



Protection of Movable Cultural Heritage (Approved Forms) Instrument 2024 (No. 1)

I, Ann Campton, Assistant Secretary, Collections and Cultural Heritage Branch, Department of Infrastructure, Transport, Regional Development, Communications and the Arts, as delegate of the Minister for the Arts, make the following instrument under section 3A of the *Protection of Movable Cultural Heritage Act 1986*.

Dated 18 July 2024

Ann Campton
Assistant Secretary, Collections and Cultural Heritage Branch
Department of Infrastructure, Transport, Regional Development, Communications and
the Arts

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Part 1 – Preliminary

1 Name

This instrument is the *Protection of Movable Cultural Heritage (Approved Forms) Instrument 2024 (No. 1)*.

2 Commencement

This instrument commences the day after it is registered.

3 Authority

This instrument is made under section 3A of the *Protection of Movable Cultural Heritage Act 1986*.

4 Definitions

Note: A number of expressions used in this instrument are defined in subsection 3(1) of the Act, including the following:

- (a) approved form;
- (b) Australian protected object;
- (c) certificate;
- (d) Class B object;
- (e) export;
- (f) permit;
- (g) protected object.

In this instrument:

Act means the *Protection of Movable Cultural Heritage Act 1986*.

Part 2 – Approval of forms

5 Approved form – Application for a Permit to Export a Class B Object

For the purposes of subsection 10(2) of the Act, the approved form for a person to apply to the Minister for a permit to export a Class B object under subsection 10(1) of the Act is the form at Schedule 1.

6 Approved form – Application for a Certificate of Exemption

For the purposes of subsection 12(2) of the Act, the approved form for a person who applies to the Minister for a certificate authorising the exportation of an Australian protected object under subsection 12(1) of the Act is the form at Schedule 2.

7 Approved form – Application to Vary a Permit to Export a Class B Object or Certificate of Exemption

For the purposes of subsection 13(3) of the Act, the approved form for a holder of a permit or certificate to make an application is the form at Schedule 3.

8 Approved form – Permanent Export of a Class B Object Permit

For the purposes of subsection 11(1) of the Act, the approved form for a permit granted under paragraph 10(5)(a) of the Act for an indefinite period is the form at Schedule 4.

9 Approved form – Temporary Export of a Class B Object Permit

For the purposes of subsection 11(1) of the Act, the approved form for a permit granted under paragraph 10(5)(a) of the Act for a specified period is the form at Schedule 5.

10 Approved form – Certificate of Exemption

For the purposes of subsection 12(4) of the Act, the approved form for a certificate granted under paragraph 12(3)(a) of the Act is the form at Schedule 6.

Schedule 1—Approved form - Application for a Permit to Export a Class B Object

Application for a Permit to Export a Class B Object

Form Preview

Applicant details

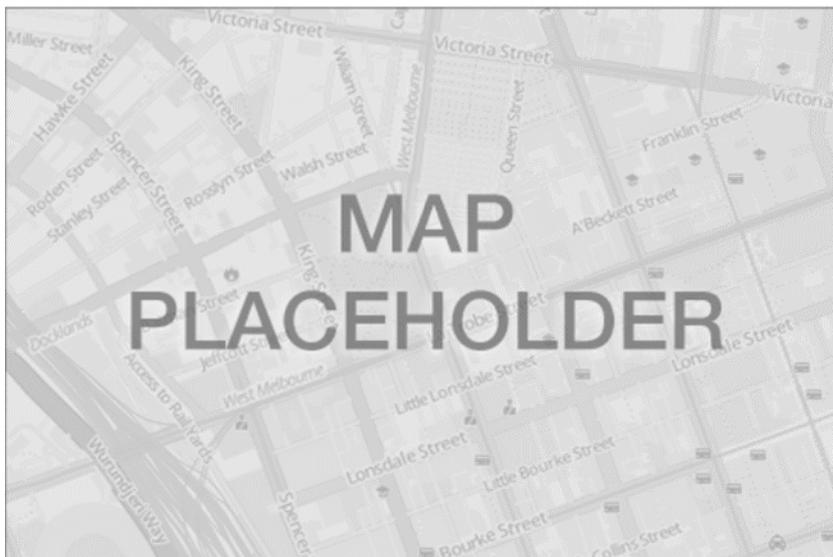
Applicant Name *

- Individual Organisation
 Organisation Name
Title First Name Last Name

Must be the full legal name of the applicant organisation

Primary address *

Address



Address Line 1, Suburb/Town, State/Province, and Postcode are required.

