

**GOVERNMENT OF THE REPUBLIC OF LITHUANIA**

**RESOLUTION No 1424**

of 9 November 2004

Vilnius

**ON THE APPROVAL OF THE REGULATIONS FOR THE EXPORT OF MOVABLE CULTURAL PROPERTY AND ANTIQUES FROM THE REPUBLIC OF LITHUANIA AND THE LIST OF MOVABLE CULTURAL PROPERTY AND ANTIQUES THE EXPORT WHEREOF FROM THE REPUBLIC OF LITHUANIA REQUIRES A PERMIT ISSUED BY THE DEPARTMENT OF CULTURAL HERITAGE PROTECTION UNDER THE MINISTRY OF CULTURE**

Acting pursuant to Article 24 of the Law of the Republic of Lithuania on Protection of Movable Cultural Property (Official Gazette "*Valstybės Žinios*" No 14-352, 1996; No 87-2655, 2000; No 123-5559, 2002; No 73-2513, 2004) and implementing the provisions of Article 30 of the Treaty establishing the European Community, Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code, Council Regulation (EEC) No 3911/92 of 9 December 1992 on the export of cultural goods and Commission Regulation (EEC) No 752/93 of 30 March 1993 laying down provisions for the implementation of Council Regulation (EEC) No 3911/92 on the export of cultural goods, the Government of the Republic of Lithuania has resolved:

1. To approve the attached:

1.1. Regulations for the export of movable cultural property and antiques from the Republic of Lithuania;

1.2. List of movable cultural property and antiques the export whereof from the Republic of Lithuania requires a permit issued by the Department of Cultural Heritage Protection under the Ministry of Culture.

2. To charge the Ministry of Culture to draw up and, in co-ordination with the Customs Department under the Ministry of Finance, within a month following the entry into force of this Resolution, approve the form of a permit for the export of movable cultural property and antiques from the Republic of Lithuania (territory of the European Community), printing requirements, as well as rules for filling in and formalisation and for control over the export of movable cultural property and antiques according to permits.

3. To charge the Department of Cultural Heritage Protection under the Ministry of Culture to draw up and, within a month following the entry into force of this Resolution, approve the form of a permit for the export of movable cultural property and antiques from the Republic of Lithuania to other Member States of the European Union, printing requirements, as well as rules for filling in and formalisation.

4. To establish that the permits for the export of movable cultural property and antiques from the Republic of Lithuania issued in the prescribed manner prior to the entry into force of this Resolution shall be valid for the period specified therein, but not longer than until 1 May 2005.

5. To repeal Resolution No 1186 of the Government of the Republic of Lithuania of 1 October 2001 on the approval of the Procedure for the export of movable cultural property and antiques from the Republic of Lithuania ("*Valstybės Žinios*" No 84-2944, 2001).

Prime Minister

Algirdas Brazauskas

Minister of Education and Science

Acting Minister of Culture

Algirdas Monkevičius

*APPROVED by*

*Resolution No 1424 of the*

*Government of the Republic of Lithuania of 9  
November 2004*

**Regulations for the export of movable cultural property and antiques  
from the Republic of Lithuania**

**I. GENERAL PROVISIONS**

1. The Regulations for the export of movable cultural property and antiques from the Republic of Lithuania (hereinafter referred to as these Regulations) shall regulate the export (dispatch) of movable cultural property and antiques, except for archival documents, from the Republic of Lithuania to other Member States of the European Union and export from the territory of the European Community. These Regulations shall apply to movable cultural property and antiques included in the list of movable cultural property and antiques the export whereof from the Republic of Lithuania requires a permit issued by the Department of Cultural Heritage Protection under the Ministry of Culture.

2. These Regulations shall not cover the following items: antiques owned by the natural person who has created, manufactured or designed them; musical instruments or any other equipment used in the work of a performer or an individual, if they are returned to the Republic of Lithuania after performance or completion of work. They are exported from the customs territory of the European Community and returned in accordance with the procedure laid down in Article 848 of Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code.

3. In addition to these Regulations, the export of cultural objects from the territory of the European Community shall be subject to the provisions of Council Regulation (EEC) No 3911/92 of 9 December 1992 on the export of cultural goods and Commission Regulation (EEC) No 752/93 of 30 March 1993 laying down provisions for the implementation of Council Regulation (EEC) No 3911/92 on the export of cultural goods.

4. For the purposes of these Regulations, an applicant shall mean any natural or legal person requesting to issue a permit for the export of movable cultural property and antiques.

5. Other terms used in these Regulations shall have the meaning as defined in the Law of the Republic of Lithuania on Protection of Movable Cultural Property.

