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Applying for an export license for cultural property

Heruntergeladen am 21.06.2025

<https://fimportal.de/xzufi-services/115579033/L100027>

Modul	Sachverhalt
Leistungsschlüssel	99077037001000, 99077037001000
Leistungsbezeichnung I	Applying for an export license for cultural property
Leistungsbezeichnung II	Applying for an export license for cultural property
Typisierung	2/3a - Bund: Regelung, Land: Vollzug
Quellredaktion	Mecklenburg-Vorpommern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (gold)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Kultur (077)
Verrichtungskennung	Erteilung (001)
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein

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Fachlich freigegeben am	21.12.2021
Fachlich freigegeben durch	
Handlungsgrundlage	https://eur-lex.europa.eu/legal-content/DE/TXT/PDF/?uri=CELEX%3A32009R0116 https://eur-lex.europa.eu/legal-content/DE/TXT/PDF/?uri=CELEX%3A32012R1081 https://www.gesetze-im-internet.de/kgsg/_24.html https://eur-lex.europa.eu/legal-content/DE/TXT/PDF/?uri=CELEX%3A32009R0116 https://eur-lex.europa.eu/legal-content/DE/TXT/PDF/?uri=CELEX%3A32012R1081 https://www.gesetze-im-internet.de/kgsg/_24.html
Teaser	If you wish to export cultural property from Germany, you need an export license under certain conditions.
Volltext	<p>You require a permit to export cultural property from Germany if the cultural property exceeds certain age or value limits. Cultural goods are, for example, works of art, archaeological objects, archive material, manuscripts or antiques such as furniture, musical instruments or jewelry. You can find out about the age and value limits, for example, on the Internet portal of the Federal Government Commissioner for Culture and the Media on the protection of cultural property.</p> <p>If the authorization requirement is dependent on the financial value of the cultural property, this value is</p> <ul style="list-style-type: none"> • the price paid for a purchase or sale within the last 3 years or • in other cases, a justified domestic estimated value at the time of application. <p>You can apply for approval from the competent authority. A distinction is made between permanent and temporary export. The export is temporary if it takes place for a limited period of no more than 5 years from the outset.</p> <p>You apply for a license to export cultural goods in writing to the competent authority of the federal state in which the cultural goods are located at the time of</p>

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application. If you are a legal entity, your head office in the federal territory is decisive for local jurisdiction.

Note: You can also use a new online procedure in pilot operation to apply for export licenses for cultural goods. The online procedure includes an optional preliminary check to determine whether an export license is required in a specific case based on a few questions. In general, you no longer have to select the correct application yourself; it is determined automatically based on the information provided. The pilot operation serves to further test and optimize the procedure. At the same time, the procedure is to be expanded by the end of 2022 so that it will also be possible to issue the permit digitally.

Erforderliche Unterlagen

Voraussetzungen

You will be granted a license under Regulation (EC) No. 116/2009 or under Section 24 (1) No. 2 of the Cultural Property Protection Act if

- you are eligible to apply, as the owner or as an authorized third party or authorized third party
- you have submitted the required documents and
- at the time of the decision, there is no export ban pursuant to Section 21 (1), (2), (4) and (5) of the Cultural Property Protection Act.

You can be granted a license in accordance with Section 26 of the Cultural Property Protection Act if

- you are eligible to apply, as the owner or legal direct possessor of the cultural property
- you have submitted the required documents,
- at the time of the decision, there is no export ban pursuant to § 21 numbers 1, 2, 4 and 5 of the Cultural Property Protection Act and
- you as the applicant can guarantee that the cultural property intended for export will be re-imported into Germany in an undamaged condition and on time.

You can be granted a license in accordance with § 25 of the Cultural Property Protection Act if

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- you are eligible to apply, institutions that preserve cultural property and regularly export parts of their holdings temporarily for public exhibitions, restoration or research purposes are eligible to apply
- you have submitted the required documents,
- at the time of the decision there is no export ban in accordance with § 21 numbers 1, 2, 4 and 5 of the Cultural Property Protection Act and
- you, as the applicant, can guarantee that the cultural property intended for export will be re-imported into Germany in an undamaged condition and in good time.

