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DECREE NUMBER 118

WHEREAS: Act 1, of 4 August 1977, Act on the Protection of the Cultural Heritage, in its Second Transitory Provision empower the Minister of Culture to prepare and enact the Regulations of the Act, and submit them to the Council of Ministers for their adoption.

WHEREAS: The Minister of Culture, acting as provided in such Transitory Provision, has prepared the Draft Regulations that are to be adopted.

THEREFORE: Making use of the powers vested on it, the Executive Committee of the Council of Ministers adopts the following:

REGULATIONS FOR THE ENFORCEMENT OF THE ACT ON THE PROTECTION OF THE CULTURAL HERITAGE

CHAPTER 1: ON THE CULTURAL HERITAGE

Article 1:

The Cultural Heritage of a nation is constituted by such assets, real estate, goods and chattels, that are the expression or the testimony of human creation or the evolution of nature, having a special significance

concerning archaeology, pre-history, history, literature, education, arts, science and culture in general, and fundamentally:

(a) The documents and other assets related to history, including the history of science and technology, as well as the life of the forefathers of the nationality and the independence, leaders, and outstanding personalities, and with events of national and international relevance;

(b) The rare species and specimen, or type specimen of flora and fauna, as well as collections or objects of scientific interest;

(c) The results from excavations and archaeological findings;

(d) Elements resulting from the disintegration of artistic or historic monuments, and archaeological sites;

(e) Assets of artistic interest, such as originals of the plastic and decorative arts, as well as of applied and popular arts;

(f) Ethnological or folkloric objects and documents;

(g) Rare manuscripts and books, and other books, documents and publications of special interest;

(h) Photographic, phonographic and cinematographic archives;

(i) Maps and other cartographic materials, original or printed sheet music, editions of special interest, and sound recordings;

(j) Objects of numismatic and philatelic interest, including revenue stamps and others of the sort, individually or in collections;

(k) Ethnographic objects and musical instruments;

(l) Every urban historic center, construction or site deserving to be preserved due to its cultural, historical or social significance, as provided by Act 2, of 4 August 1977, Act on National and Local Monuments, and its Regulations; and

(m) All other assets that the Ministry of Culture shall declare a part of the Cultural Heritage of the Nation.

Article 2:

The Ministry of Culture shall identify and declare through its Direction of

Cultural Heritage, the assets that shall constitute a part of the Cultural Heritage of the Nation, which shall be subjected to the precepts of the Act on the Protection of the Cultural Heritage and the present Regulations.

CHAPTER 2: ON THE NATIONAL REGISTRY OF CULTURAL ASSETS OF THE REPUBLIC OF CUBA

Article 3:

The National Registry of Cultural Assets of the Republic of Cuba, an entity ascribed to the Ministry of Culture, shall be headed by a Director to represent it before the State organizations and bodies; political, social and mass organizations, or any other national or foreign natural or juridical person.

Article 4:

The Director of the National Registry of Cultural Assets of the Republic of Cuba shall be appointed and dismissed by the Minister of Culture.

Article 5:

For a better performance of the duties vested on it, as well as to establish the proper coordinations for advising in performing its duties, the Registry will have a body of advisors appointed by the organizations, bodies and institutions as follows:

- State Committee of Finance
- Academy of Sciences of Cuba
- Ministry of Communications
- Ministry of Education
- Ministry of Higher Education
- Ministry of the Revolutionary Armed Forces
- Ministry of the Interior
 - Ministry of Justice
 - Ministry of Foreign Affairs

- Cuban Institute of Radio and Television
- National Institute of Tourism
- National Bank of Cuba
- General Customs Office of the Republic
- Institute of History of the Communist Movement and the Cuban Socialist Revolution

Based on the proposal of such delegate advisors, the Ministry of Culture is empowered to propose other delegates from organizations to join the body of advisors, since due to their duties, they might help in achieving the objectives of the Act of 4 August 1977, and the present Regulations.

Article 6:

The National Registry of Cultural Assets of the Republic of Cuba will also count on a group of advisors constituted by technicians and experts belonging to the Direction of Cultural Heritage of the Ministry of Culture, as well as other specialists whose advise might be eventually requested by the Ministry of Culture, under a previous agreement with the Direction of the corresponding body, agency, organization, institution or enterprise.

