Basic information

2000/0333(CNS) CNS - Consultation procedure Regulation	Procedure completed
Cultural goods: exportation (amend. Regulation (EEC) No 3911/92) **Subject** 4.45.06 Heritage and culture protection, movement of works of art	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
CULT Culture, Youth, Education, Media and Sport		

Committee for opinion	Rapporteur for opinion	Appointed
ECON Economic and Monetary Affairs	The committee decided not to give an opinion.	
JURI Legal Affairs and Internal Market	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Culture	2361	2001-06-21
Energy	2347	2001-05-14

European Commission

Commission DG	Commissioner
Taxation and Customs Union	

Key events

Date	Event	Reference	Summary
22/12/2000	Legislative proposal published	COM(2000)0845	Summary
25/01/2001	Vote in committee		
31/01/2001	Committee referral announced in Parliament		
14/02/2001	Decision by Parliament	T5-0072/2001	Summary

14/05/2001	Act adopted by Council after consultation of Parliament		
14/05/2001	End of procedure in Parliament		
19/05/2001	Final act published in Official Journal		
21/06/2001	Debate in Council		Summary

Technical information

Procedure reference	2000/0333(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
Legal basis	EC Treaty (after Amsterdam) EC 133 Rules of Procedure EP 52-p1
Stage reached in procedure	Procedure completed
Committee dossier	CULT/5/14307

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Text adopted by Parliament, 1st reading/single reading		T5-0072/2001 OJ C 276 01.10.2001, p. 0050-0118	14/02/2001	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2000)0845  OJ C 120 24.04.2001, p. 0184 E	22/12/2000	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0532/2001 OJ C 193 10.07.2001, p. 0085	25/04/2001	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Regulation 2001/0974
OJ L 137 19.05.2001, p. 0010 Summary

Cultural goods: exportation (amend. Regulation (EEC) No 3911/92)

2000/0333(CNS) - 14/05/2001 - Final act

PURPOSE: to amend Regulation 3911/92/EEC on the export of cultural goods.

COMMUNITY MEASURE: Council Regulation 974/2001/EC amending Regulation 3911/92/EEC on the export of cultural goods.

CONTENT: The establishment of Economic and Monetary Union and the changeover to the euro have an effect on the last subparagraph under heading B of the Annex to Regulation 3911/92/EEC laying down the values, expressed in ecu, of the cultural goods subject to the application of the Regulation. That subparagraph lays down that the date for the conversion of the said values into national currencies is to be 1 January 1993.

Pursuant to Council Regulation 1103/97/EC of 17 June 1997 on certain provisions relating to the introduction of the euro, any reference to the ecu in legal instruments became, as from 1 January 1999, a reference to the euro, after conversion at the rate of one to one. Without an amendment to Regulation 3911/92/EEC, and hence to the fixed exchange rate corresponding to the rate in force on 1 January 1993, the Member States having the euro as their currency would continue to apply different amounts converted on the basis of the exchange rates of 1993, and not the conversion rates irrevocably fixed on 1 January 1999, and this situation would persist as long as the conversion rule remained an integral part of the Regulation.

The last subparagraph under heading B of the Annex to Regulation 3911/92/EEC should therefore be amended in such a way that, as from 1 January 2002, the Member States having the euro as their currency directly apply the values in euro laid down in Community legislation. For the other Member States, which will continue to convert these thresholds into national currencies, an exchange rate should be adopted on a suitable date before 1 January 2002, and provision should be made for those States to adapt that rate automatically and periodically in order to compensate for variations in the exchange rate between the national currency and the euro.

It would appear that the value 0 (zero) under heading B of the Annex to Regulation 3911/92/EEC, applicable as the financial threshold for certain categories of cultural objects, could be interpreted in such a way as to jeopardise the effective application of the Regulation. Whereas this value 0 (zero) means that goods belonging to the categories in question, whatever their value - even if it is negligible or zero - are to be considered "cultural objects" within the meaning of the said Regulation, certain authorities have interpreted it in such a way that the cultural object in question has no value at all, thereby depriving those categories of goods of the protection afforded by the Regulation.

Therefore to avoid any confusion in this respect, the figure 0 should be replaced by a clearer expression which leaves no doubt as to the need to protect the goods in question. This Regulation thereby amends the regulation in the following way: The title "VALUE: 0 (zero)" shall be replaced by: "VALUE: Whatever the value."

The last subparagraph, relating to the conversion into national currencies of the values expressed in ecu, is replaced by the following: "For the Member States which do not have the euro as their currency, the values expressed in euro in the Annex shall be converted and expressed in national currencies at the rate of exchange on 31 December 2001 published in the Official Journal of the European Communities. This countervalue in national currencies shall be reviewed every two years with effect from 31 December 2001. Calculation of this countervalue shall be based on the average daily value of those currencies, expressed in euro, during the 24 months ending on the last day of August preceding the revision which takes effect on 31 December. This method of calculation shall be reviewed, on a proposal from the Commission, by the Advisory Committee on Cultural Goods, in principle two years after the first application. For each revision, the values expressed in euro and their countervalues in national currency shall be published periodically in the Official Journal of the European Communities in the first days of the month of November preceding the date on which the revision takes effect."

ENTRY INTO FORCE: This Regulation shall enter into force on 26/05/01. It shall be applicable as from 1 January 2002.

Cultural goods: exportation (amend. Regulation (EEC) No 3911/92)

2000/0333(CNS) - 21/06/2001

The Council heard from Commissioner REDING on the follow-up given to the Commission's report on the implementation of Regulation 3911/92/EC on the export of cultural goods and Directive 93/7/EEC on the return of cultural objects unlawfully removed from the territory of the Member States. The Commission has set up a working group which should elaborate guidelines on administrative co-operation in order to strengthen this co-operation. Furthermore, a study has been launched to inquire on possibilities for improving traceability of cultural goods. Ministers stressed the importance of intensifying cooperation between police and customs' authorities in different Member States, and the relevance of this subject in the context of enlargement.

Cultural goods: exportation (amend. Regulation (EEC) No 3911/92)

2000/0333(CNS) - 14/02/2001 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted the proposal on the export of cultural goods. (Procedure without report).

Cultural goods: exportation (amend. Regulation (EEC) No 3911/92)

2000/0333(CNS) - 22/12/2000 - Legislative proposal

PURPOSE : to amend Council Regulation 3911/92/EEC on the export of cultural goods to take into account the introduction of the euro. CONTENT : this proposal aims to introduce the two technical amendments to the Annex of Regulation 3911/92/EEC announced in the report on the application of Regulation 3911/92/EEC and Directive 93/7/EEC. It should be noted that as from 1 January 2002, the Member States participating in the EMU applied directly the euro thresholds laid down in Community legislation. For those Member States not participating in the EMU, a date for the conversion into national currencies of the values expressed in euro and a periodic adaptation of the amounts in national currencies every two years. The reference date chosen is 31 December 2001, the last day of the period of transition to the euro. For the periodic adaptation every two years, the system chosen follows the model for periodic adaptation laid down by the "public procurement" Directives. Secondly, it is aimed to replace the figure 0 applicable to certain categories of cultural goods in the Annex in order to avoid differences of interpretation. The figure 0 is one of the values set out in heading B and it should be replaced with the text "whatever the value".