

# THE MINISTRY OF CULTURE

1514

Pursuant to Article 68 paragraph 5 of the Cultural Property Protection and Conservation Act (»Official Gazette«, no. 69/99, 151/03, 157/03-corrigendum, 87/09, 88/10, 61/11, 25/12 and 136/12), the Minister of Culture shall hereby issue the following

## RULES OF PROCEDURE

### ON THE TERMS FOR ISSUE OF PERMITS FOR EXPORT AND TAKING CULTURAL PROPERTY OUT OF THE REPUBLIC OF CROATIA

#### I. GENERAL PROVISIONS

##### *Contents of the regulations*

##### Article 1

The present Rules of Procedure shall stipulate the terms of cultural property temporary export and bringing out, of issue of permits to export cultural property to third countries and permits to take cultural property to European Union Member States, as well as the terms of issue of certificates of export/taking out of cultural items which do not have cultural property attributes, and of keeping records of issued permits and certificates.

##### *Definition*

##### Article 2

Cultural property in terms of the present Rules of Procedure shall be cultural property stipulated under the Cultural Property Protection and Conservation Act, as well as property stipulated under Addendum I to Council Regulation (EC) no. 116/2009 dated 18 December 2008 on cultural property export (Codified version) (OJ L 39, 10. 2. 2009)

##### *Competent body*

##### Article 3

The competent body in terms of the present Rules of Procedure shall be the Conservation Department of the Ministry of Culture on the territory of which cultural property is located, and for the City of Zagreb, the City Institute for the Protection of Cultural Monuments and Nature.

## *Temporary export and taking out of cultural property*

### Article 4

Temporary export of cultural property out of the territory of the Republic of Croatia to third countries shall be carried out upon presentation of a cultural property export permit (hereafter: export permit), while temporary taking out of cultural property to European Union Member States shall be carried out upon presentation of a cultural property taking out permit (hereafter: taking out permit).

If the item is not cultural property, the competent body shall issue a certificate certifying that it is not cultural property and that there are no obstacles as to export / taking the item out of the Republic of Croatia. The certificate shall be issued on a form of the competent body and shall contain a description and two photographs of the exported/brought out property certified by the competent body, noting that the property does not have the attribute of cultural property and shall not be subject to ban of export/taking out of the Republic of Croatia, as well as the authorized person's signature and seal of the competent body. The certificate shall be issued on a form to be found in Appendix IV, which is integral part to the present Rules of Procedure.

An appeal may be filed with the Appeals Commission of the Ministry of Culture against the decision rejecting the request for issue of the certificate under paragraph 2 of the present Article, or if the competent body shall fail to decide on the request for issue of the certificate within the stipulated deadline.

The competent body shall forward a copy of the permit authorising temporary export/taking out of cultural property and a certificate certifying the property exported/taken out to not have the attribute of cultural property to the competent Directorate of the Ministry of Culture and the competent bodies of the Ministry of the Interior and the Ministry of Finance – Customs Administration.

The original of the certificate certifying the property exported/taken to not have the attribute of cultural property shall be presented to Customs at the place of the property leaving the European Union customs area.

The competent body shall keep records of received requests, permits and certificates, as well as records of return to the country within stipulated deadline. The competent Directorate of the Ministry of Culture shall keep central records for the territory of the Republic of Croatia.

### Article 5

The forms for all types of permits and for the certificate certifying that the item in question is not cultural property shall be printed in Croatian and English language.

The Ministry of Culture shall ensure:

- the printing of forms with the label of the publisher »Official Gazette«, address and identification mark,
- that measures are taken to prevent counterfeiting of the forms.

## II. ISSUE OF PERMITS FOR CULTURAL PROPERTY EXPORT/TAKING OUT

### *Request for authorisation of export*

#### Article 6

The request for issue of an export permit shall be submitted to the competent body by filling out a form pursuant to the present Rules of Procedure.

### *Export permits*

#### Article 7

The competent body shall issue, upon request by the interested party, a permit of export of cultural property to third countries pursuant to Council Regulation (EC) no. 116/2009 dated 18 December 2008 on cultural property export (Codified version) (OJ L 39, 10. 2. 2009) and Commission Regulation (EU) no. 1081/2012 dated 9 November 2012 implementing Council Regulation (EC) no. 116/2009 on cultural property export (OJ L 324, 22. 11. 2012).

The export permit under paragraph 1 of the present Article shall be issued if the terms of cultural property export stipulated under the Cultural Property Protection and Conservation Act have been complied with.

Export permits shall be issued on forms stipulated under Commission Regulation (EU) no. 1081/2012 dated 9 November 2012 implementing Council Regulation (EC) no. 116/2009 on cultural property export (OJ L 324, 22. 11. 2012) under paragraph 1 of the present Article.

When temporarily exporting cultural property, the exporter shall enclose the export permit to the customs declaration.