When recording your location, you may be presented with multiple address options. Please choose the most complete address with a postcode when making your selection.

Contact details

Contact name *

- Name
Title
First Name
Last Name

Position

Phone number *

Email *

Must be an email address.

What is your relationship to the object? *

- Owner
- Authorised agent
- Potential buyer

If you are not the Owner, please confirm that you have authority to apply for this Export Permit? *

- Yes
- No

Please provide reason for ticking no *

Note: Section 13A of the Act requires the provision of an address in Australia for the service of notices. You may update this address at any time by giving notice in writing in the same manner as you submitted this application.

Note: The Department will correspond with you in relation to your application, including providing the outcome of your application and any reasons for decision, via the email address included in your application form, unless you indicate another preference.

Owner details

Please provide details of the Owner (optional).

Name

Title First Name Last Name

Organisation

Address

Address

Phone number

Email

Must be an email address.

If your application is approved, who should the Export Permit be issued to? (e.g. John Smith, or John Smith's Auction House) *

Object details

* indicates a required field

Object name *

Object details *

What is the object? e.g. a painting or a stamp.

Photographic requirements

Please provide photos of the object, while clearly naming file uploads (i.e. vehicle - front/rear/side).

- You must provide clear colour photographs of the object. The object should be clearly visible and identifiable.
- Where the object has a serial, chassis or engine number, photos of this identification must be included. If the number is not accessible an alternative method of identification such as a pencil rubbing of the compliance plate is acceptable.
- A clear scan of a photograph of the object published in a book or catalogue is acceptable.
- For natural science objects, a photo of the actual specimen, or in the case of a collection, a representative sample must be included.
- For very large collections, a photo of the most significant object as well as a photo of a representative example of the collection must be included. Large collections may be inspected.
- The department may request further information, including additional photographs, or access to view the object, in order to accurately assess the significance of the object.

Attach photos of the object here *

Attach a file:

Multiple files can be attached here.

Will the export of this object be permanent or temporary *

Permanent

Temporary

Physical description *

As appropriate, please include measurements, material, colour, medium, damage, makers marks and inscriptions.

Date of creation, manufacture or find. *

May be a date, date range, or time period, e.g. 01/01/1901; c.1900; 1900-1910; or 19th century. Be as specific as possible. If this information is not known, enter Unknown.

What is the current market value of the object (in AUD)? *

Must be a dollar amount.

Who made or found the object *

If unknown, enter Unknown.

Where was the object made or found? *

If unknown, enter Unknown.

If the object was not made or found in Australia, what year did it come to Australia?

If unknown, enter Unknown.

Give details of any publications in which the object has been listed or photographed (if applicable). If known, please include the author's name.

You can select "Add More" for additional rows.

Publication name

Author name

Website

Does the object have any distinguishing marks or numbers? *

Yes

No

For example; permanently fixed accession number, serial or consignment number, or engine number, indelible manufacturer's name, mark or model, engraved name, signature, visible damage and/or repair.

Please list any marks or markers below.

You can select "Add More" for additional rows.

Mark or marker type

ID or name/description

History and provenance of the object

Please outline all details of the history and provenance of the object within your knowledge. *

For example; details of the object's provenance and who may have owned the object before you or its association with a significant Australian person, place, activity, business or event.

Please provide any other information which may be relevant to assessing the importance of the object to Australia's cultural heritage.

For example; its rarity, importance, or extent to which similar objects are already represented in Australian public collections. For Indigenous objects, you could provide information about support from local communities.

