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Export of cultural property Permit

Heruntergeladen am 21.06.2025

<https://fimportal.de/xzufi-services/433454377/L100040>

Modul	Sachverhalt
Leistungsschlüssel	99077037001000, 99077037001000
Leistungsbezeichnung I	Export of cultural property Permit
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Niedersachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (gold)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Kultur (077)
Verrichtungskennung	Genehmigung (006)
SDG-Informationsbereich	Zollverfahren für Einfuhren und Ausfuhren gemäß dem Zollkodex der Union
Lagen Portalverbund	Erlaubnisse und Genehmigungen (2010400), Import und Export (2070200)
Einheitlicher	

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Ansprechpartner	Nein
Fachlich freigegeben am	07.02.2023
Fachlich freigegeben durch	The Federal Government Commissioner for Culture and the Media (BKM)
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 want to export cultural property from Germany, you will need an export licence under certain conditions.
Volltext	<p>For the export of cultural property from Germany, you need a permit if the cultural property exceeds certain age or value limits. Cultural assets include, for example, works of art, archaeological objects, archival material, manuscripts or antiques such as furniture, musical instruments or jewellery. You can find out about the age and value limits, for example, on the website of the Federal Government Commissioner for Culture and the Media on the Protection of Cultural Property.</p> <p>If the authorisation requirement is dependent on a financial value of the cultural property, this value is</p> <ul style="list-style-type: none"> • the price paid within the last 3 years in the event of a purchase or sale, or • in other cases, a reasoned domestic estimate at the time of application. <p>You can apply for the permit from the competent authority. A distinction is made between permanent and temporary exports. The export is temporary if it is for a maximum period of 5 years from the outset.</p>

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You must apply for permission to export cultural goods in writing to the competent authority of the federal state in which the cultural property is located at the time of application. If you are a legal entity, your head office in Germany is decisive for territorial 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 pre-check in order to be able to determine whether an export licence is required in a specific case based on just a few questions. In general, you no longer have to select the right application yourself, it is automatically determined based on the information. The pilot operation serves to further test and optimize the process. At the same time, the procedure is to be expanded by the end of 2022 in such a way that the digital issuance of the permit is also possible.

Erforderliche Unterlagen

Voraussetzungen

A permit in accordance with Regulation (EC) No. 116/2009 or Section 24 (1) No. 2 of the Cultural Property Protection Act will be granted to you if:

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

A permit according to § 26 of the Cultural Property Protection Act can be granted to you if:

- you are eligible to apply, as the owner or the lawful direct owner of the cultural property
- you have submitted the required documents,
- at the time of the decision, there is no export ban pursuant to Section 21 Nos. 1, 2, 4 and 5 of the Cultural Property Protection Act, and
- As the applicant, you offer the guarantee that the cultural property intended for export will be reintroduced into the federal territory in an

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undamaged condition and on time.

A permit according to § 25 of the Cultural Property Protection Act can be granted to you if:

- you are eligible to apply, Institutions that preserve cultural assets and regularly temporarily export parts of their holdings for public exhibitions, restorations or research purposes are eligible to apply
- you have submitted the required documents,
- at the time of the decision, there is no export ban pursuant to Section 21 Nos. 1, 2, 4 and 5 of the Cultural Property Protection Act, and
- As the applicant, you offer the guarantee that the cultural property intended for export will be reimported into the federal territory in an undamaged condition and on time.

Kosten

Gebühr: Es fallen keine Kosten an
Export licence according to §§ 25, 26 KGSG
Gebühr: 40€ - 2.500€
Export licence according to §§ 22, 24 KGSG

Verfahrensablauf

To apply for a permit to export a cultural property online, you can use an online procedure that is currently in pilot operation. The online procedure includes an optional pre-check to determine whether an export licence is required based on just a few questions. In general, you no longer have to select the right application – it is automatically determined based on the information you provide. The pilot operation serves to further test and optimize the process. At the same time, the procedure is to be expanded by the end of 2022 in such a way that the digital issuance of the permit is also possible.

