have submitted the required documents and
- at the time of the decision, there is no export ban in accordance with Section 21 (1), (2), (4) and (5) of the Cultural Property Protection Act.

You may be granted a license under Section 25 of the Cultural Property Protection Act if

- you are entitled to apply,
  - institutions that preserve cultural property and regularly export parts of their holdings temporarily for public exhibitions, restoration or research purposes are eligible to apply for a permit
- you have submitted the required documents
- at the time of the decision there is no export ban in accordance with § 21 numbers 1, 2, 4 and 5 of the Cultural Property Protection Act, and
- you, as the applicant, can guarantee that the cultural property intended for export will be re-imported into Germany in an undamaged condition and in due time.

You may be granted a permit under Section 26 of the Cultural Property Protection Act if

- you are entitled to apply,
  - as the owner or the rightful direct owner of the cultural property
- you have submitted the required documents
- at the time of the decision, there is no export ban in accordance with Section 21 (1), (2), (4) and (5) of the Cultural Property Protection Act, and
- you, as the person submitting the application, can guarantee that the cultural object intended for export will be re-imported into Germany in an undamaged condition and in due time.

## What documents do I need?

- Written application for export of cultural goods or online application with authentication
- Provenance information on the cultural property
- If necessary, further proofs

such as means of identification, loan agreements, proofs of value, etc.

# Procedure

To apply online for a license to export a cultural property, you can use an online procedure that is currently being piloted. The online procedure includes an optional pre-check to determine whether an export license is needed based on a few questions. In general, you no longer need to select the correct application - it is determined automatically based on the information you provide. The pilot operation serves to further test and optimize the procedure. At the same time, the procedure is to be expanded by the end of 2022 so that it will also be possible to issue the license digitally.

To apply in writing for a license to export a cultural object, the following steps are necessary:

- Use the Authority Finder to find the competent authority and the PDF form for your federal state: [https://www.kulturgutschutz-deutschland.de/DE/Service/Formulare/Behoerdenfinder/behoerdenfinder\\_node.html](https://www.kulturgutschutz-deutschland.de/DE/Service/Formulare/Behoerdenfinder/behoerdenfinder_node.html)
- Download the correct PDF form.
  - Export license according to Regulation (EC) No. 116/2009, § 25 or § 26 Cultural Property Protection Act for export to third countries and
  - according to § 24 paragraph 1 number 2, § 25 or § 26 Cultural Property Protection Act for export to member states of the European Union
- Fill out the PDF form on your PC.
- Print out the documents.
  - Export license according to Regulation (EC) No. 116/2009 for export to third countries in 3 copies (the form already contains all copies),
  - Export license according to § 24 paragraph 1 number 2 Cultural Property Protection Act for export to member states of the European Union in 2 copies,
  - Export licenses according to § 25 and § 26 of the Cultural Property Protection Act, each in 2 copies (note: the forms for export to third countries already contain all copies)
- Sign in the spaces provided, stamp the documents if necessary, and attach the necessary supporting documents to each copy.
- Send the documents to the competent authority.
- The authority will review your application and send you
  - 2 copies (export according to regulation number 116/2009 to a third country) or
  - one copy (export according to § 24 paragraph 1 number 2, § 25 or § 26 Cultural Property Protection Act to a third country or export to member states of the European Union),
  - return the completed, signed and sealed documents, together with a fee notice, if applicable.
  - Copy 1 is the application and remains with the authority. All other copies will be returned to you. In the case of export to a third country in accordance with Regulation (EC) No. 116/2009, you must submit copies 2 and 3 to the competent German customs office of export together with the export declaration. The customs office of export fills in box 26 and hands over copy 2 to you. After the actual exit, the German customs office of export confirms it in box 27 and sends copy 3 back to the authority that issued the license.

If your application for an export license is rejected, you will receive a written decision with a statement of reasons and the instructions for appeal.

## Legal bases

- [Artikel 2 Verordnung \(EG\) Nr. 116/2009 des Rates vom 18. Dezember 2008 über die Ausfuhr von Kulturgütern \(kodifizierte Fassung\) \[Verordnung \(EG\) Nr. 116/2009\]](#)
- [Durchführungsverordnung \(EU\) Nr. 1081/2012 der Kommission vom 9. November 2012 zu der Verordnung \(EG\) Nr. 116/2009 des Rates über die Ausfuhr von Kulturgütern \[Verordnung \(EU\) Nr. 1081/2012\]](#)
- [§ 24 und §§ 25-27 Gesetz zum Schutz von Kulturgut \(Kulturgutschutzgesetz – KGSG\)](#)

## More information

A permit under Section 22(1) of the Cultural Property Protection Act obtained by means of threat, bribery or collusion, or obtained by means of incorrect or incomplete information, is null and void under Section 22(5) of the Cultural Property Protection Act. This applies mutatis mutandis to licenses (Section 24(1)(1) and (2) of the Cultural Property Protection Act under Section 24(9) of the Cultural Property Protection Act).

## What deadlines must be paid attention to?

For licenses under Regulation (EC) No. 116/2009 and Section 24(1)(1) of the Cultural Property Protection Act and Section 24(1)(2) of the Cultural Property Protection Act, the period of validity is 12 months. Export (temporary or permanent) is possible until the last day of the validity period. The re-importation period (up to 5 years) for the one-time temporary export of cultural property (Regulation (EC) No. 116/2009 and Section 24(1)(1) of the Cultural Property Protection Act) is determined by the authority according to the purpose of the export.

For licenses according to § 25 and § 26 of the Cultural Property Protection Act, the period of validity is up to 5 years. The (temporary) export is possible until the last day of the validity period, the re-import must take place within 5 years.

## How long does it take to process

For an application under Regulation (EC) No. 116/2009 or under Section 24(1)(2) of the Cultural Property Protection Act, the processing time is up to 10 working days after submission of the complete application documents. Apart from the above-mentioned decision period for certain licenses, the processing time depends on the completeness of the submitted application documents and the complexity of the application. The permit must be applied for in good time before the planned export of the cultural property.