Permit history of the object

Have you ever previously applied for an Export Permit under the Act for this particular object? *

Yes - Permanent Export Permit

Yes - Temporary Export Permit

No

Has an Export Permit for this object ever previously been applied for by anybody else? *

Yes

No

Unknown

If you answered 'Yes' to either question above, was a permit granted? *

- Yes
- No - a Letter of Clearance was issued
- No - the application was withdrawn
- No - the permit was refused
- Unknown

Please provide the Export Permit reference number (if known).

If a Letter of Clearance was issued, please provide the date it was issued (if known).

Must be a date.

If the application was withdrawn, please provide the date of withdrawal (if known).

Must be a date.

If the permit was refused, please provide the date it was refused (if known).

Must be a date.

Permanent export

* indicates a required field

Complete this part if you wish to export the object **permanently**.

Why do you want to export the object permanently? *

- Object sold to a person overseas
- Owner is relocating overseas
- Proposed for overseas sale
- Gift / bequest to a person or institution overseas

Is there anything else you would like to advise us about the planned export? For example, is there an upcoming auction date or other critical date?

For Indigenous objects, you could provide information about support from local communities, if relevant.

If your application is approved, what is your planned export date? *

Must be a date.

If you are unable to provide a specific date, please provide the nearest month by selecting the first day of that month.

When expert examiners, the National Cultural Heritage Committee and the Minister or the delegate consider your application, they are required to have regard to any ethnological, archaeological, historical, literary, artistic, scientific or technological reasons why your object is of importance to Australia, or to a particular part of Australia.

The Minister or the delegate are not able to grant an export permit for the permanent export of the object if they are satisfied that the object is of such importance to Australia, or a part of Australia, for those reasons, that its loss to Australia would significantly diminish the cultural heritage of Australia.

You may outline any reasons why you think the permit should be granted taking into account these considerations:

Temporary export

* indicates a required field

Complete this part if you wish to export the object **temporarily** and then return it to Australia.

Why do you want to export the object temporarily? *

- Appraisal or valuation
- Owner temporarily relocating overseas
- Repair, restoration or conservation
- Research
- Exhibition

Is there anything else you would like to advise us about the planned export? For example, is there an upcoming exhibition date or other critical date?

For Indigenous objects, you could provide information about support from local communities, if relevant.

If your application is approved, what is your planned export date? *

If you are unable to provide a specific date, please provide the nearest month by selecting the first day of that month.

If your application is approved, when is the object expected to return to Australia? *

If you are unable to provide a specific date, please provide the nearest month by selecting the first day of that month.

When expert examiners, the National Cultural Heritage Committee and the Minister or the delegate considers your application, they are required to have regard to any ethnological, archaeological, historical, literary, artistic, scientific or technological reasons why your object is of importance to Australia, or to a particular part of Australia.

You may outline any reasons why you think the permit should be granted taking into account these considerations:

Supporting material certification

* indicates a required field

Supporting material

If relevant, you may provide any supporting documentation or links below.

Provide links here

Provide uploads here

Certification

I understand and agree that: *

This application, including personal information collected in the form, and attachments will be shared

with Expert Examiners and the National Cultural Heritage Committee for assessment in accordance with requirements of the Protection of Movable Cultural Heritage Act 1986.

If an Export Permit is granted, that permit may be relied on only for the export of the object(s) or collection described in the permit;

If an Export Permit is granted, it may be subject to conditions;

If an Export Permit is granted, it does not provide authority to export the object otherwise than under the Act;

Information provided in this application may be published on the Department's website, limited to the name of the object(s), as well as any unique identifiers such as serial numbers.

At least 5 choices must be selected.

I declare that all information given in this application is correct.

Date of Certification: *

Date you confirm agreement to the above statements.

Schedule 2—Approved form - Application for a Certificate of Exemption

Certificate of Exemption - application form

Part A

Applicant details

Title:

First name:

Surname:

Organisation:

Address:

State:

Postcode:

Country: (see note below)

Australia

Telephone:

Mobile:

Email: (see note below)

What is your relationship to the object?