Kosten

Verfahrensablauf

To apply online for an export license for registered cultural property, you can use an online procedure that is currently in pilot operation. The online procedure includes an optional preliminary check to determine whether an export license is required based on just a few questions. In general, you no longer have to select the correct application - it is determined automatically based on the information you provide. The pilot operation serves to further test and optimize the procedure. At the same time, the procedure is to be expanded by the end of 2022 so that it will also be possible to issue the permit digitally.

The following steps are required to apply in writing for a permit for the export of registered cultural property:

- Search for the competent authority and the PDF form for your federal state via the authority finder:
Kulturgutschutz - Startseite
(kulturgutschutz-deutschland.de)
- Download the correct PDF form. Export license in accordance with Regulation (EC) No. 116/2009, § 25 or § 26 of the Cultural Property Protection Act for export to third countries and according to § 24 paragraph 1 number 2, § 25 or § 26 of the Cultural Property Protection Act for export to member states of the European Union
- Fill out the PDF form on your PC.
- Print out the documents. Export license in accordance with Regulation (EC) No. 116/2009 for export to third countries in triplicate (the form already contains all

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copies), Export license according to § 24 paragraph 1 number 2 Cultural Property Protection Act for export to member states of the European Union in duplicate, Export licenses in accordance with § 25 and § 26 of the Cultural Property Protection Act, each in duplicate (please note: the forms for export to third countries already contain all copies)

- Sign in the spaces provided, stamp the documents if necessary and attach the necessary supporting documents to each copy.
- Send the documents to the competent authority.
- The authority will check your application and send you 2 copies (export to a third country in accordance with Regulation No. 116/2009) or one copy (export to a third country or export to member states of the European Union in accordance with Section 24(1)(2), Section 25 or Section 26 of the Cultural Property Protection Act), the completed, signed and sealed documents are returned, together with a fee notice if applicable. Copy 1 is the application and remains with the authority. All other copies will be returned to you. When exporting to a third country in accordance with Regulation (EC) No. 116/2009, you must submit copies 2 and 3 to the competent German customs office of export together with the export declaration. The customs office of export completes box 26 and hands over copy 2 to you. After the actual exit, the German customs office of export confirms this in box 27 and returns copy 3 to the authority that issued the license.

If your application for an export license is rejected, you will receive a written notification with reasons and information on legal remedies.

Bearbeitungsdauer

For an application under Regulation (EC) No. 116/2009 or under Section 24 (1) No. 2 of the Cultural Property Protection Act, the processing time is up to 10 working days after submission of the complete application documents. Apart from the above-mentioned decision period for certain licenses, the processing time depends on the completeness of the application documents submitted and the complexity of the application. The permit must be applied for in good time before the planned export of the cultural property.

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Frist

For licenses pursuant to Regulation (EC) No. 116/2009 and Section 24(1)(1) of the Cultural Property Protection Act and Section 24(1)(2) of the Cultural Property Protection Act, the period of validity is 12 months. The (temporary or permanent) export is possible until the last day of the period of validity. The re-import period (up to 5 years) for the one-off temporary export of cultural property (Regulation (EC) No. 116/2009 and Section 24 (1) No. 1 of the Cultural Property Protection Act) is determined by the authority according to the purpose of the export. For licenses pursuant to § 25 and § 26 of the Cultural Property Protection Act, the period of validity is up to 5 years. (Temporary) export is possible until the last day of the period of validity; re-import must take place within 5 years.

weiterführende Informationen

Further information can be found on the Internet portal of the Federal Government Commissioner for Culture and the Media on the protection of cultural property.
https://www.kulturgutschutz-deutschland.de/DE/Home/home_node.html
https://www.kulturgutschutz-deutschland.de/SharedDocs/Downloads/DE/Merkblaetter/Alters_und_Wertgrenzen_24KGSG.html?nn=9865814
https://www.kulturgutschutz-deutschland.de/DE/Home/home_node.html
https://www.kulturgutschutz-deutschland.de/SharedDocs/Downloads/DE/Merkblaetter/Alters_und_Wertgrenzen_24KGSG.html?nn=9865814

