Import of cultural goods

2017/0158(COD) - 07/06/2019 - Final act

PURPOSE: to prevent the illicit import of cultural property into the European Union.

LEGISLATIVE ACT: Regulation (EU) 2019/880 of the European Parliament and of the Council on the introduction and the import of cultural goods.

CONTENT: this Regulation sets out the conditions for the introduction of cultural goods and the conditions and procedures for the import of cultural goods for the purpose of safeguarding humanity's cultural heritage and preventing the illicit trade in cultural goods, in particular where such illicit trade could contribute to terrorist financing.

It does not apply to cultural goods which were either created or discovered in the customs territory of the Union.

Introduction and import of cultural property

The Regulation covers cultural goods created or discovered outside the EU which are to be released for free circulation or placed under a special customs procedure other than transit.

The introduction of cultural property such as rare collections and specimens of zoology, botany, mineralogy and anatomy, objects of palaeontological interest, the product of archaeological excavations, objects of antiquity over 100 years old, rare and incunabula manuscripts, which have been removed from the territory of the country in which they were created or discovered in violation of the laws and regulations of that country shall be prohibited.

The Regulation distinguishes cultural property according to its vulnerability to pillage and destruction.

Import licences

The most vulnerable cultural property, such as archaeological objects or elements of monuments more than 250 years old, must be accompanied by an import licence. This licence shall be issued if the importer provides proof of the lawful export of the goods in question from the source country using supporting documents, including export certificates, ownership titles, invoices, sales contracts, insurance documents, transport documents and expert appraisals. Import licences issued by the competent authorities of a Member State shall be valid throughout the Union.

In order to facilitate the presentation of cultural goods at art trade fairs, it shall not be necessary to present an import licence when the cultural goods in question are placed under the temporary admission regime and an importer's declaration has been provided in place of the import licence. However, the presentation of an import licence shall be required when these cultural goods remain in the Union after the art fair.

Importer's statement

Less vulnerable cultural objects, such as zoological or botanical collections, coins, engraved seals, paintings, sculptures or books at least 200 years old and with a minimum value of EUR 18 000, must be accompanied by a statement from the importer that the goods in question have been lawfully exported. The statement shall include a standardised document providing sufficient information to enable customs authorities to identify cultural property.

Use of an electronic system

Information on the cases in which import licences have been issued and declarations made by importers shall be kept in a centralised electronic database to be set up by the Commission and accessible to all national authorities in the EU.

The Commission may also organise training and capacity building activities for third countries in cooperation with Member States.

The processing of data under the Regulation shall also cover personal data and shall be carried out in accordance with Union law.

ENTRY INTO FORCE: 27.6.2019.