CHAPTER 3: ON THE DUTIES OF THE NATIONAL REGISTRY OF CULTURAL ASSETS OF THE REPUBLIC OF CUBA

Article 7:

The duties of the National Registry of Cultural Assets of the Republic of Cuba shall:

(a) Rule and implement the registration of assets declared a Cultural Heritage of the Nation by the Direction of Cultural Heritage of the Ministry of Culture, as well as the assets with museum value within the

national territory, and to this effect it shall issue the corresponding certificates;

(b) Establish, organize and supervise a general inventory allowing to know, control and evaluate all the assets referred to in the previous paragraph:

(c) Demand natural or juridical persons who hold, due to any right, assets which are part of the Cultural Heritage of the Nation or museum pieces, to register them in the National Registry of Cultural Assets of the Republic of Cuba;

(d) Officially notify of such registration, within 30 days after verification, to the proprietor, owner, user or holder, under any right, of an asset declared a part of the Cultural Heritage of the Nation or a museum piece;

(e) Coordinate with the General Customs Office of the Republic, the necessary actions to certify the arrival in the national territory of cultural assets that, belonging to natural or juridical persons, shall remain in the country - temporarily or permanently -, and notify the Direction of Cultural Heritage of the Ministry of Culture of the arrival of such assets;

(f) Establish a procedure to record a proof of the authorizations of transmission of the control or possession of cultural assets protected under the Act on Protection of the Cultural Heritage and these Regulations, granted by the Direction of Cultural Heritage of the Ministry of Culture, and notify the corresponding authorities on the violations to these dispositions;

(g) Establish the duties of the natural or juridical persons, that are holders of cultural assets considered a part of the Cultural Heritage of the Nation, or museum pieces, concerning changes in the location, way of use and conservation condition of such assets;

(h) Implement the procedure to register the data identifying the natural or juridical persons which are holders of cultural assets that are part of the Cultural Heritage of the Nation or museum pieces, as well as the reason of the cultural interest on those assets;

(i) Keep updated the control on the assets previously mentioned, and that due to different reasons are permanently in foreign territory, and are related to the history, science, art, and in general, with Cuban culture, as well as all other works which are of significance to and are a property of the Republic of Cuba;

(j) Enforce, when applicable, the actions indicated by the Direction of Cultural Heritage of the Ministry of Culture, on the protection of assets referred to in the Act and the present Regulations; and

(k) Prepare proposals that might help in implementing Act I, of 4 August 1977, and submit them of the Direction of Cultural Heritage of the Ministry of Culture for its consideration.

CHAPTER 4: ON THE PROVINCIAL REGISTRIES AND THE ISLE OF YOUTH MUNICIPAL REGISTRY

Article 8:

The National Registry of Cultural Assets of the Republic of Cuba, in order to achieve a better performance of its duties, shall be helped by the provincial registries of cultural assets, ascribed to the directions of Culture of the different provincial bodies of the People's Power, as well as a Registry in the Isle of Youth Special Municipality, ascribed to the Direction of Culture of the municipal body of the People's Power, which will proceed to register the assets referred to in the present Regulations, which shall be notified to the National Registry. The Province City of Havana is exempted from this disposition, since it will account directly to the National Registry of Cultural Assets of the Republic of Cuba.

These registers will be technically and methodologically guided by the National Registry of Cultural Assets of the Republic of Cuba.

Article 9:

The National Registry of Cultural Assets of the Republic of Cuba will

supervise the work of the provincial registries and the Registry of the Isle of Youth Special Municipality.

Article 10:

The directors of the Provincial registries of Cultural Assets will be appointed and dismissed by the corresponding provincial executive committees of the People's Party. In the case of the Registry of the Isle of Youth Special Municipality, its director will be appointed by the Executive Committee of the municipal organ of the People's Power.

Article 11:

The appointment of the Director of the Provincial Registry of Cultural Assets shall be made by one of the officials of the Direction of Culture of the corresponding provincial organ of the People's Power. In the Isle of Youth Special Municipality such appointment shall be made by an official of the Direction of Culture of the municipal body of the People's Power.

Article 12:

The provincial registries and the Register of the Isle of Youth Special Municipality will arrange and send to the National Registry of Cultural Assets of the Republic of Cuba an inventory of works that are part of the Cultural Heritage of the Nation, or museum pieces that are located within the territory of the province or the municipality, to be registered and controlled, as well as the proposals for the declaration of assets that, according to their criteria, shall be a part of the Cultural Heritage of the Nation.