## **II. PERMITS FOR THE EXPORT OF MOVABLE CULTURAL PROPERTY AND ANTIQUES AND SUBMISSION OF APPLICATIONS FOR PERMITS**

6. The definitive or temporary export from the Republic of Lithuania (territory of the European Community) of movable cultural property and antiques included in the list of movable cultural property and antiques the export whereof from the Republic of Lithuania requires a permit issued by the Department of Cultural Heritage Protection under the Ministry of Culture shall be subject to the possession of a permit issued by the Department of Cultural Heritage Protection under the Ministry of Culture (hereinafter referred to as the Department of Cultural Heritage Protection); its form, printing requirements, as well as rules for filling in and formalisation and for control over the export of movable cultural property and antiques according to permits shall be established by the Ministry of Culture, in co-ordination with the Customs Department under the Ministry of Finance.

7. The definitive or temporary export from the Republic of Lithuania to other Member States of the European Union of movable cultural property and antiques (where an antique object possesses a lasting cultural value to consider it an item of national artistic, historical or archaeological property) included in the list of movable cultural property and antiques the export whereof from the Republic of Lithuania requires a permit issued by the Department of Cultural Heritage Protection under the Ministry of Culture shall be subject to the possession of a permit issued by the Department of Cultural Heritage Protection; its form, printing requirements, as well as rules for filling in and formalisation shall be established by the Department of Cultural Heritage Protection.

8. The definitive or temporary export of movable cultural property and antiques from the Republic of Lithuania (territory of the European Community) which requires a permit in accordance with Council Regulation (EEC) No 3911/92 of 9 December 1992 shall be subject to the possession of a permit issued by the Department of Cultural Heritage Protection; its form is indicated in Commission Regulation (EEC) No 752/93 of 30 March 1993.

9. Items of movable cultural property (not kept at state depositories) and antiques intended for export from the Republic of Lithuania shall be appraised, the cultural value of antiques shall be established and conclusions regarding the issue of permits for their export shall be submitted by the Council of Experts for the Export of Movable Cultural Property (hereinafter referred to as the Council) the composition and rules of procedure whereof shall be approved by the Minister of Culture.

10. An applicant definitively or temporarily exporting movable cultural property and antiques from the Republic of Lithuania (territory of the European Community), as well as definitively or temporarily exporting movable cultural property and antiques from the Republic of Lithuania to other Member States of the European Union shall present the following documents to the Department of Cultural Heritage Protection:

10.1. a written application indicating the name, surname, personal number and address of a natural person or the name, office address of a legal person, a copy of its registration certificate and the list of cultural objects intended for export;

10.2. photographs of movable cultural property and antiques (at least measuring 8×12 cm): when exporting from the territory of the European Community – 3 copies, when exporting to Member States of the European Union – 2 copies of each item of movable cultural property or antique object;

10.3. available documents about movable cultural property and antiques (appraisals by experts, invoices, other documents certifying the right of ownership or acquisition);

10.4. the power of attorney (where an applicant submits documents through a representative);

10.5. when temporarily exporting movable cultural property – documents indicating reasons for export (copies of contracts or invitations to cultural and artistic events).

11. When the Council submits conclusions regarding the issue of a permit, the applicant shall pay a state charge for the issue of a permit and present the receipt confirming the payment thereof to the Department of Cultural Heritage Protection.

12. For the purpose of the definitive or temporary export of movable cultural property and antiques from the territory of the European Community, the permit shall be presented to the customs office together with the customs declaration used by the customs authorities for the formalities of the export of cultural property.

### **III. ISSUE OF PERMITS FOR THE EXPORT (DISPATCH) OF MOVABLE CULTURAL PROPERTY AND ANTIQUES**

13. A permit for the export (dispatch) of movable cultural property or antiques from the Republic of Lithuania shall be issued by the Department of Cultural Heritage Protection, at the written request of the applicant. A permit shall be issued not later than within 15 days from the date of request. The Minister of Culture shall have the right to extend this period for up to 30 days, where plenty of antique objects are intended for definitive export.

14. A permit for the export of antiques from the Republic of Lithuania shall be issued where the Council does not determine any reasons of scientific, artistic or cultural importance for retaining them in Lithuania.

15. A permit for the export of antiques from the Republic of Lithuania shall not be issued where the Council determines that:

15.1. the antique object is rare or in danger of becoming rare;

15.2. the antique object is particularly representative of national cultural heritage;

15.3. the antique object is closely linked with the valuable cultural environment;

15.4. the antique object is related to distinguished persons or historical events of the State;

15.5. there are other important reasons preventing the export of the antique object.