An appeal may be filed with the Appeals Commission of the Ministry of Culture against the decision rejecting the issue of export permit, or if the competent body shall fail to decide on the request for issue of export permit within the stipulated deadline.

### *Taking out permits*

#### Article 8

The request for issue of a taking out permit shall be submitted to the competent body by filling out a form pursuant to the present Rules of Procedure.

The taking out permit shall be issued if the terms of cultural property export stipulated under the Cultural Property Protection and Conservation Act have been complied with.

An appeal may be filed with the Appeals Commission of the Ministry of Culture against the decision rejecting the issue of a taking out permit, or if the competent body shall fail to decide on the request for issue of the taking out permit within the stipulated deadline.

## Article 9

The types of permits for taking cultural property out of the Republic of Croatia to European Union Member States shall be the following:

1. standard taking out permit
2. special open taking out permit
3. general open taking out permit.

The standard taking out permit shall be valid for a maximum of one year.

The special open taking out permit and general open taking out permit shall be valid for a maximum of one year with the possibility of extension for up to 5 years.

In case of taking out, the competent body may stipulate a deadline within which the cultural property must be returned to the Republic of Croatia.

Taking out permits under paragraph 1 of the present Article shall be issued for cultural property stipulated under the Cultural Property Protection and Conservation Act and for cultural property under Addendum I to Council Regulation (EC) no. 116/2009 dated 18 December 2008 on cultural property export (Codified version) (OJ L 39, 10. 2. 2009).

## Article 10

The standard taking out permit shall be issued on a form under Addendum I which is integral part to the present Rules of Procedure.

The special open taking out permit shall be issued on a form under Addendum II which is integral part to the present Rules of Procedure.

The general open taking out permit shall be issued on a form under Addendum III which is integral part to the present Rules of Procedure.

### *Rejecting the issue of export/taking out permit*

## Article 11

If a request for issue of export or taking out permit shall be rejected, notification thereof shall be forwarded to all the competent bodies pursuant to the Cultural Property Protection and Conservation Act, as well as to the competent bodies of the Ministry of the Interior and the Ministry of Finance – Custom Administration.

## Article 12

If the competent body shall refuse to issue a standard taking out permit, the competent body shall retain the first page of the form, while the remaining two pages shall be returned to the applicant.

### Article 13

The standard taking out permit shall be printed on white cellulose free paper, prepared for printing and weighing at least 55 g/m<sup>2</sup>. The dimensions of the form shall be 210x297 mm. The form shall be printed or in electronic format and filled out in Croatian Latin script. The competent body of the European Union Member States which a request for a taking out permit has been submitted to may request it to be translated in one of the official languages of the Member State in question. In that case translation expenses shall be borne by the applicant.

The special open taking out permit and the general open taking out permit shall be issued on a printed form or one in electronic format. The dimensions of the form shall be 210x297 mm. A deviation of minus 5 mm to up to 8 mm in length shall be permitted. The paper shall be white and cellulose free, prepared for printing and weighing at least 55 g/m<sup>2</sup>. The form shall have a printed pattern of *guilloche* type – a wavy line symmetrically cut on a light blue coloured background in order to detect any forgery by mechanical or chemical means. The second page of the permit, which has no *guilloche* type pattern, shall be intended exclusively for the expounder's use or the archives.

Notification on the means of identification adopted for this purpose by the competent body shall be forwarded to the European Commission. The form shall preferably be filled out mechanically or electronically. The form may be filled out by hand, in ink and legible capital letters. In any case, the form shall not contain erasures, corrections or other alterations.

### Article 14

In the procedure of issue of export or taking out permit, the competent body may request an opinion on the cultural property value, to be given by a museum, the State Archives or the National and University Library in Zagreb.

### Article 15

The export or taking out permit may be revoked pursuant to Article 68 of the Cultural Property Protection and Conservation Act.

### Article 16

On form I, II and III, under category competent body the title of the body shall be printed as follows:

Ministarstvo kulture

Uprava za zaštitu kulturne baštine

Konzervatorski odjel u Dubrovniku

Ministry of Culture

Directorate for the Protection of Cultural Heritage

Conservation Department in Dubrovnik

C. Zuzorić 6

20000 Dubrovnik

Ministarstvo kulture

Uprava za zaštitu kulturne baštine

Konzervatorski odjel u Karlovcu

Ministry of Culture

Directorate for the Protection of Cultural Heritage

Conservation Department in Karlovac

A. Vraniczanyja 6

47000 Karlovac

Ministarstvo kulture

Uprava za zaštitu kulturne baštine

Konzervatorski odjel u Osijeku

Ministry of Culture

Directorate for the Protection of Cultural Heritage

Conservation Department in Osijek

Kuhačeva 27

31000 Osijek

Ministarstvo kulture

Uprava za zaštitu kulturne baštine

Konzervatorski odjel u Puli

Ministry of Culture

Directorate for the Protection of Cultural Heritage

Conservation Department in Pula

Ul. Grada Graza 2

52000 Pula

Ministarstvo kulture

Uprava za zaštitu kulturne baštine

Konzervatorski odjel u Varaždinu

Ministry of Culture

Directorate for the Protection of Cultural Heritage

Conservation Department in Varaždin

Gundulićeva 2

42000 Varaždin

Ministarstvo kulture

Uprava za zaštitu kulturne baštine

Konzervatorski odjel u Splitu

Ministry of Culture

Directorate for the Protection of Cultural Heritage

Conservation Department in Split

Porinova b.b.

