



United Nations  
Educational, Scientific and  
Cultural Organization

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Organización  
de las Naciones Unidas  
para la Educación,  
la Ciencia y la Cultura

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منظمة الأمم المتحدة  
للتربية والعلم والثقافة

联合国教育、  
科学及文化组织

## MODEL FOR A NATIONAL ACT ON THE PROTECTION OF CULTURAL HERITAGE

This text gives an example of a comprehensive law on the protection of cultural heritage, encompassing land-based as well as submerged immovable heritage as well as movable objects.

It is based on internationally accepted standards for heritage protection, in particular on the UNESCO 2001 Convention on the Protection of the Underwater Cultural Heritage (but also on the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property). A model export certificate elaborated by UNESCO in cooperation with the WCO is added to it.

The formulations used are suggestions only and in no way binding. Please consider that better formulations might be available and more appropriate for the national context.

**Please also consider the inclusion of regulations on natural heritage, if applicable.**

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## I. GENERAL PRINCIPLES

### 1. Territorial Scope

- 1.) This Act applies to all land, whether covered by water or not, including the subsoil and airspace above such land, consistent with the limits of national jurisdiction.
- 2.) This Act also applies to vessels flying the State flag and State nationals wherever located.

### 2. Definitions

- 1.) “Cultural heritage” means
  - a. all traces of human existence having a cultural, historical or archaeological character, which are older than [\_\_\_ years<sup>1</sup>] such as, together with their archaeological and natural context:
    - (i) sites;
    - (ii) structures, and buildings;
    - (iii) vessels, aircraft, other vehicles or any part thereof, their cargo or other contents; and
    - (iv) artefacts, human remains, and objects of prehistoric character.
  - b. objects and sites, together with their context, having a paleontological or scientific significance, which are older than [\_\_\_years].
  - c. It includes “underwater cultural heritage”, which is cultural heritage, which is or was partially or totally, periodically or continuously, located under water.
  - e. “Cultural heritage of an archaeological character” means undiscovered and discovered cultural heritage which is located in the soil or under water.
- 2.) *["Written and filmed heritage" encompasses books, documents, pictures or films older than \_\_\_\_]*
- 3.) “Rules” means the “Rules concerning Activities directed at Cultural Heritage” contained in the Annex.
- 4.) “State Vessels and Aircraft” means warships, and other vessels or aircraft that were owned or operated by another State and used, at the time of sinking, only for government non-commercial purposes, that are identified as such and that meet the definition of underwater cultural heritage.
- 5.) “Verifiable Link” to underwater cultural heritage is a relationship between a State and cultural heritage, in particular of a cultural, historical or archaeological character.
- 6.) “UNESCO” means the United Nations Educational, Scientific and Cultural Organization.
- 7.) “International Seabed Authority” means the Authority established under Article 156 of the United Nations Convention on the Law of the Sea.

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<sup>1</sup> This could be the benchmark of 100 years as in the 2001 Convention, but also be a more recent benchmark as for instance 50 years.

## II. COMPETENT NATIONAL AUTHORITY

### 3. Competent National Authority

- 1.) The Competent National Authority for the protection of cultural heritage is the [National Authority]. It shall operate under the direct supervision of the [Ministry of Culture/Education].
- 2.) *[The Competent Authority shall be advised by a regularly meeting National Advisory Committee, consisting of appropriate national stakeholders.]*
- 3.) *[The opinion of the Advisory Committee shall be sought in any matter of national/particular importance.]*
- 4.) *[Include regulations on other authorities]*

### 4. Designation

The Competent National Authority may declare as cultural heritage any trace of human existence having a cultural, historical or archaeological character, which is less than [\_\_\_\_ years] old.

### 5. Tasks of the Competent National Authority

- 1.) The Competent National Authority has the task, in particular, to:
  - a) ensure the effective control, protection, conservation, presentation and management of cultural heritage and issue permissions in that regard;
  - b) encourage and foster research, public awareness, appreciation and education in cultural heritage, support NGO establishment and cooperation and foster the establishment of museums.
- 2.) The Competent National Authority shall establish, entertain and maintain an inventory of cultural heritage located on land or under water which includes also:
  - a) a list of important public and private cultural heritage whose export would constitute an appreciable impoverishment of the national cultural heritage;
  - b) a list of underwater cultural heritage, that is located beyond the limits of national jurisdiction if that underwater cultural heritage has a verifiable link with the State.
- 3.) The inventory shall be regularly updated. It shall be open to limited public access. No information shall be disclosed if this would endanger the protection of the heritage concerned.
- 4.) The Competent National Authority may conduct any necessary research on cultural heritage.
- 5.) The authority shall act as the Competent National Authority according to the UNESCO 2001 Convention on the Protection of the Underwater Cultural Heritage. The Director-General of UNESCO shall be notified of its name and address.

### III. DISCOVERY, REPORT AND DISPLACEMENT OF CULTURAL HERITAGE

#### 6. Report of Discoveries and intended Activities

- 1.) No person shall search for, explore, investigate, interfere with, displace or remove cultural heritage of an archaeological character, including underwater cultural heritage, without a permit issued by the Competent National Authority.
- 2.) Any person, who discovers cultural heritage of an archaeological character, including underwater cultural heritage, should leave it undisturbed, unless disturbance or recovery is authorized by the Competent National Authority or if it
  - a) is under actual and immediate danger of serious damage or destruction; or
  - b) poses a concrete and immediate danger to human life.
- 3.) Any person, who displaces cultural heritage of an archaeological character, including underwater cultural heritage, has to declare this to the Competent National Authority and has to deposit the object with it or hold it at its disposal in conditions ensuring conservation.
- 4.) Any person, who discovers cultural heritage of an archaeological character, including underwater cultural heritage, shall report this within [three days<sup>2</sup>] of discovery or, in case of underwater cultural heritage, on reaching the first national port, to the Competent National Authority.
- 5.) Any person who is aware of any activity by any unauthorised person that poses an actual and immediate danger of serious damage or destruction to cultural heritage shall report that activity to the Competent National Authority.
- 6.) Any person wishing to apply for permission to undertake an activity directed at cultural heritage, including underwater cultural heritage, must submit an application to the Competent National Authority at least [six months<sup>3</sup>] prior to the intended activity commencing. In case of immediate danger of destruction or damage to such cultural heritage a shorter application time may be admitted. In the case of underwater cultural heritage, such an application must be submitted irrespective of whether the underwater cultural heritage is situated within, or beyond, national jurisdiction.
- 7.) Nationals and the masters of the vessels flying the State flag shall report any discovery of or an intended activity directed at underwater cultural heritage even if located beyond the limits of national jurisdiction.
- 8.) No person shall engage in any activity directed at underwater cultural heritage that is not in accordance with the Rules in the Annex.
- 9.) *[Optional: Warships, government ships and military aircraft, operated for non-commercial purposes, undertaking their normal mode of operations, and not engaged in activities directed at cultural heritage [should/are not obliged to] report discoveries. They shall, however, make reports if this is reasonable and practicable.]*
- 10.) In case of discoveries or activities concerning underwater cultural heritage located in the Exclusive Economic Zone or on the Continental Shelf of another State, nationals and vessels flying the State flag shall also report to the authorities of the concerned State.