In order to apply for a licence for the export of a cultural property in writing, the following steps are necessary:

- Use the authority finder to find the competent authority and the PDF form for your federal state:
https://www.kulturgutschutz-deutschland.de/DE/Service/Formulare/Behoerdenfinder/behoerdenfinder_node.html

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- Download the correct PDF form. Export licence in accordance with Regulation (EC) No. 116/2009, § 25 or § 26 of the Cultural Property Protection Act for export to third countries and pursuant to § 24 (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 the documents. export licence in accordance with Regulation (EC) No 116/2009 for export to third countries in 3 copies (the form already contains all copies), Export licence in accordance with Section 24 (1) No. 2 of the Cultural Property Protection Act for export to Member States of the European Union in 2 copies, Export licenses according to § 25 and § 26 of the Cultural Property Protection Act in 2 copies (note: the forms for export to third countries already contain all copies)
- Sign in the fields 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 examine your application and send you 2 copies (export to a third country in accordance with Regulation No 116/2009) or a copy (export pursuant to Section 24 (1) No. 2, Section 25 or Section 26 of the Cultural Property Protection Act to a third country or export to Member States of the European Union), return the completed, signed and sealed documents, together with a fee notice if necessary. Copy 1 is the application and remains with the authority. All remaining 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 with the export declaration. The customs office of export will fill in box 26 and give you copy 2. After the actual outcome, the German customs office of export confirms it in box 27 and returns copy 3 to the authority that issued the authorisation.

If your application for an export licence is rejected, you will receive a written decision with a statement of reasons and information on legal remedies.

Bearbeitungsdauer

For an application pursuant to Regulation (EC) No.

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116/2009 or 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 deadline for certain permits, 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.

Frist

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

weiterführende Informationen

Further information can be found on the website 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

An authorisation pursuant to Section 22 (1) of the Cultural Property Protection Act obtained by threat, bribery or collusion, or obtained by fraud through

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incorrect or incomplete information, is null and void pursuant to Section 22 (5) of the Cultural Property Protection Act. This applies mutatis mutandis to permits (Section 24 (1) Nos. 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 Permit
- There are several variants to consider: Export licence for a one-time export (permanent or temporary) from Germany to a third country: Authorisation is required from certain age and value limits and is only granted under certain conditions, legal entitlement if conditions are met, Authority determines the validity period of the export license (up to 1 year) and re-import period (up to 5 years) Export licence for a single export (permanent or temporary) from Germany to a Member State of the European Union: Authorisation is required from certain age and value limits and is only granted under certain conditions, legal entitlement if conditions are met, Authority determines the period of validity of the export license (up to 1 year) and the re-import period (up to 5 years). The permit requirement pursuant to Section 24 (1) No. 2 of the Cultural Property Protection Act does not apply if there is a negative clearance (Section 14 (7) sentence 4 of the Cultural Property Protection Act) or if the cultural property can be proven to have been in Germany only temporarily for up to 2 years; this does not apply to cultural property that has been illegally imported or previously exported without the necessary permit (Section 24 (8) of the Cultural Property Protection Act). The permit requirement pursuant to Section 24 of the Cultural Property Protection Act does not apply if there is a legally binding promise of restitution (Section 76 (3) of the Cultural Property Protection Act). Export licence for repeated export (temporarily) from Germany to third countries or to Member States of the European Union: general open permit for institutions preserving cultural property, e.g. museums, or specifically open permit for certain cultural assets, e.g. for concert tours. Authorisation is granted only under certain conditions, granting it is at the discretion of the authority (no legal

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entitlement).

- Written application, form must be filled out PDF forms available via <https://www.kulturgutschutz-deutschland.de>
- Since 2 August 2021, an online procedure in pilot operation can be used to apply for export licences for cultural goods. The online procedure includes an optional pre-check to determine whether an export licence is required based on just a few questions. In general, it is no longer necessary to select the correct application yourself, it is automatically determined on the basis of the information provided by the applicant. The pilot operation serves to further test and optimize the process. At the same time, the procedure is to be expanded by the end of 2022 in such a way that the digital issuance of the permit is also possible.
- Processing time: The competent authority must decide on an application under Regulation (EC) No. 116/2009 or 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 deadline is provided 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 application documents submitted
- Responsible: Authorities of the Länder

Ansprechpunkt
Zuständige Stelle
Formulare

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

Ursprungsportal

Export of cultural property Permit, Ausfuhr von Kulturgut Genehmigung