Owner

Authorised agent

Potential buyer

If you are not the Owner, please confirm that you have authority to apply for this Certificate of Exemption:

Yes

No

If you ticked no, please provide reason

If your application is approved, who should the Certificate of Exemption be issued to?
(For example; John Smith, or John Smith's Auction House)

Note: Section 13A of the Act requires the provision of an address in Australia for the service of notices. You may update this address at any time by giving notice in writing in the same manner as you submitted this application.

Note: The Department will correspond with you in relation to your application, including providing the outcome of your application and any reasons for decision, via the email address included in your application form, unless you indicate another preference.

If you are not the Owner, please provide details of the Owner if known:

Title:

First name:

Surname:

Organisation:

Address:

State:

Postcode:

Country:

Telephone:

Mobile:

Email:

Part B

Object details

Description of the object

What is the name of the object?

What is it? (For example, a painting or a stamp)

What size is it?

What age is it?

What is the current market value? AUD

Origins of the object

When was it made or found?

Who made or found it?

Where was it made or found?

If it was not made or found in Australia, what year did it come to Australia?

Give details of any publications in which it has been listed or photographed (if applicable)

Photographic requirements

- You must provide clear colour photographs of the object. The object should be clearly visible and identifiable.
 - Where the object has a serial, chassis or engine number, photos of this identification must be included. If the number is not accessible an alternative method of identification such as a pencil rubbing of the compliance plate is acceptable.
 - A clear scan of a photograph of the object published in a book or catalogue is acceptable.
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- For natural science objects, a photo of the actual specimen, or in the case of a collection, a representative sample must be included.
 - For very large collections, a photo of the most significant object as well as a photo of a representative example of the collection must be included. Large collections may be inspected.
 - The department may request further information, including additional photographs, or access to view the object, in order to accurately assess the significance of the object.

Part C

Import details

Why do you wish to import the object?
(For example; temporary exhibition, auction, research, repair, restoration or conservation, appraisal or valuation, or owner temporarily relocating to Australia)

Which country is the object being imported from?
(Note; you should check whether the object needs export authorisation from that country or the country of origin.)

When is the object expected to arrive in Australia? Month:
Year:

When is the object expected to be exported from Australia? Month:
Year:
(Note; not all objects are exported from Australia and this is an estimated date should it be.)

Part D

Your statement

I understand and agree that:

- If a Certificate of Exemption is granted, the Certificate may only be relied on for the import and subsequent export of the object(s) described in the Certificate;
- If a Certificate of Exemption is granted, it may be subject to conditions;
- Information provided in this application may be published on the Department's website, including the name of the object(s), as well as any unique identifiers such as serial numbers.

I declare that all information given in this application is correct.

Signed:

Date:

Schedule 3— Approved form - Application to Vary a Permit to Export a Class B Object or Certificate of Exemption

Application to vary a Permit to Export a Class B Object or Certificate of Exemption

Permit or Certificate holder details

Title:	
First name:	
Surname:	
Organisation:	
Address:	
State:	
Postcode:	
Country:	
Telephone:	
Mobile:	
Email: (see note below)	

Note: The Department will correspond with you in relation to your application, including providing the outcome of your application and any reasons for decision, via the email address included in your application form, unless you indicate another preference.

Permit or Certificate details

Permit or Certificate reference number:	PMC
Name of the Object(s):	

Permit or Certificate variation details

What do you wish to do?	<input type="checkbox"/> impose a condition to which the Permit or Certificate is to be subject;
	<input type="checkbox"/> vary or revoke a condition of the Permit or Certificate;
	<input type="checkbox"/> vary the period of effect of the Permit or Certificate; or
	<input type="checkbox"/> revoke the Permit or Certificate.

Why do you wish to have it changed?	
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Your statement

I understand and agree that:

-
- if a variation to the Permit or Certificate is granted, that Permit or Certificate may be relied on only for the export of the object(s) or collection described in the Permit or Certificate;
 - if a variation to the Permit or Certificate is granted, it does not provide authority to export the object(s) otherwise than under the Act;
 - information provided in this application may be published on the Department's website, including the name of the object(s), as well as any unique identifiers such as serial numbers.