Article 13:

The provincial registries and the Registry of the Isle of Youth Special Municipality of the Republic of Cuba will arrange and send to the National Registry of Cultural Assets of the Republic of Cuba the requirement proposals to the natural or juridical persons that hold, under any right,

assets that have been declared a part of the Cultural Heritage of the Nation or museum pieces.

Article 14:

The provincial registries and the Registry of the Isle of Youth Special Municipality shall send the National Registry of Cultural Assets of the Republic of Cuba the requests to remodel, modify, restore or carry out any work in an asset declared a part of the Cultural Heritage of the Nation, to be submitted to an eventual consideration and determination on the part of the Direction of Cultural Heritage of the Ministry of Culture. Likewise, they shall be compelled to render regular information on the state of conservation of such assets and on the application of the technical guidelines for their conservation, as established by the Direction of Cultural Heritage of the Ministry of Culture.

Article 15:

The Directions of Culture of the provincial bodies of the People's Power and the Isle of Youth Special Municipality shall send to the Direction of Cultural Heritage of the Ministry of Culture the applications for the transfer of control or possession and export of assets considered a part of the Cultural Heritage of the Nation or museum pieces, to be carried out in the territory of the province or the municipality, which will be authorized or not, and it will inform the National Register of Cultural Assets of the Republic of Cuba, in order to fulfill the corresponding formalities and the notification to the corresponding provincial and municipal registries.

CHAPTER 5: ON THE DECLARATION OF CULTURAL ASSETS

Article 16:

The declaration of assets that shall constitute the Cultural Heritage of the Nation, shall be made according to the value or interests they have with Cuban archaeology, prehistory, history, literature, education, arts,

science, technology and culture in general, as well as other assets that, although they are not part of the Cuban cultural heritage, are considered museum pieces due to their significance, as examples of universal culture, which are protected by the present Act and Regulations.

Article 17:

The Direction of Cultural Heritage shall deal with the proposals and suggestions - that duly based and fulfilling the declaration of the Cultural Heritage of the Nation, as referred in Article 2 of the present Regulations, may be submitted to its consideration by the National Registry of Cultural Assets of the Republic of Cuba, or any other institution.

Article 18:

Once the assets that shall constitute the Cultural Heritage of the Nation have been determined and declared, as well as those items considered museum pieces, the Direction of Cultural Heritage of the Ministry of Culture, will notify the National Registry of Cultural Assets of the Republic of Cuba, which in turn, will be compelled to notify it to all the organs, bodies or organizations keeping any relation with such declaration.

Article 19:

Once the declaration mentioned on Article 18 is made, the National Registry of Cultural Assets of the Republic of Cuba must notify it to all natural or juridical persons keeping such assets, without implying any modifications of the title in which the possession is stated.

Likewise, when the Direction of Cultural Heritage of the Ministry of Culture deems any determined item is part of the Cultural Heritage of the Nation, or a museum piece, the National Registry of Cultural Assets of the Republic of Cuba shall proceed to register it, officially, and shall notify of such registration, in a period of time no longer than 30 working days, as from the date it is verified, the proprietor, holder, or user due to any right, without this implying any modification of the title in which such possession

is stated.

Article 20:

Every declaration of national or local monument by the National Committee of Monuments, under what it is provided in Article 4, paragraph 3 of Act No.2, of 4 August 1977, Act of National and Local Monuments, shall be notified to the National Registry of Cultural Assets of the Republic of Cuba, to the effects of its registration as part of the Cultural Heritage of the Nation.

CHAPTER 6: ON THE REGISTRATION AND THE NATIONAL INVENTORY OF CULTURAL ASSETS

Article 21:

The National Registry of Cultural Assets of the Republic of Cuba, upon a coordination with the provincial registries and the registry of the Isle of Youth Special Municipality, shall have a registry to keep all the assets declared part of the Cultural Heritage of the Nation, or museum pieces, and with a general inventory that shall allow the knowledge, control and evaluation of such assets.

Article 22:

In the registry for the assets referred to in Article 21, the following aspects shall be stated:

- (a) Data that shall help to fully identify the registered cultural asset;
- (b) Place where the cultural assets are located;
- (c) Data that shall identify the natural or juridical person, that by any right, is the holder of a cultural asset; and
- (d) Reason for the cultural interest on the registered assets.