16. When issuing a permit for the export of antiques from the Republic of Lithuania, the requirements of point 15.1 of these Regulations shall not apply where:

16.1. the antique object is a household article of the person moving to live abroad;

16.2. the person living abroad has inherited the antique object intended for export or the antique object has been transferred to him after property settlement.

17. When issuing a permit for the export of antiques from the Republic of Lithuania, the requirements of point 15 of these Regulations shall not apply where these objects are exported from the Republic of Lithuania for a limited period of time, i.e. to cultural and artistic events or for remaking (restoring, repairing), subject to the invitation of the organiser of an event or contracts of an exhibition, event or remake (restoration, repair).

18. Where the Council determines that the antique object intended for export is significant for the cultural heritage of Lithuania and its export from the Republic of Lithuania would impoverish the cultural heritage of Lithuania, a permit for the definitive export thereof from the

Republic of Lithuania shall not be issued. In this case, the antique object may, with the consent of the owner, be entered in the Register of Cultural Property or purchased by the State.

19. Items of movable cultural property may be exported from the Republic of Lithuania only temporarily to cultural and artistic events, exhibitions or for remaking (restoring, repairing), subject to the invitation of the organiser of an event or the contract of their remake (restoration, repair).

20. When issuing a permit for the temporary export of movable cultural property and antiques from the Republic of Lithuania, the Department of Cultural Heritage Protection shall have the right to establish the time of their return to the Republic of Lithuania. The period of temporary export shall not exceed the period for their return as specified in Council Regulation (EEC) No 2913/92 of 12 October 1992, which is three years.

21. Where the Department of Cultural Heritage Protection has established a period for returning the movable cultural property and antiques which have been temporarily exported, their owner shall, within a month from the date of their return to the Republic of Lithuania, inform the Department of Cultural Heritage Protection thereof in writing.

22. The period of validity of a permit for the definitive or temporary export of movable cultural property and antiques from the Republic of Lithuania shall not exceed 12 months from the date of issue.

23. Where the issued permit expires without having been used, the applicant shall return it to the Department of Cultural Heritage Protection.

#### **IV. FINAL PROVISIONS**

24. A state charge shall be levied on the issue of permits for the export of movable cultural property and antiques from the Republic of Lithuania.

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*APPROVED by*

*Resolution No 1424 of the*

*Government of the Republic of Lithuania of 9*

*November 2004*

**MOVABLE CULTURAL PROPERTY AND ANTIQUES THE EXPORT WHEREOF  
FROM THE REPUBLIC OF LITHUANIA REQUIRES A PERMIT ISSUED BY THE  
DEPARTMENT OF CULTURAL HERITAGE PROTECTION UNDER THE MINISTRY  
OF CULTURE**

Description of movable cultural property and antiques by categories	Code*
Archaeological finds on land or under water	9706 00 00
Collections and collectors' pieces of historical, archaeological, ethnographic or numismatic interest**	9705 00 00
Printed maps more than 200 years old	9706 00 00
Movable cultural property and antiques of an age exceeding 100 years:	9706 00 00
Elements forming an integral part of artistic, historical or religious monuments which have been dismembered	
Arms and ammunition, machines, apparatus, equipment for military purposes	
musical instruments	
Clocks and watches	
Furniture	
Articles of gold, silver or other metal	
Glassware, articles of wood, ceramic and porcelain wares	
Photographic, cinematographic or other optical instruments	
Church articles and objects related to faith	
Toys and games	
Clothing and textile articles	
Household articles	
Technical and technological objects	
Books, singly or in collections	
Movable cultural property and antiques which are more than 50 years old and do not belong to their originators:	
Painting, collages and similar decorative plaques, executed entirely by hand, on any medium and in any material***	9701, 9706 00 00
Graphics (engravings, prints, lithographs, serigraphs,	9702 00 00,

Description of movable cultural property and antiques by categories	Code*
pictures)***	9706 00 00
Original sculptures or statuary and copies produced by the same process as the original***	9703 00 00, 9706 00 00
Incunabula and manuscripts, including maps and musical scores, singly or in collections***	9702 00 00, 9706 00 00, 4901 10 00, 4901 99 00, 4904 00 00, 4905 91 00, 4905 99 00
Motor vehicles and mechanical objects	9705 00 00
	Chapters 85–89

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\*Code numbers are indicated in accordance with the version of the Combined Nomenclature of the European Community approved by Commission Regulation (EC) No 1789/2003 of 11 September 2003 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff.

\*\*Collectors' pieces are articles which possess the requisite characteristics for inclusion in a collection, i.e. articles which are relatively rare, are not normally used for their original purpose, are the subject of special transactions outside the normal trade in similar articles and are of high value.

\*\*\*Movable cultural property and antiques of an age exceeding 100 years shall be classified under subheading 9706 00 00.