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<sup>2</sup> Time limit to be set according to national situation and need.

<sup>3</sup> Ibid.

## **7. Activities directed at Structures and Buildings**

Activities directed at structures and buildings falling under the definition of cultural heritage need a permit by the Competent National Authority.

### **IV. PERMISSION OF ACTIVITIES AND PERMITS**

#### **8. Permission of Activities**

- 1.) A permit for an activity directed at cultural heritage including for example, search, intervention, recovery, displacement or excavation, as well as renovation and alteration may only be granted by the Competent National Authority.
- 2.) The permit shall only be granted in the best interest of protection and if the concerned activity:
  - a) significantly contributes to the protection of, enhancement or knowledge about, the concerned cultural heritage;
  - b) is in full conformity with this Act and the Rules in the Annex; and
  - c) ensures in the case of Ill.5.1 a proper scientific study and, in case of recovery, maximum protection and conservation of recovered objects.
- 3.) A permit shall only be granted based on a Project Design in accordance with the Rules [of the Annex].
- 4.) No permit shall be issued for any commercial exploitation of cultural heritage of an archaeological character, including underwater cultural heritage.
- 5.) A permit:
  - a) shall contain conditions to ensure the proper conduct of the activity, documentation and conservation as well as its control and the access to the site by the Competent National Authority;
  - b) shall be issued for a limited time period not exceeding [1 year] and may be renewed after revision of the project by the [Competent National Authority];
  - c) may be revoked in case of non-compliance with the conditions mentioned in the permit, the Rules, the project design deposited with the [Competent National Authority] or in the interest of the proper protection of the concerned heritage;
  - d) may contain any other condition deemed necessary by the [Competent National Authority].
- 6.) Permits are non-transferable. A public register of all permits issued shall be kept by the Competent National Authority.
- 7.) Permitted activities shall only be executed:
  - a) under the effective supervision of the person authorized;
  - b) respecting proper safety measures and the protection of the environment.
- 8.) A permit for activities directed at underwater cultural heritage located beyond the limits of national jurisdiction may only be issued, if:

- a) [the enacting State] is the Coordinating State; or
- b) an immediate danger threatens the concerned heritage; or
- c) the concerned heritage is located in the Exclusive Economic Zone or on the Continental Shelf and the permit is granted in order to prevent interference with sovereign rights or jurisdiction.

9.) This Section does not prejudice State action to protect cultural heritage in case of immediate danger.

## **9. Activities directed at the Remains of State Vessels and Aircraft**

- 1.) If any underwater cultural heritage is identified as a State Vessel or Aircraft of another State the national authorities should inform the Flag State and States with a Verifiable Link to such cultural heritage.
- 2.) No activity shall be permitted or directed at such heritage if it is located in the Exclusive Economic Zone or on the Continental Shelf without the agreement of the Flag State and, if applicable, the collaboration of the States which have assumed the obligation to coordinate protection measures under international law other than to prevent immediate danger.
- 3.) If the concerned heritage is located beyond the limits of national jurisdiction, no activity shall be directed at such heritage without the consent of the Flag State other than to prevent immediate danger.

## **V. EXPORT CERTIFICATION**

### **10. Export Certificate**

- 1.) An export certificate for cultural heritage may be issued to a person by the [Competent National Authority] if the heritage concerned
  - a) is not of national importance;
  - b) its export would not constitute a significant impoverishment of the national heritage or is not inscribed in the inventory of cultural heritage located on land or under water; and
  - c) has been recovered in compliance with the law.
- 2.) A temporary export certificate may be granted if:
  - a) the export occurs for reasons of research, conservation, exhibitions or similar reasons;
  - b) and if a return of the objects is ensured within [\_\_\_\_] years. The Competent Authority can set conditions ensuring the return of the object and the information or research result connected to it, if deemed necessary.
- 3.) No person shall export cultural heritage without an export certificate in the form attached in the Annex.
- 4.) Any person, wishing to apply for an export certificate shall do so by using the form annexed to this Act.

- 5.) The export certificate is non-transferable and shall be used as indicated in the Annex. A copy of this certificate has to accompany any exported cultural heritage.
- 6.) State institutions shall verify the provenance of any cultural heritage they acquire and shall not acquire any unlawfully recovered or unlawfully exported or imported cultural heritage.
- 7.) The [Competent National Authority] shall publicise this Act by appropriate means, particularly among persons likely to export or import cultural property.

## VI. UNDERWATER CULTURAL HERITAGE BEYOND THE LIMITS OF NATIONAL JURISDICTION

### 11. Information and Notification to other States

- 1.) The Competent National Authority shall notify the Director-General of UNESCO of discoveries of or intended activities directed at underwater cultural heritage located beyond the limits of national jurisdiction. Any discovery or intended activity concerning underwater cultural heritage located in the Area shall also be notified by the [Competent National Authority] to the Secretary-General of the International Seabed Authority.
- 2.) In case of discoveries or intended activities directed at underwater cultural heritage located in the Exclusive Economic Zone or on the Continental Shelf of another State [Party to the UNESCO 2001 Convention] [that State shall be informed by the relevant national or vessel flying the State flag]/[all States Parties to the Convention shall be informed [by the Competent National Authority]].

### 12. Receipt of Information and Declaration of Interest

- 1.) Any declaration or invitation for consultation from other States and/or the Director-General of UNESCO regarding underwater cultural heritage shall be lodged with the [Competent National Authority].
- 2.) Where the [Competent National Authority] determines that the State has a Verifiable Link with certain underwater cultural heritage it shall declare the interest of the State, where it is located in
  - a) the Exclusive Economic Zone or on the Continental Shelf of another State to that State, if that State is a State Party to the UNESCO 2001 Convention;
  - b) the Area, to the Director-General of UNESCO and any State who coordinates, controls, authorizes or undertakes a search of or activities directed at such heritage.