Hinweise

A permit obtained by threat, bribery or collusion or obtained by false or incomplete information in accordance with Section 22 (1) of the Cultural Property Protection Act is null and void in accordance with Section 22 (5) of the Cultural Property Protection Act. This applies mutatis mutandis to licenses (Section 24(1)(1) and (2) of the Cultural Property Protection Act pursuant to Section 24(9) of the Cultural Property Protection Act).

Rechtsbehelf

Kurztext

- Export of cultural property Authorization
- different variants are to be considered: Export license

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for a one-off export (permanent or temporary) from Germany to a third country: Authorization is required above certain age and value limits and is only granted under certain conditions, Legal entitlement if conditions are met, Authority determines period of validity of the export license (up to 1 year) and re-import period (up to 5 years) Export license for one-time export (permanent or temporary) from Germany to a member state of the European Union: Authorization is required above certain age and value limits and is only granted under certain conditions, Legal entitlement if conditions are met, The authority determines the period of validity of the export license (up to 1 year) and the re-import period (up to 5 years). The licensing requirement pursuant to Section 24 (1) no. 2 of the Cultural Property Protection Act does not apply if a negative certificate has been issued (Section 14 (7) sentence 4 of the Cultural Property Protection Act) or if the cultural property is demonstrably only temporarily in Germany for up to 2 years; this does not apply to cultural property that has been unlawfully imported or previously exported without the required license (Section 24 (8) of the Cultural Property Protection Act). The authorization requirement under Section 24 of the Cultural Property Protection Act does not apply if there is a legally binding promise of return (Section 76 (3) of the Cultural Property Protection Act). Export license for repeated (temporary) export from Germany to third countries or member states of the European Union: general open license for institutions preserving cultural property, e.g. for museums, or specific open permit for certain cultural property, e.g. for concert tours. Permits are only granted under certain conditions and are granted at the discretion of the authorities (no legal entitlement).

- Written application, form must be completed PDF forms available via Kulturgutschutz - Homepage (kulturgutschutz-deutschland.de)
- Since August 2, 2021, an online procedure can be used in pilot operation to apply for export licenses for cultural goods. The online procedure includes an optional pre-check to determine whether an export license is required based on a few questions. In general, the correct application no longer has to be selected by the applicant, as it is determined

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automatically based on the information provided by the applicant. The pilot operation serves to further test and optimize the procedure. At the same time, the process is to be expanded by the end of 2022 so that it will also be possible to issue permits digitally.

- Processing time: The competent authority must decide on an application under Regulation (EC) No. 116/2009 or under Section 24 (1) No. 2 of the Cultural Property Protection Act within 10 working days of submission of the complete application documents (Section 24 (7) of the Cultural Property Protection Act); no time limit is set for an application under Section 25 or 26 of the Cultural Property Protection Act
- The duration of the grant depends on the completeness of the submitted application documents
- Responsible: Authorities of the federal states

Ansprechpunkt

Zuständige Stelle

You can find the authority responsible for you via the authority finder.
https://www.kulturgutschutz-deutschland.de/DE/Service/Formulare/Behoerdenfinder/behoerdenfinder_node.html
https://www.kulturgutschutz-deutschland.de/DE/Service/Formulare/Behoerdenfinder/behoerdenfinder_node.html

Formulare

- Forms available: Yes
 - Written form required: Yes
 - Informal application possible: No
 - Personal appearance necessary: No
- http://www.kulturgutschutz-deutschland.de/DE/Service/Formulare/Behoerdenfinder/behoerdenfinder_node.html
http://www.kulturgutschutz-deutschland.de/DE/Service/Formulare/Behoerdenfinder/behoerdenfinder_node.html

Ursprungsportal

Applying for an export license for cultural property, Ausfuhrgenehmigung für Kulturgut beantragen