Article 23:

The general inventory as referred in Article 21, shall be made in accordance with the standards set forth by the Direction of Cultural Heritage of the Ministry of Culture to carry out the inventory and classification of the cultural assets.

Article 24:

When the National Registry of Cultural Assets of the Republic of Cuba may summon any natural or juridical person, owner or holder, by any right, of assets that might constitute a Cultural Heritage of the Nation, or museum pieces, he/she shall be compelled to appear in the mentioned Registry - within a not extendible period of 60 working days, as from the date of the notification -, with the purpose of fulfilling the registration of the asset or assets for which he/she has been summoned, and any other requirements established in the Law and the present Rules and Regulations.

Article 25:

Whenever a determined asset is declared a part of the Cultural Heritage of the Nation, or it is considered a museum piece, it will be officially registered, as established in Article 19.

When notifying the registration, the National Registry of Cultural Assets of the Republic of Cuba must summon the natural or juridical person which is the owner of such asset to appear within the period of time established in the Act, before the Registry to fulfill whatever requirements are needed according to the Act and the present Regulations.

Article 26:

Whenever the natural or juridical person summoned to appear before the National Registry of Cultural Assets of the Republic of Cuba, as provided in Articles 24 and 25, fails to do so within the period of time specified in the notification, the Ministry of Culture shall proceed as established in Article 47.

CHAPTER 7: ON THE PROTECTION OF CULTURAL ASSETS

Article 27:

By protection of cultural assets we understand all legal and institutional actions, including technical, restoration and other actions, intending to keep the integrity of the cultural assets against different agents that might endanger the partial or total durability of the asset considered a Cultural Heritage of the Nation or museum piece.

Article 28:

Every proprietor, owner, user or holder, by any right, of an asset declared a part of the Cultural Heritage of the Nation or museum piece, registered or not in the National Registry of Cultural Assets of the Republic of Cuba, shall be compelled to guarantee its conservation and absolute integrity.

Article 29:

Once an asset is declared a part of the Cultural Heritage of the Nation or museum piece, it will be considered of public utility and social interest, and it shall be submitted to the protection and the restrictions of the Act on the Protection of the Cultural Heritage, the present Regulations and any other provisions established by the Ministry of Culture.

Article 30:

The Ministry of Culture, through its Direction of Cultural Heritage, shall adopt as many actions as needed to guarantee the proper protection, conservation and restoration of the assets declared a part of the Cultural Heritage of the Nation or museum pieces.

Article 31:

Every proprietor, owner, user or holder, by any right, of an asset considered a part of the Cultural Heritage of the Nation or museum piece,

shall apply for an authorization to the Direction of Cultural Heritage of the Ministry of Culture for any remodeling, modification, restoration, or in order to perform any change or modification in such asset, which shall be approved or denied in a period of time of no more than sixty working days, as from the date the application was submitted.

Article 32:

The application submitted to the Direction of Cultural Heritage of the Ministry of Culture to remodel, modify, restore or carry out any change or modification to an asset considered a part of the Cultural Heritage of the Nation or museum piece, shall include the following data, inter alias:

- (a) Cause of the application;
- (b) Description of the works to be carried out;
- (c) Entity executing the job, technical manager and specialized staff that will carry out the work; and
- (d) Photos of the present condition of the asset.

Article 33:

The authorization granted to carry out the works referred in Article 31, shall imply the expressed obligation to accept inspections in the form that the Direction of Cultural Heritage of the Ministry of Culture deems pertinent, as per the case, as well as periodically report on the state of the works mentioned. Both circumstances shall be established through an agreement with the applicant, prior to the execution of the works. In case that during an inspection any changes or modifications that differ from the works previously adopted, are detected, the applicant shall be compelled to fulfill all the technical prescriptions established at that time.

Article 34:

Every process of restoration, change or modification made on an asset considered a part of the Cultural Heritage of the Nation or museum piece, without the authorization established in these Regulations, or that

infringes what they provide to this effect, shall be suspended by a rule of the Direction of Cultural Heritage of the Ministry of Culture, the directions of Culture of the provincial bodies of the People's Power or the Isle of Youth Special Municipality, as per the case, until a final decision is adopted concerning its continuation or final suspension

Article 35:

The expenses generated by the remodeling, modification, restoration, or change decreed by the Direction of Cultural Heritage of the Ministry of Culture on an asset declared a part of the Cultural Heritage of the Nation or museum piece, shall be borne by the organization or institution, whether State- or private-owned, that owns or keeps such asset.