### 13. Consultation and Coordination

- 1.) In case of discoveries of or intended activities directed at underwater cultural heritage located in the national Exclusive Economic Zone or on the Continental Shelf, the [Competent National Authority/Foreign Office] shall
  - a) consult all States Parties to the UNESCO 2001 Convention, which have declared their interest on how to best protect such heritage, if this declaration is based on a Verifiable Link as "Coordinating State"; or



- b) make a declaration that it does not wish act as Coordinating State if a reasonable motive exists that makes it desirable for the State not to act as such.
- 2.) Where the relevant underwater cultural heritage is located in the Area and [the Competent National Authority] has declared the interest of the State to be consulted and is invited by the Director-General of UNESCO it shall:
- a) declare how this underwater cultural heritage should be best protected;
  - b) declare which State should be appointed as Coordinating State; and
  - c) conduct and coordinate consultations as Coordinating State if [the State who enacts the Act] was appointed to this function.

#### **14. Coordination of Measures**

- 1.) If the State acts as Coordinating State [according to the UNESCO 2001 Convention] the Competent National Authority shall implement the measures of protection for the underwater cultural heritage which have been agreed in consultation with all other States consulted and issue all necessary permits for such measures in conformity with the Rules<sup>4</sup>, unless it has been agreed that another State Party shall do so.
- 2.) In coordinating or authorizing activities and in implementing measures the [Competent National Authority] shall act on behalf of all concerned States and for the benefit of humanity.
- 3.) Particular regard shall be paid to the preferential rights of States of cultural, historical or archaeological origin in respect of the underwater cultural heritage concerned.

### **V. IMMEDIATE DANGER TO CULTURAL HERITAGE**

#### **15. Immediate Danger**

- 1.) The [Competent National Authority] shall take all practicable measures, and/or issue any necessary permits, if necessary prior to any consultations, to prevent immediate danger to any cultural heritage. In taking such measures, the Competent National Authority may seek assistance from other States.
- 2.) The [Competent National Authority] shall, as far as practicable and, provided it is not contrary to national interests, when requested by another State or States, take all necessary measures to assist the other State or States in taking measures preventing immediate danger to cultural heritage]

### **VII. ACTIVITIES INCIDENTALLY AFFECTING CULTURAL HERITAGE**

#### **16. Activities incidentally affecting Cultural Heritage**

- 1.) Any person or corporation, intending to undertake an activity in an area that contains cultural heritage; or where there is a reasonable expectation that an area may contain cultural heritage such as

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<sup>4</sup> In the present model Act, the annexed Rules are based on the Rules annexed to the UNESCO 2001 Convention on the Protection of the Underwater Cultural Heritage. If changes are made to them in the case of the present section consideration would need to be given to the Rules annexed to the 2001 Convention.

- a) known cultural heritage sites or settlements;
- b) ports or former ports;
- c) shipping or trade routes; or
- d) terrestrial or marine battlefields;

has to notify the Competent National Authority of its intended activity at least [60 days] prior to the commencement of that activity. The intended activity shall be prohibited if it endangers or damages such heritage more than appears to be reasonable in comparison to the achieved public benefit.

- 2.) Industrial activities impacting areas, where cultural heritage is or may possibly be present, have to undertake an impact assessment study as part of their application for the authorization of the concerned development or other project.
- 3.) The competent national authority has to be consulted mandatorily in the authorization of development and resource extraction projects that concern areas where cultural heritage is or may possibly be present.
- 4.) The public and private developers of such projects shall provide the funds and be responsible for:
  - a) the assessment of the project area and the identification of cultural heritage therein;
  - b) the prevention, to the extent possible, of impact to cultural heritage caused by the project in the project area and its surrounding environment;
  - c) the mitigation of negative effects caused by the project in the project area and its surrounding environment;
  - d) the conservation of the affected cultural heritage; and the promotion of affected cultural heritage and the dissemination of knowledge about it.
- 5.) *[Insert further details if needed.]*

## VII. OWNERSHIP OF CULTURAL HERITAGE

### 17. Ownership of Cultural Heritage

- 1.) Cultural heritage of an archaeological character, including underwater cultural heritage, is owned by the State, provided there is no existing ownership immediately prior to its discovery.
- 2.) The law of finds does not apply to cultural heritage. The law of salvage does not apply to underwater cultural heritage.
- 3.) A person who discovers cultural heritage of an archaeological character, including underwater cultural heritage, may be rewarded at the discretion of the Competent National Authority.

### 18. Public Acquisition

- 1.) The [Competent National Authority/ parliament / ministry of culture] may decide upon the public utility of an acquisition by the State of any cultural heritage, and if applicable, its

context or the site where it is located. If such utility is given, it may negotiate acquisition for the State.

- 2.) If negotiations are not successful, the [Competent National Authority] may in the case of objects, upon approval by the [Ministry of Culture] declare compulsory transfer of ownership against indemnification in the amount of the value of the object to its owner, and publish this decision in the [Public Gazette]. Upon publication, the concerned object vests immediately in the [State/Crown].
- 3.) If no agreement can be reached about the amount of indemnification or if there is an objection to the declaration of compulsory transfer of ownership, a proceeding may be brought to [the Competent Court].
- 4.) No person shall dispose of or acquire an object while it is under consideration for public acquisition or when compulsory transfer has been declared.
- 5.) For sites, buildings and structures the applicable national laws apply.

## VIII. CONTROL, SANCTIONS AND SEIZURE

### 19. Seizure and Disposition of Cultural Heritage

- 1.) Cultural heritage is subject to seizure if
  - a) it has been recovered without a valid permit;
  - b) was stolen or illicitly imported, exported or the transfer of ownership was illegal.
- 2.) Seized cultural heritage shall be immediately recorded, protected and stabilized, as far as needed and practicable. The disposition shall be for the public benefit, taking into account the need for conservation and research, the reassembly of a dispersed collection, the need for public access, exhibition and education; and the interests of any State with a verifiable link, especially a cultural, historical or archaeological link, in respect of the cultural heritage concerned.
- 3.) If underwater cultural heritage is seized which had been recovered from a site outside of the national territorial waters, [the Competent National Authority] shall notify the Director-General of UNESCO and any other State with a verifiable link, especially a cultural, historical or archaeological link, to the heritage concerned of this seizure.
- 4.) The authorities authorized to seize are the [police authorities, frontier control, the coast guards and the national competent authority].