21000 Split

Ministarstvo kulture

Uprava za zaštitu kulturne baštine

Konzervatorski odjel u Šibeniku

Ministry of Culture

Directorate for the Protection of Cultural Heritage

Conservation Department in Šibenik

J. Čulinovića 1/3

22000 Šibenik

Ministarstvo kulture

Uprava za zaštitu kulturne baštine

Konzervatorski odjel u Rijeci

Ministry of Culture

Directorate for the Protection of Cultural Heritage

Conservation Department in Rijeka

Užarska 26

51000 Rijeka

Ministarstvo kulture

Uprava za zaštitu kulturne baštine

Konzervatorski odjel u Zadru

Ministry of Culture

Directorate for the Protection of Cultural Heritage

Conservation Department in Zadar

I. Smiljanića 3

23000 Zadar

Ministarstvo kulture



Uprava za zaštitu kulturne baštine

Konzervatorski odjel u Zagrebu

Ministry of Culture

Directorate for the Protection of Cultural Heritage

Conservation Department in Zagreb

Mesnička 49

10000 Zagreb

Ministarstvo kulture

Uprava za zaštitu kulturne baštine

Konzervatorski odjel u Požegi

Ministry of Culture

Directorate for the Protection of Cultural Heritage

Conservation Department in Požega

M. Peića 3

34000 Požega

Ministarstvo kulture

Uprava za zaštitu kulturne baštine

Konzervatorski odjel u Bjelovaru

Ministry of Culture

Directorate for the Protection of Cultural Heritage

Conservation Department in Bjelovar

Trg E. Kvaternika 6

43000 Bjelovar

Ministarstvo kulture

Uprava za zaštitu kulturne baštine

Konzervatorski odjel u Gospiću

Ministry of Culture

Directorate for the Protection of Cultural Heritage

Conservation Department in Gospić

Budačka 12

53000 Gospić

Ministarstvo kulture

Uprava za zaštitu kulturne baštine

Konzervatorski odjel u Trogiru

Ministry of Culture

Directorate for the Protection of Cultural Heritage

Conservation Department in Trogir

Gradska 41

21220 Trogir

Ministarstvo kulture

Uprava za zaštitu kulturne baštine

Konzervatorski odjel u Krapini

Ministry of Culture

Directorate for the Protection of Cultural Heritage

Conservation Department in Krapina

Magistratska 12

49000 Krapina

Ministarstvo kulture

Uprava za zaštitu kulturne baštine

Konzervatorski odjel u Sisku

Ministry of Culture

Directorate for the Protection of Cultural Heritage

Conservation Department in Sisak

I. Meštrovića 28

44000 Sisak

Ministarstvo kulture

Uprava za zaštitu kulturne baštine

Konzervatorski odjel u Imotskom

Ministry of Culture

Directorate for the Protection of Cultural Heritage

Conservation Department in Imotski

A. Starčevića 7

21260 Imotski

Ministarstvo kulture

Uprava za zaštitu kulturne baštine

Konzervatorski odjel u Slavonskom Brodu

Ministry of Culture

Directorate for the Protection of Cultural Heritage

Conservation Department in Slavonski Brod

A. Starčevića 43

35000 Slavonski Brod

Ministarstvo kulture

Uprava za zaštitu kulturne baštine

Konzervatorski odjel u Vukovaru

Ministry of Culture

Directorate for the Protection of Cultural Heritage

Conservation Department in Vukovar

Županijska 5

32000 Vukovar

Grad Zagreb

Gradski zavod za zaštitu spomenika kulture i prirode

City of Zagreb

City Institute for the Protection of Cultural Monuments and Nature

Kuševićeva 2

10000 Zagreb.

#### Article 17

Upon entry into force of the present Rules of Procedure, the Rules of Procedure for issue of authorisation of cultural property export and taking out of the Republic of Croatia (»Official Gazette«, number 141/2006 and 70/2012) shall cease to be valid.

#### Article 18

The present Rules of Procedure shall be published in the » Official Gazette « and shall enter into force on the date of accession of the Republic of Croatia to the European Union.

Class: 023-03/13-01/0184

Reg.No. 532-06-01-01/1-13-09

Zagreb, 17 June 2013

Minister of  
Culture  
**prof. Sc. D.  
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## **FORMS**