Article 36:

The proprietor, owner, user or holder, by any right, of an asset considered a part of the Cultural Heritage of the Nation or museum piece, shall be compelled to notify the Direction of Cultural Heritage of the Ministry of Culture, of any circumstance that might have affected or could affect the physical condition of the asset, within a period of time of no more than five days as from the date he/she learns of it. Any person with the knowledge of this situation shall have the same obligation.

Article 37:

Any change of location or form of use, permanent or temporary, of an asset considered a part of the Cultural Heritage of the Nation or museum piece, shall require a previous and expressed authorization from the Direction of Cultural Heritage of the Ministry of Culture, which shall approve it or not, and it will be notified to the National Registry of Cultural Assets of the Republic of Cuba, for its registration and control.

Article 38:

The natural or juridical person, proprietor or holder by any right, of an

asset considered a part of the Cultural Heritage of the Nation or museum piece, shall be compelled to guarantee the free access to and inspection of such asset to facilitate the safeguard and conservation works by the Direction of the Cultural Heritage of the Ministry of Culture, and in its case, by the National Registry of Cultural Assets of the Republic of Cuba, except for those assets located in military objectives or zones, for which a previous authorization is required.

Article 39:

The reproduction or copying of cultural assets protected under Act 1, of 4 August 1977, and the present Regulations, shall be prohibited without a previous authorization of the Direction of Cultural Heritage of the Ministry of Culture.

Article 40:

Any proprietor, owner, user or holder, by any right, of an asset considered a part of the Cultural Heritage of the Nation or museum piece, shall be compelled to abide by the provisions that the Ministry of Cultures shall enact for its protection.

CHAPTER 8: ON THE TRANSFER OF OWNERSHIP

Article 41:

The Direction of Cultural Heritage of the Ministry of Culture shall learn of every application, and shall rule the adoption and authorization of any transfer of ownership of any asset considered a Cultural Heritage of the Nation or museum piece, which shall be submitted to the National Registry of Cultural Assets of the Republic of Cuba.

Article 42:

To the effects pointed out in Article 41, it shall be considered a transfer of ownership, any cession, donation, sale, or any other form of transfer or

exchange of any asset protected under the Act, and the present Regulations.

Article 43:

Any person interested in transferring the ownership or possession of an asset declared a part of the Cultural Heritage of the Nation, or museum piece, shall apply for a previous and express authorization before the Direction of Cultural Heritage of the Ministry of Culture, either directly or through the directions of Culture of the provincial bodies of the People's Power and the body of the People's Power of Isle of Youth Special Municipality.

This application shall basically include:

- (a) A detailed description of the asset;
- (b) Personal data of the proprietor or holder of the assets and, if applicable, of the person in favor of which the transfer is requested;
- (c) If applicable, the place where it will be placed when the transfer takes place;
- (d) The agreed price or value of the asset, as corresponds to the action for which an authorization is requested, and;
- (d) The signatures of the owner or holder and, in such a case, of the person in favor of which the transfer authorization is requested.

Article 44:

The Direction of Cultural Heritage of the Ministry of Culture, once examined the application mentioned in Article 43, shall proceed to approve or deny such authorization, and shall notify of its decision to the interested parties, and to the National Registry of Cultural Assets of the Republic of Cuba in a period of time of no more than 60 working days, as from the date the application is received, so the decision is registered and controlled.

Article 45:

Once the authorization mentioned in Articles 41 to 44 is approved, the parties participating in the transfer of ownership of the asset declared a part of the Cultural Heritage of the Nation, or museum piece, shall be compelled to notify of its adoption to the National Registry of Cultural Assets of the Republic of Cuba, through the corresponding provincial registries or the registry of Isle of Youth Special Municipality, within 30 working days as from the date the transfer is carried out.

Article 46:

The Direction of Cultural Heritage of the Ministry of Culture, if applicable, shall made use of the right of preemption, in order to purchase the asset declared a part of the Cultural Heritage of the Nation, or museum piece, which transfer has been requested.

The price of such transfer shall the one the Direction of Cultural Heritage and the owner or holder shall agree, which, if no agreement is reached in this sense, each party shall be able to appoint an expert, to decide on the price of the transaction.

Article 47:

When no agreement is reached on the price, on the cases pointed out in Article 46, the Ministry of Culture will be able to initiate condemnation proceedings on reasons of public utility and social interest.