### 20. Access to Premises

- 1.) The [Competent National Authority/ Police/...] shall have the right of access to any private or public property, aircraft or vessel, with the exception of property in the use of the military, and conduct any inspection if this is reasonably necessary to fulfil its tasks, in particular regarding an object, which appears to be cultural heritage. To do so it needs a judicial warrant to be delivered by [*applicable magistracy*].
- 2.) It may remove or seize any such object for further inspection and safekeeping.

## **21. Prohibition of Use and Entry into State Territory, Dealing, Possession**

- 1.) The entry into national territory, the dealing in, or the possession of cultural heritage unlawfully exported and/or recovered from another State or recovered in a manner not in conformity with the UNESCO Convention on the Protection of the Underwater Cultural Heritage is prohibited.
- 2.) The use of State territory under national jurisdiction and control, including maritime ports, artificial islands, installations and structures, in support of any illegal or damaging activity directed at cultural heritage is prohibited.

## **22. Infringements and Sanctions**

- 1.) A person or corporation, who
  - a) undertakes any research, activity or recovery directed at cultural heritage of an archaeological character, including underwater cultural heritage, without a valid permit;
  - b) damages or destroys cultural heritage;
  - c) exports any cultural heritage without a valid export certificate;
  - d) alienates cultural heritage, which is under consideration for public acquisition or has been publicly acquired;is guilty of an offence and is liable to a fine up to [EC\$ 100,000.00] or, in the case of a person, to imprisonment of up to [5] years or to both a fine and imprisonment [or community service].
- 2.) A person or corporation, who by hiding, falsifying or refusing factual information or by violent action steals, damages, destroys, exports or unlawfully recovers cultural heritage or opposes any actions of the [Competent National Authority] in an unlawful manner is guilty of an offence and is liable to a fine of up to [EC\$ 100,000.00] or in the case of a person, to imprisonment of up to [5] years or to both a fine and imprisonment.

## **XII. RETURN**

### **23. Return of Illegally Trafficked Cultural Heritage**

- 1.) Any cultural heritage, which has been brought into the State, be it
  - a) without an export certificate, if this is mandatory due to the regulations of the State of origin;
  - b) has been stolen from a public institution or museum, in whose register it had been inscribed;
  - c) was lost against the will of the owner;
  - d) was illegally excavated or legally excavated but unlawfully retained; or
  - e) was declared inalienable by the national authorities of the State of origin,shall be returned [if reciprocity is ensured by the demanding State]. All expenses incident to the return and delivery of the cultural heritage shall be borne by the requesting State and this State has to furnish at its expense the evidence necessary to establish its claim.
- 2.) As soon as the [Competent National Authority] learns of a case falling under subsection 1 it shall inform the embassy of the concerned State or of the State likely to be concerned.

- 3.) The claim for return shall be brought through diplomatic offices to the attention of the [Ministry of Culture] within a period of [3] years from the moment when the requesting State learns of the location of the cultural heritage and the identity of its possessor, and in any case within a period of [one hundred years] from the time of the theft or of the export, otherwise it loses its claim.
- 4.) A claim for return of cultural heritage forming an integral part of a classified site, or belonging to a public collection, shall not be subject to time limitations other than a period of [one years] from when the claimant knew the location of the object and the identity of its possessor.

### XIII. FURTHER REGULATIONS

#### **24. Judicial Review**

- 1.) [*Give further details*]

#### **25. Regulations**

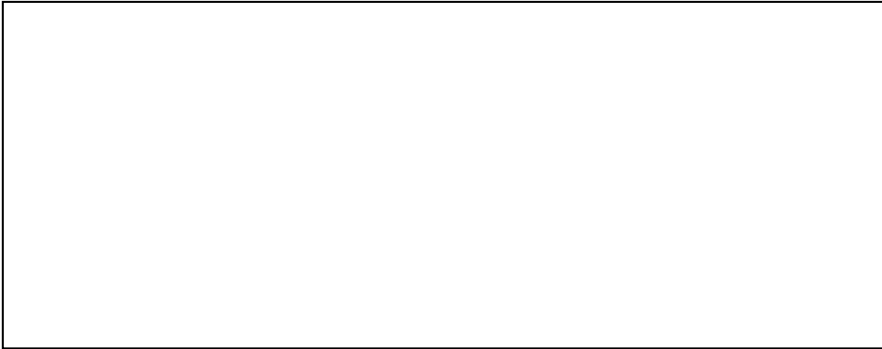
- 1.) [*give details*]

#### **26. Entry into force**

This Act comes into force upon its publication in the [National Gazette]. It shall be cited as the [National Cultural Heritage Act].

ANNEX 1 EXPORT CERTIFICATE FOR CULTURAL OBJECTS

**This document is issued in 5 copies, each heading must be completed, except headings 2, 12 and 18 if they do not apply**

<b>Application</b>	<b>1</b>	1. Beneficiary applicant requesting the exportation (name and address)	2. Beneficiary applicant's representative (name and address )
		3. Issuing authority (name and address)	4. Export authorization No. Duration: _____ From : ___ / ___ / ___ Country of destination :
		5. Initial consignee (and subsequent consignee(s)) if known (name and address)	6. Type of export <input type="checkbox"/> Permanent export <input type="checkbox"/> Temporary export Time limit for re-importation : ___ / ___ / ___
		7. Owner of the cultural object (name and address)	
		8. Photograph of the cultural object : 9 x 12 centimetres minimum	
			
<p>(Continue on supplementary pages if necessary. Validate with the issuing authority's signature and stamp)</p>			