I declare that all information given in this application is correct.

Signed:

Date:

Schedule 4—Approved form - Permanent Export of a Class B Object Permit



Australian Government
Department of Infrastructure, Transport,
Regional Development, Communications and the Arts

Reference: PMCXXXX

EXPORT PERMIT PERMANENT EXPORT OF A CLASS B OBJECT

Granted under paragraph 10(5)(a) of the *Protection of Movable Cultural Heritage Act 1986* (the Act)

This permit authorises the Permit Holder to permanently export the object described below within the Period of Effect, subject to the Conditions specified (if any).

Permit Holder: [insert name]

Period of Effect: For the purposes of subsection 11(2) of the Act, this permit comes into force on the date on which it is granted and remains in force [insert for each permit, e.g. 'for a period of two years' or 'until X date'].

Conditions: For the purposes of paragraph 10(5)(a) of the Act, the permit is subject to the following conditions:
1. [insert for each permit, or include 'nil' if no conditions are imposed]

Object:

Object		
Description		
Australian market value	AUD	
National Cultural Heritage Control List reference		

Granted on / /

Granted by _____

[Name]

[Position]

[Branch]

This permit is in the form approved under section 3A of the Act. It is not valid without the signature of the Minister, or their delegate. If you wish to seek a variation to this permit, please complete the Application to vary form. If the Application to vary is approved, you will be issued with a new permit.

Schedule 5—Approved form - Temporary Export of a Class B Object Permit



Australian Government
Department of Infrastructure, Transport,
Regional Development, Communications and the Arts

Reference: PMCXXXX

EXPORT PERMIT TEMPORARY EXPORT OF A CLASS B OBJECT

Granted under paragraph 10(5)(a) of the *Protection of Movable Cultural Heritage Act 1986* (the Act)

This permit authorises the Permit Holder to temporarily export the object described below within the Period of Effect, subject to the Conditions specified (if any).

Permit Holder: [insert name]

Purpose: [insert purpose, for example, for international exhibition]

Period of Effect: For the purposes of subsection 11(2) of the Act, this permit comes into force on the date on which it is granted and remains in force [insert for each permit, e.g. 'for a period of two years' or 'until X date'].

Conditions: For the purposes of paragraph 10(5)(a) of the Act, the permit is subject to the following conditions:

- [insert for each permit, or include 'nil' if no conditions are imposed]

Object:

Object		
Description		
Australian market value	AUD	
National Cultural Heritage Control List reference		

Granted on / /

Granted by _____

[Name]

[Position]

[Branch]

This permit is in the form approved under section 3A of the Act. It is not valid without the signature of the Minister, or their delegate. If you wish to seek a variation to this permit, please complete the Application to vary form. If the Application to vary is approved, you will be issued with a new permit.

Schedule 6—Approved form - Certificate of Exemption



Australian Government
Department of Infrastructure, Transport,
Regional Development, Communications and the Arts

Reference: PMCXXXX

CERTIFICATE OF EXEMPTION

Granted under paragraph 12(3)(a) of the *Protection of Movable Cultural Heritage Act 1986* (the Act)

The Certificate Holder is authorised to export the object described below.

Certificate Holder:

Purpose:

Period of Effect: For the purposes of subsection 12(5) of the Act, this certificate comes into force on the date on which it is granted and remains in force *[insert for each certificate, e.g. 'for a period of two years' or 'until X date']*.

Conditions: For the purposes of paragraph 12(3)(a) of the Act, the permit is subject to the following conditions:
1. *[insert for each permit, or include 'nil' if no conditions are imposed]*

Object:

Object		
Description		
Australian market value	AUD	
National Cultural Heritage Control List reference		

Granted on / /

Granted by _____

[Name]

[Position]

[Branch]

This Certificate is in the form approved under section 3A of the Act. It is not valid without the signature of the Minister, or their delegate. If you wish to seek a variation to this Certificate, please complete the Application to vary form. If the Application to vary is approved, you will be issued with a new Certificate.