Article 48:

No deposit can be made on behalf of another person but the proprietor or holder of an asset declared a part of the Cultural Heritage of the Nation or a museum piece, without the previous authorization of the Direction of Cultural Heritage of the Ministry of Culture, which shall notify the authorized deposit to the National Registry of Cultural Assets of the Republic of Cuba.

Article 49:

The organs and bodies authorized by the legislation in force, to carry out seizures and confiscations, due to any concept or circumstance, shall be compelled to notify the National Registry of Cultural Assets of the Republic of Cuba the existence of any asset declared a part of the Cultural Heritage of the Nation or museum piece, object of such acts. The National Registry will proceed to its verification, and if the asset affected in such a way one of those protected by the Act and the present Rules and Regulations, the Ministry of Culture, through its Direction of Cultural Heritage shall determine whatever is applicable.

Likewise, the bodies and organs referred to in the previous paragraph shall be compelled to notify the National Registry of Cultural Assets of the Republic of Cuba, the existence of any other asset it may have knowledge of, or any suspicion they may harbor on the fact that they are dealing with an asset protected by the Act and the present Regulations, so such Registry may carry out the corresponding investigations and, in case such assumption is affirmative, the Ministry of Culture, through its Direction of Cultural Heritage, could determine what is applicable on its conservation and custody.

CHAPTER 9: ON THE IMPORT AND EXPORT OF CULTURAL ASSETS

Article 50:

The partial or total export of an asset considered a part of the Cultural Heritage of the Nation or a museum piece, is prohibited without the previous and express authorization of the Direction of Cultural Heritage.

Article 51:

The Ministry of Culture, through its Direction of Cultural Heritage, is the organization empowered to authorize the temporary or definitive export of

cultural assets protected by the Act and the present Regulations, from the national territory.

To these effects, it is indispensable to present to the customs officials the certificate issued by the Direction of Cultural Heritage accrediting the transfer abroad of the authorized asset. That Direction shall send a copy of such authorization to the National Registry of Cultural Assets of the Republic of Cuba, to be registered and controlled as applicable.

Customs officials are compelled to stop the arrangements of a shipment, whatever it might be, when it is not covered by the corresponding authorization.

Article 52:

Any attempt of a total or partial export of a cultural asset not covered by the corresponding authorization certificate issued by the Direction of Cultural Heritage of the Ministry of Culture, as referred in Article 51, shall cause that the asset in question be seized by customs authorities. The General Customs Office of the Republic will place such asset at the disposition of the Ministry of Culture, through the Direction of Cultural Heritage.

Article 53:

The General Customs Office of the Republic shall notify the Direction of Cultural Heritage, either directly or through the Directions of Culture of the provincial bodies of the People's Power or the People's Power organ of the Isle of Youth Special Municipality, of the suspension of the shipping applications whenever it is of their knowledge or there is a rational suspicion that the export involves an asset declared a part of the Cultural Heritage of the Nation, or a museum piece, and proceeds shall be followed to verify the facts. In case the asset in question is part of the heritage or a museum piece, it shall be seized, without prejudice of the penal responsibility imputed for that action.

Article 54:

The authorization for the temporary or definitive export of a cultural asset or museum piece, shall be requested at the Direction of Cultural Heritage of the Ministry of Culture, either directly or through the directions of culture of the provincial bodies of the People's Power and the Isle of Youth Special Municipality, 45 days working days before the date of the intended shipment.

The requests will basically contain, the following data:

- (a) Natural or juridical person, owner or keeper of the asset intended to be exported;
- (b) Personal and other data of the person to whom the asset is to be sent;
- (c) Destination;
- (d) A detailed description of the asset;
- (e) Appraisal of the asset to be exported;
- (f) Motive for the export;
- (g) Intended stay of the asset abroad;
- (h) Prevention of the risks that might affect the asset; and
- (i) Risk insurance or coverage of the export, if applicable.

Article 55:

No asset considered a part of the Cultural Heritage of the Nation or museum piece shall be exported temporarily, without a coverage or insurance against the risks that it might face during transit and the time of stay out of the national territory.

The Direction of Cultural Heritage of the Ministry of Culture shall determine and adopt the terms of the insurance policy issued as provided in the previous paragraph.