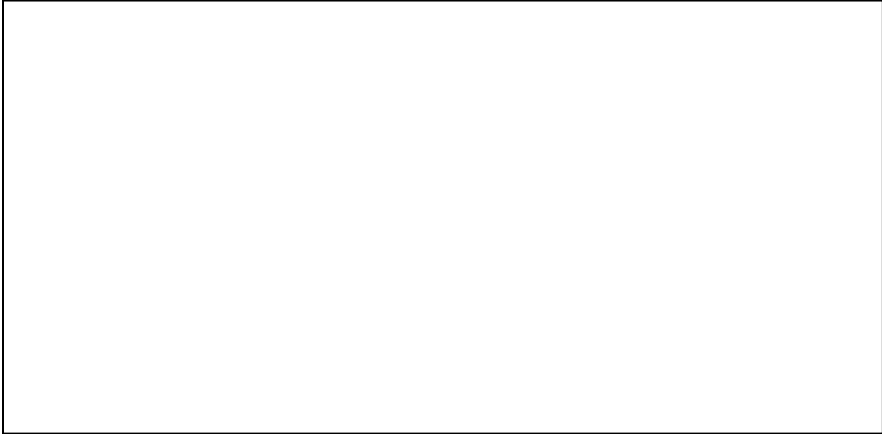
<p>9. Dimensions and net weight of the cultural object (possibly with its stand)</p>	<p>10. Inventory number or other identification</p> <p><input type="checkbox"/> Inventory : No.</p> <p><input type="checkbox"/> No existing inventory</p> <p><input type="checkbox"/> Other classification : No.</p> <p><input type="checkbox"/> No other existing classification</p>
<p>11. Description of the cultural object</p> <p>(a) Type : (e) Geographical origin :</p> <p>(b) Author /co-author: (f) Dating :</p> <p>(c) Title or, failing that, subject matter : (g) Other information for identification purposes:</p> <p>(d) Scientific name if there is one:</p>	
<p>12. Number of cultural objects in the collection</p> <p>Presented :</p> <p>Not presented :</p>	<p>13. Copy, attribution, period, studio and/or style</p>

14. Material(s) and Technique(s)	
15. Actual value of the cultural object or, failing that, estimated value based on reasonable criteria in the country of exportation :	
16. Legal status and use of the cultural object  Status: <input type="checkbox"/> Sold <input type="checkbox"/> Loaned <input type="checkbox"/> Exchanged <input type="checkbox"/> Other (please specify) :  Exported for: <input type="checkbox"/> Exhibition <input type="checkbox"/> Appraisal <input type="checkbox"/> Research <input type="checkbox"/> Repair <input type="checkbox"/> Other (please specify) :	
17. Attached documents /special identification methods  <input type="checkbox"/> Photograph (colour) <input type="checkbox"/> Bibliography <input type="checkbox"/> Other (please specify) : <input type="checkbox"/> List <input type="checkbox"/> Catalogue <input type="checkbox"/> Seals <input type="checkbox"/> Valuation documents	
18. Supplementary pages : number of supplementary pages if applicable (in figures and letters)	
19. Application I hereby apply for an export authorization for the cultural object described above and declare that the information in this application and the supporting documents is true. Place and date :                      Signature :  (Position and name of signatory)	20. Signature and stamp of issuing authority  Place and date :



EXPORT CERTIFICATE FOR CULTURAL OBJECTS **COPY 2**

**Each heading must be completed, except headings 2, 12 and 18 if they do not apply**

<b>Applicant's copy</b>	<b>2</b>	1. Beneficiary applicant requesting the exportation (name and address)	2. Beneficiary applicant's representative (name and address)
		3. Issuing authority (name and address)	4. Export authorization No. Duration: _____ From : ___ / ___ / ___ Country of destination :
		5. Initial consignee (and subsequent consignee(s)) if known (name and address)	6. Type of export <input type="checkbox"/> Permanent export <input type="checkbox"/> Temporary export Time limit for re-importation : ___ / ___ / ___
		7. Owner of the cultural object (name and address)	
		8. Photograph of the cultural object: 9 x 12 centimetres minimum	
			

(Continue on supplementary pages if necessary. Validate with the issuing authority's signature and stamp)

9. Dimensions and net weight of the cultural object (possibly with its stand)

10. Inventory number or other identification

Inventory :  
No.

No existing inventory

Other classification :  
No.

No other existing classification

11. Description of the cultural object

(a) Type : (e) Geographical origin :

(b) Author /co-author: (f) Dating :

(c) Title or, failing that, subject matter : (g) Other information for identification purposes:

(d) Scientific name (if there is one):

12. Number of cultural objects in the collection  
Presented :  
Not presented :

13. Copy, attribution, period, studio and/or style

14. Material(s) and Technique(s)

15. Actual value of the cultural object or, failing that, estimated value based on reasonable criteria in the country of exportation :

16. Legal status and use of the cultural object

Status:  Sold  Loaned  Exchanged  Other (please specify) :

Exported for:  Exhibition  Appraisal  Research  Repair  Other (please specify) :

17. Attached documents /special identification methods

Photograph (colour)  Bibliography  Other (please specify) :

List  Catalogue

Seals  Valuation documents

18. Supplementary pages : number of supplementary pages if applicable (in figures and letters)

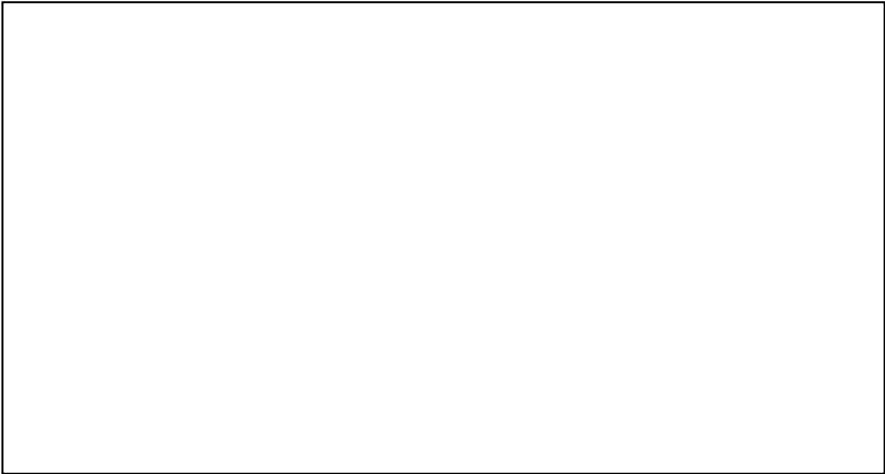
19. Endorsement by Customs Export Office

20. Signature and stamp of issuing authority

<p>Signature and stamp :</p> <p>Customs office :</p> <p>Country :</p> <p>Export document No. :</p> <p>Dated:</p>	<p>Place and date :</p>
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EXPORT CERTIFICATE FOR CULTURAL OBJECTS **COPY 3**

**Each heading must be completed, except headings 2, 12 and 18 if they do not apply**

<b>3</b> <b>Issuing authority's copy</b>	1. Beneficiary applicant requesting the exportation (name and address)	2. Beneficiary applicant's representative (name and address)
	3. Issuing authority (name and address)	4. Export authorization No. _____ Duration: _____ From : ___ / ___ / ___  Country of destination :
	5. Initial consignee (and subsequent consignee(s)) if known (name and address)	6. Type of export  <input type="checkbox"/> Permanent export  <input type="checkbox"/> Temporary export Time limit for re-importation : ___ / ___ / ___
	7. Owner of the cultural object (name and address)	
8. Photograph of the cultural object: 9 x 12 centimetres minimum		
		
(Continue on supplementary pages if necessary. Validate with the issuing authority's signature and stamp).		

