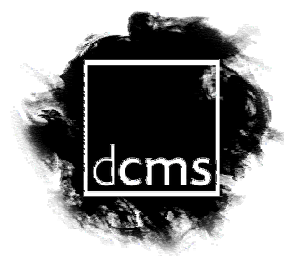


# Guidance to Exporters of Antiquities

## (Including Numismatic Items)



- 
1. This note sets out the requirements of the EC Regulation on the export of cultural goods (Number EEC 3911/92) in respect of the export outside the European Community of archaeological items. It also deals with the need for an export licence under UK domestic legislation in cases where no EC licence is required.
  2. The general purpose of the EC Regulation is to ensure that cultural goods falling within the Annex to the Regulation are not exported without an export licence issued by the appropriate Member State. More detailed guidance on the provisions of the Regulation and its relationship to UK domestic legislation is given in *Export Licensing for Cultural Goods* issued by the Department for Culture, Media and Sport.
  3. Article 2 of the Regulation requires an export licence for the export of cultural goods outside the EEC of items listed in the Annex to the Regulation. Category A1 of the Annex comprises:

“Archaeological objects more than 100 years old which are the products of:

- excavations and finds on land or under water
- archaeological sites
- archaeological collections

There is a zero value limit for this category of archaeological artefact. The category would, therefore, cover all such archaeological items (including numismatic items) regardless of monetary value and regardless of the location of the archaeological site from which they were excavated.

4. However, Article 2(2) of the Regulation allows Member States to exclude objects of limited archaeological or scientific interest from the need for an EC export licence. The Article provides that:

“the Member State ... may not require export licences for the cultural goods specified in the first and second indents of category A1 of the Annex where they are of limited archaeological or scientific interest, and provided they are not the direct product of excavations, finds and archaeological sites within a Member State, and that their presence on the market is lawful.”

5. The UK has decided to exercise its discretion under Article 2(2) by excluding the following categories of archaeological objects as being of limited archaeological or scientific interest:
  - (a) numismatic items of a standard type which are published in a reference work on numismatics;
  - (b) objects, other than numismatic items, which possess no special or rare features of form, size, material, decoration, inscription or iconography and which are not in an especially fine condition for the type of object.
6. Objects falling within paragraph 5 above will not require an export licence under the Regulation provided that:
  - (a) they do not form part of a recognised archaeological collection of special historical significance;
  - (b) they are not the direct product of excavations, finds and archaeological sites within a Member State, ie, they have not come straight onto the market after being recently discovered;
  - (c) they are lawfully on the market. Objects which are stolen would not qualify; or
  - (d) they do not fall within any other category of the Annex. Category A2 in particular may be relevant. That category covers elements forming an integral part of a dismembered monument more than 100 years old.
7. Where an EC licence is required then the application for a licence should be made on the standard EC form to the Department for Culture, Media and Sport. In considering the application the Department will also take into account the need for a licence under the UK domestic legislation. Any EC licence granted will also qualify as a licence under UK domestic legislation.
8. Where no EC licence is required (either because the object is to be exported only inside the Community or because the object falls within the categories set out at paragraph 5) exporters need to bear in mind the need to obtain a licence under UK domestic legislation. This requires a licence for any archaeological material from UK soil or UK territorial waters regardless of monetary value and regardless of destination. In addition, archaeological objects from a non-UK source require licences if they are worth £65,000 or more. Applications for licences under UK domestic legislation are made on UK application forms obtainable from the Department for Culture, Media and Sport.