Article 56:

Once the application as referred in Article 54 is examined, the Direction of Cultural Heritage of the Ministry of Culture shall approve or deny the

export authorization of the cultural asset in question, within 30 working days as from the date such request is received, which shall be notified to the National Registry of Cultural Assets of the Republic of Cuba.

Article 57:

The natural or juridical persons who own or keep cultural assets protected by the Act and the present Regulations, which have been granted authorization to export a certain asset, shall notify the National Registry of Cultural Assets of the Republic of Cuba, the date of departure of the assets in question, within 5 working days after the authorization is granted. Likewise, they shall be compelled to notify the National Registry in the mentioned period of time, in case of a temporary export, the date in which the assets shall return in the country as well as the condition in which they arrived.

Article 58:

No cultural asset or museum piece shall be re-exported without submitting the temporary or definitive import certificate, issued by the General Customs Office of the Republic when the asset entered the country.

Article 59:

The General Customs Office of the Republic shall notify the National Registry of Cultural Assets of the Republic of Cuba, the declaration of assets covered by the Act and the present Rules and Regulations, when entering the country, to the effects that the Direction of Cultural Heritage can verify the nature of the cultural asset, in order to issue the admission document that shall be delivered to the natural or juridical person owner or keeper of such assets.

Article 60:

In the declaration that the importer shall submit to the General Customs Office of the Republic, he/she shall include a detailed description of the

asset, its nature and any other data required for a proper identification.

Article 61:

The National Registry of Cultural Assets of the Republic of Cuba shall keep an updated record of the cultural assets temporary or definitely imported.

Article 62:

Any transfer of ownership of an imported cultural asset that might be intended, shall abide by the standards provided on this issue in the present Regulations.

CHAPTER 10: ON THE LOSS OF A CULTURAL ASSET

Article 63:

In case of the destruction or total or partial loss, either intentionally, due to an accident or force majeure, of an asset declared Cultural Heritage of the Nation or a museum piece, the National Registry of Cultural Assets of the Republic of Cuba, shall draw a memorandum explaining such circumstances, which shall be recorded in the registry as well as in the general inventory of cultural assets.

Article 64:

If the destruction or loss, either partial or total, is of an asset declared a National or Local Monument, the National Commission of Monuments shall notify the deed to the National Registry of Cultural Assets of the Republic of Cuba, to the effects provided for in Article 63.

Article 65:

The Registry of Cultural Assets of the Republic of Cuba shall proceed to notify the Ministry of Culture and the corresponding authorities, through the Directions of Cultural Heritage, on the loss or destruction, either partial or total, of any cultural asset or museum piece.

SPECIAL PROVISION

Sole: The cultural assets declared National and Local Monuments shall abide by the provisions contained in Act 2, of 4 August 1977, the National and Local Monuments Act, and its Regulations, and if applicable, and supplementary, what is provided for in Act 1 of 4 August 1977, Act on the Protection of the Cultural Heritage, the present Regulations and other provisions issued by the Minister of Culture.

The National Commission of Monuments will make the necessary arrangements with the National Registry of Cultural Assets of the Republic of Cuba.

TRANSITORY PROVISION

Sole: The bodies, organizations and institutions as provided in Article 5 of these Regulations, that at the moment of coming into force had not appointed their advising delegates, shall fulfill this formality within 30 working days as from the publication of these Regulations in the Official Gazette of the Republic.

FINAL PROVISIONS

First: The Direction of Cultural Heritage of the Ministry of Culture, the directions of Culture of the provincial bodies of the People's Power, and that of the Isle of Youth Special Municipality, the National Registry of Cultural Assets of the Republic of Cuba, the provincial registries of Cultural Assets and that of the Isle of Youth Special Municipality, are hereby empowered to suspend within the territory of their competence, any act that may infringe anything provided for in these Regulations, and are compelled to notify to the corresponding authorities any violation of its provisions.

Second: The Minister of Culture is hereby empowered to issue as many resolutions and provisions as he may deem necessary for a better interpretation, execution and fulfillment of these Regulations.

Third: All previous provisions of the same or lower level that might contradict what is established in these Regulations are hereby revoked, and these Regulations shall come into force as from the date of its publication in the Official Gazette of the Republic.

Given in the City of Havana, on 23 September 1983.

Fidel Castro Ruz
President of the Council
of Ministers

Armando Hart Dávalos
Minister of Culture

Osmany Cienfuegos Gorriaran
Secretary of the Council of Ministers
and its Executive Committee