<p>9. Dimensions and net weight of the cultural object (possibly with its stand)</p>	<p>10. Inventory number or other identification</p> <p><input type="checkbox"/> Inventory : No.</p> <p><input type="checkbox"/> No existing inventory</p> <p><input type="checkbox"/> Other classification : No.</p> <p><input type="checkbox"/> No other existing classification</p>
<p>11. Description of the cultural object</p> <p>(a) Type : (e) Geographical origin :</p> <p>(b) Author /co-author: (f) Dating :</p> <p>(c) Title or, failing that, subject matter : (g) Other information for identification purposes:</p> <p>(d) Scientific name (if there is one):</p>	
<p>12. Number of cultural objects in the collection</p> <p>Presented :</p> <p>Not presented :</p>	<p>13. Copy, attribution, period, studio and/or style</p>
<p>14. Material(s) and Technique(s)</p>	
<p>15. Actual value of the cultural object or, failing that, estimated value based on reasonable criteria in the country of exportation :</p>	
<p>16. Legal status and use of the cultural object</p> <p>Status: <input type="checkbox"/> Sold <input type="checkbox"/> Loaned <input type="checkbox"/> Exchanged <input type="checkbox"/> Other (please specify) :</p> <p>Exported for: <input type="checkbox"/> Exhibition <input type="checkbox"/> Appraisal <input type="checkbox"/> Research <input type="checkbox"/> Repair <input type="checkbox"/> Other (please specify) :</p>	
<p>17. Attached documents /special identification methods</p> <p><input type="checkbox"/> Photograph (colour) <input type="checkbox"/> Bibliography <input type="checkbox"/> Other (please specify) :</p> <p><input type="checkbox"/> List <input type="checkbox"/> Catalogue</p> <p><input type="checkbox"/> Seals <input type="checkbox"/> Valuation documents</p>	

18. Supplementary pages : number of supplementary pages if applicable (in figures and letters)

19. Endorsement by Customs Export Office

Signature and stamp

Customs office :

Country :

Export document No.:

Dated:

20. Signature and stamp of issuing authority

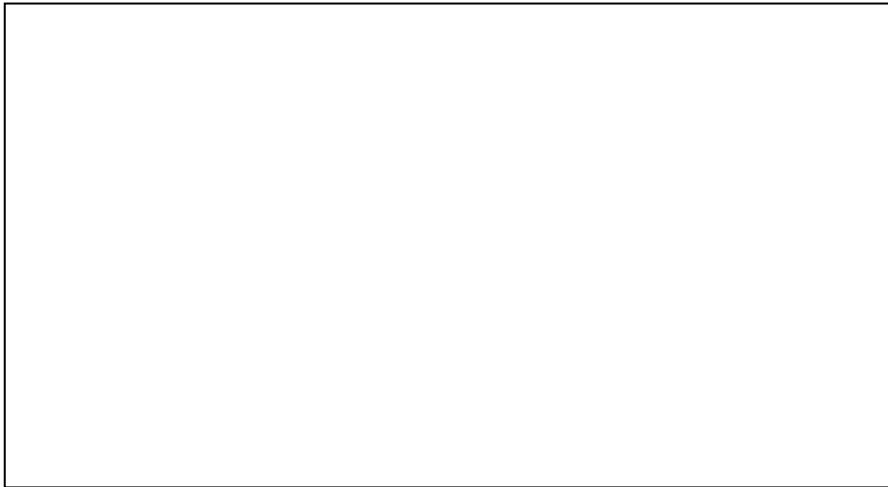
Place and date :

21. Customs exit office

Stamp and date :

EXPORT CERTIFICATE FOR CULTURAL OBJECTS **COPY 4**

**Each heading must be completed, except headings 2, 12 and 18 if they do not apply**

<b>Copy for Customs authorities at exportation</b>	<b>4</b>	1. Beneficiary applicant requesting the exportation (name and address)	2. Beneficiary applicant's representative (name and address)
		3. Issuing authority (name and address)	4. Export authorization No. Duration: _____ From : ___ / ___ / ___  Country of destination :
		5. Initial consignee (and subsequent consignee(s) if known) (name and address)	6. Type of export  <input type="checkbox"/> Permanent export  <input type="checkbox"/> Temporary export Time limit for re-importation : ___ / ___ / ___
		7. Owner of the cultural object (name and address)	
		8. Photograph of the cultural object : 9 x 12 centimetres minimum	
			
<p>(Continue on supplementary pages if necessary. Validate with the issuing authority's signature and stamp).</p>			

<p>9. Dimensions and net weight of the cultural object (possibly with its stand)</p>	<p>10. Inventory number or other identification</p> <p><input type="checkbox"/> Inventory : No.</p> <p><input type="checkbox"/> No existing inventory</p> <p><input type="checkbox"/> Other classification : No.</p> <p><input type="checkbox"/> No other existing classification</p>
<p>11. Description of the cultural object</p> <p>(a) Type : (e) Geographical origin :</p> <p>(b) Author /co-author: (f) Dating :</p> <p>(c) Title or, failing that, subject matter : (g) Other information for identification purposes:</p> <p>(d) Scientific name (if there is one):</p>	
<p>12. Number of cultural objects in the collection</p> <p>Presented :</p> <p>Not presented :</p>	<p>13. Copy, attribution, period, studio and/or style</p>
<p>14. Material(s) and Technique(s)</p>	
<p>15. Actual value of the cultural object or, failing that, estimated value based on reasonable criteria in the country of exportation :</p>	
<p>16. Legal status and use of the cultural object</p> <p>Status: <input type="checkbox"/> Sold <input type="checkbox"/> Loaned <input type="checkbox"/> Exchanged <input type="checkbox"/> Other (to be specified) :</p> <p>Exported for: <input type="checkbox"/> Exhibition <input type="checkbox"/> Appraisal <input type="checkbox"/> Research <input type="checkbox"/> Repair <input type="checkbox"/> Other (please specify) :</p>	
<p>17. Attached documents /special identification methods</p> <p><input type="checkbox"/> Photograph (colour) <input type="checkbox"/> Bibliography <input type="checkbox"/> Other (please specify) :</p> <p><input type="checkbox"/> List <input type="checkbox"/> Catalogue</p> <p><input type="checkbox"/> Seals <input type="checkbox"/> Valuation documents</p>	



