

# Apply for a permit for the temporary export of national cultural property

If you want to export national cultural property from Germany temporarily or permanently, you must apply for an export license.

## Competent Department

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

## Basic information

You need a license to export national cultural property from Germany (Sections 22, 25 and 26 of the Cultural Property Protection Act). Cultural property includes, for example, works of art, archaeological objects, archival materials, manuscripts or antiques such as furniture, musical instruments or jewelry.

National cultural property is cultural property that is

- is entered in a register of nationally valuable cultural property,
- is publicly owned and held by a public institution that preserves cultural property (e.g. a museum, archive, library),
- is owned and held by a cultural property preservation institution (e.g., museum, archive, library) that is predominantly financed by public grants, or
- is part of a federal or state art collection.

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 of no more than 5 years, limited from the beginning.

You apply for a permit for the temporary export of national cultural property in writing to the competent authority of the federal state,

- in whose register of nationally valuable cultural property the cultural object is entered, or
  - if the cultural property is not registered, in 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 local jurisdiction.

You can apply in writing to the Federal Government Commissioner for Culture and the Media for a permit for the permanent export of national cultural property (Section 23 of the Cultural Property Protection Act).

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

A permit for the one-time temporary export of national cultural property (§ 22 Cultural Property Protection Act) will be issued to you if

- you are entitled to apply,
  - as the owner or an authorized third party
- you have submitted the required documents and
- you, as the applicant, guarantee that the cultural property intended for export will be reintroduced into the Federal Republic of Germany in an undamaged condition and in due time.

A permit for the repeated temporary export of national cultural property (general open permit, Section 25 of the Cultural Property Protection Act) can be issued to you if

- you are entitled to apply
  - as an institution preserving cultural property which regularly exports parts of its holdings temporarily for public exhibitions, restoration or research purposes,
- you have submitted the required documents
- you, as the applicant, can guarantee that the cultural property intended for export will be reintroduced into the Federal territory in an undamaged condition and in due time.

You may be granted a license for the repeated temporary export of a specific cultural object (specific open license, Section 26 of the Cultural Property Protection Act) if

- you are entitled to apply
  - as the owner or legal direct owner of the cultural object,
- you have submitted the required documents
- you, as the applicant, guarantee that the cultural object intended for export will be reintroduced into the Federal Republic of 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
- Power of attorney when applying by proxy
- Justification of the application for a general open or specific open export license
- If necessary, further proofs

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

## Procedure

To apply online for a license to export national cultural property, you can use a new online service in pilot operation. The online process includes an optional pre-check to determine whether an export license is needed based on a few questions. You no longer have to select the correct application yourself; it is determined automatically based on 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 it will also be possible to issue the license digitally.

To apply for a license for the export of national cultural property in writing, the following steps are necessary:

- Use the Authority Finder to find the competent authority and the form for your federal state: [http://www.kulturgutschutz-deutschland.de/DE/Service/Formulare/Behoerdenfinder/behordenfinder\\_node.html](http://www.kulturgutschutz-deutschland.de/DE/Service/Formulare/Behoerdenfinder/behordenfinder_node.html)
- Download the correct PDF form: Export license according to § 22, § 25 or § 26 Cultural Property Protection Act for export to third countries or 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 § 22 Cultural Property Protection Act: in triplicate (export to third countries) or in duplicate (export to member states of the European Union),
  - Export licenses according to § 25 and § 26 of the Cultural Property Protection Act: each in duplicate (note: the forms for export to third countries already contain all copies).
- Sign each copy in the spaces provided, stamp it 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 return it to you completed, signed and sealed, with a fee notice if applicable.
  - In the case of § 22 Cultural Property Protection Act (export to third countries) you will receive two copies and
  - in the case of Section 22 of the Cultural Property Protection Act (export to member states of the European Union), Section 25 and Section 26 of the Cultural Property Protection Act, you will receive one copy each.
- Copy 1 is the application and remains with the authority. Copy 2 will be returned to you (in the case of export to a third country in accordance with Section 22 of the Cultural Property Protection Act: Copies 2 and 3 will be). In the case of export to a

third country pursuant to Section 22 of the Cultural Property Protection Act, you must submit copies 2 and 3 to the competent German export customs office together with the export declaration. The customs office of export fills in box 26 and hands you copy 2. 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 the export license application is rejected, you will receive a written decision with reasons and instructions on how to appeal.

## **Legal bases**

- [§ 22 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 shall be null and void in accordance with Section 22(5) of the Cultural Property Protection Act. This applies mutatis mutandis to licenses under Section 24(1)(1) and (2) of the Cultural Property Protection Act (Section 24(9) of the Cultural Property Protection Act).

## **What deadlines must be paid attention to?**

For permits according to § 25 and § 26 of the Cultural Property Protection Act, the period of validity is up to 5 years. For permits under § 25 and § 26 of the Cultural Property Protection Act, the following applies: (temporary) export is possible up to the last day of the period of validity; re-importation must take place within 5 years. The re-importation period (up to 5 years) for one-time temporary export of national cultural property according to § 22 Cultural Property Protection Act is determined by the authority according to the purpose of the export.

## **How long does it take to process**

The processing time depends on the completeness of the submitted application documents and the complexity of the application. The license must be applied for in good time before the planned export of the cultural property.