18. Supplementary pages : number of supplementary pages if applicable (in figures and letters)	
19. Endorsement by Customs Export Office  Signature and stamp  Customs office : Country : Export document No. :  Dated:	20. Signature and stamp of issuing authority      Place and date :
21. Customs exit office Stamp and date :	

EXPORT CERTIFICATE FOR CULTURAL OBJECTS **COPY 5**

**Each heading must be completed, except for headings 2, 12 and 18 if they do not apply**

<b>Copy for authorities at importation</b>	<b>5</b>	1. Beneficiary applicant requesting the exportation (name and address)	2. Beneficiary applicant's representative (name and address)
	3. Issuing authority (name and address)	4. Export authorization No. Duration: _____ From : ___ / ___ / ___  Country of destination :	
	5. Initial consignee (and subsequent consignee(s) if known) (name and address)	6. Type of export  <input type="checkbox"/> Permanent export  <input type="checkbox"/> Temporary export Time limit for re-importation : ___ / ___ / ___	
	7. Owner of the cultural object (name and address)		
	8. Photograph of the cultural object : 9 x 12 centimetres minimum		

(Continue on supplementary pages if necessary. Validate with the issuing authority's signature and stamp).

<p>9. Dimensions and net weight of the cultural object (possibly with its stand)</p>	<p>10. Inventory number or other identification</p> <p><input type="checkbox"/> Inventory : No.</p> <p><input type="checkbox"/> No existing inventory</p> <p><input type="checkbox"/> Other classification : No.</p> <p><input type="checkbox"/> No other existing classification</p>
<p>11. Description of the cultural object</p> <p>(a) Type : (e) Geographical origin :</p> <p>(b) Author /co-author: (f) Dating :</p> <p>(c) Title or, failing that, subject matter : (g) Other information for identification purposes:</p> <p>(d) Scientific name (if there is one):</p>	
<p>12. Number of cultural objects in the collection</p> <p>Presented :</p> <p>Not presented :</p>	<p>13. Copy, attribution, period, studio and/or style</p>
<p>14. Material(s) and Technique(s)</p>	
<p>15. Actual value of the cultural object or, failing that, estimated value based on reasonable criteria in the country of exportation :</p>	
<p>16. Legal status and use of the cultural object</p> <p>Status: <input type="checkbox"/> Sold <input type="checkbox"/> Loaned <input type="checkbox"/> Exchanged <input type="checkbox"/> Other (to be specified) :</p> <p>Exported for: <input type="checkbox"/> Exhibition <input type="checkbox"/> Appraisal <input type="checkbox"/> Research <input type="checkbox"/> Repair <input type="checkbox"/> Other (please specify) :</p>	
<p>17. Attached documents /special identification methods</p> <p><input type="checkbox"/> Photograph (colour) <input type="checkbox"/> Bibliography <input type="checkbox"/> Other (please specify) :</p> <p><input type="checkbox"/> List <input type="checkbox"/> Catalogue</p> <p><input type="checkbox"/> Seals <input type="checkbox"/> Valuation documents</p>	

18. Supplementary pages : number of supplementary pages if applicable (in figures and letters)	
19. Endorsement by Customs Export Office  Signature and stamp  Customs office : Country : Export document No. :  Dated:	20. Signature and stamp of issuing authority       Place and date :
21. Customs exit office Stamp and date :	

## EXPLANATORY NOTES TO THE EXPORT CERTIFICATE

### 1. General

This form comprises five copies, which must be filled in legibly for each cultural object, without overwritten text, erasures or alterations. They should preferably be completed using a mechanical or electronic typewriter.

Each heading must be completed, except headings 2, 12 and 18 if they do not apply. Areas not used must be barred or scored out in such a way that nothing can be added.

In the multipart form, copies are identifiable by their number and function, located in the left margin. They are arranged in the following order:

- Copy No. 1: Application to be retained by the issuing authority;
- Copy No. 2: To be presented, in support of the export declaration, to the Customs export office and to be retained by the applicant requesting the exportation (or his representative);
- Copy No. 3: To be presented to the Customs export office and then to accompany the consignment to the Customs office at the point of exit from the country. After endorsement by the Customs service, this copy is returned to the issuing authority by Customs, or by the applicant requesting the exportation or his representative.
- Copy No. 4: To be retained by the Customs export office (or the Customs office at the point of exit from the country).
- Copy No 5: To be presented to the Customs export office and then to accompany the consignment to the Customs office at the point of exit from the country. After endorsement by the Customs service, it accompanies the cultural object and must be presented at importation in the country of destination to certify the legality of the export operation.

### 2. Headings

Heading 1: *Beneficiary applicant requesting the exportation*: Full name and address. The applicant requesting the export permit (e.g. museum, art dealer, gallery or individual) may or may not be the owner of the cultural object (if the regulation so permits).

Heading 2: *Beneficiary applicant's representative*: Full name and address of the legal or authorized representative (e.g. carrier, forwarding agent, authorized agent or other). To be completed only when such a representative exists.

Heading 3: *Issuing authority* (heading for issuing authority only): Name and full address of the competent authority issuing the permit.

Heading 4: *Export license* (heading for issuing authority only): Indicate the permit number, its duration (in months or years), the date from which export is authorized and the country of destination.

Heading 5: *Initial consignee (and subsequent consignee(s) if known):* Full name and address of the consignee(s) of the cultural object (e.g. museum, art dealer, gallery or individual). Continue on supplementary pages if necessary.

Heading 6: *Type of export* (heading for the issuing authority only): Tick the appropriate heading. If it is a temporary export, the time limit for re-importation of the cultural object must be indicated.

Heading 7: *Owner of the cultural object:* name (e.g. museum, art dealer, gallery or individual) and full address.

Heading 8: *Photograph of the cultural object* (in colour and minimum 9 x 12 centimetres) : To be stuck on to the form. The issuing authority must validate the photo by signing and stamping it. The issuing authority is invited to request other photos, taken from different angles, for three-dimensional objects.

Heading 9: *Dimensions and net weight of the cultural object (possibly with its stand) :* The unit of measurement for these dimensions is in meters or centimetres, in the following order : height, width, depth and diameter if appropriate. For the net weight of the cultural object (possibly with its stand), the unit of measurement is kilograms or grams.

Heading 10: *Inventory number or other identification:* Tick the appropriate heading(s). Enter the inventory number of the cultural object within the establishment or collection of origin. If no inventory exists, specify this for the cultural object at issue and enter the number of any other existing specific or by category classification.

Heading 11: *Description of the cultural object.* Apart from identification by number (inventory or other, see heading 10), describe the cultural object by:

- (a) Its precise nature (e.g. painting, statue, low-relief);
- (b) Its possible author or co-authors, if known and/or documented. If the author is unknown, indicate: name unknown. Specify if the work is signed (signature, monogram) and in what part;
- (c) Its precise title or, failing that, the subject matter it represents :

- Title: The title to be used is the official one, i.e. that listed in an inventory of cultural property or by the national heritage and cultural property authorities. The title should be given: (1) in the author's original language or, failing that, in the language of the catalogue; (2) in the language of the form.

Example: Painting by Munch from the museum in Oslo (Norway)

(1) In the original language : SKRIK

(2) In the language of the form (English) : The SCREAM.

It is very important to give the exact title, especially for books.

- Subject matter: for paintings, mention portrait, landscape, still life, etc.  
For furniture, specify: armchair, commode, wardrobe, etc. If it is a statue: dancer, bishop, musician, etc. For a religious or liturgical object: chalice, paten, ciborium, etc.

- (d) Its scientific name (especially for natural science collections and specimens), if one exists,
- (e) Its geographical origin,
- (f) Dating (as accurately as possible),
- (g) Any other useful information that could facilitate its identification. Specify, for example, if restoration work has been carried out, if certain elements or parts of the object are missing, damaged, cracked, etc. Indicate the issue number for bronze castings, sculptures and works such as lithographs and engravings.

For collections comprising several items forming a homogenous whole (e.g. archaeological finds with similar dates found during the same excavation), a general description of the above characteristics, together with a list of objects and/or a certificate from the competent scientific or archaeological organization or institute.

Continue on supplementary pages if necessary.

Heading 12: *Number of cultural objects in the collection* : If the cultural objects presented at export form a homogenous whole making up part of a collection, specify their number and the number of other objects in the collection not presented at export (if applicable).

Heading 13: *Copy, attribution, period, studio and/or style*: If they are copies, indicate the author or authors copied. If the work is simply attributed to one author, indicate “attributed to ....”

Attributed to: Followed by an author’s name; guarantees that the work was produced during the lifetime of the author mentioned and that there are serious reasons for believing he/she was the author.

If the author is unknown, indicate the studio, school, style and period (e.g. Velasquez’s studio, Venetian school, Louis XV or Victorian style, Ming period, etc.). For printed documents, indicate the editor’s name.

Studio: Followed/preceded by the author’s name, indicates that the work was produced in his studio or under his leadership.

School: Expression which, when followed by the author’s name, indicates that the author was a pupil of the master. These terms may only be applied to a work produced during the author’s lifetime or within 50 years of his death.

Heading 14: *Material(s) and technique(s)* : Great care should be taken when completing this heading; indicate the materials used and specify the technique employed

(e.g. oil painting, woodcut, charcoal or pencil drawing, low wax casting, nitrate films, etc.).

- Heading 15: *Value of the cultural object in the country of exportation*: Indicate the actual values or, failing that, an estimated value on the basis of reasonable criteria, in the national or reference currency (in this case, indicate the currency).
- Heading 16: *Legal status and use*: Specify whether the cultural object presented at export has been sold, loaned, exchanged or other, and whether it is being exported for an exhibition, appraisal, research, repair or any other use.
- Heading 17: *Attached documents/Specific methods of identification*: Tick the relevant heading.
- Heading 18: *Supplementary pages*: Indicate the number of supplementary pages used, if any.
- Heading 19: *For copy (1) : Application* : Must be completed by the applicant requesting the exportation or his representative, who undertakes to provide accurate information in the application and the attached supporting documents.  
*For copies (2), (3), (4) and (5) : Endorsement by the Customs export office*: to be completed by the Customs export office. This means the office where the export declaration is presented and the export formalities are completed.
- Heading 20: *Signature and stamp of issuing authority*: To be completed by the competent authority, specifying the place and date on the five copies of the permit.
- Heading 21: *Endorsement by the Customs exit office*: For copies 3, 4 and 5 only. To be completed by the Customs exit office, bearing the date. Customs exit office means the last Customs office prior to the exit of the objects from the country.



## ANNEX 2 RULES CONCERNING ACTIVITIES DIRECTED AT CULTURAL HERITAGE OF AN ARCHAEOLOGICAL CHARACTER, INCLUDING UNDERWATER CULTURAL HERITAGE

### I. GENERAL RULES

#### **Rule 1. Protection Standards**

- 1.) Activities directed at cultural heritage of an archaeological character, which includes terrestrial, sub-terrestrial and underwater cultural heritage, shall be authorized in a manner consistent with their protection and for the purpose of making a significant contribution to their protection and enhancement or to gain knowledge about them.
- 2.) The preservation of cultural heritage of an archaeological character including underwater cultural heritage in its original location in situ shall be considered as the first option before allowing or engaging in any activity, including a recovery or displacement. It shall not be commercially exploited, bartered or sold. This shall not be interpreted as prohibiting responsible public access, museum exhibition, exchange between museums or scientific research.

#### **Rule 2. Rejection of Commercial Exploitation**

- 1.) The commercial exploitation of cultural heritage of an archaeological character, including underwater cultural heritage, for trade or speculation or its irretrievable dispersal is fundamentally incompatible with its protection and proper management. It shall not be traded, sold, bought or bartered as commercial goods.
- 2.) This Rule cannot be interpreted as preventing:
  - a) the provision of professional archaeological services or necessary services incidental thereto whose nature and purpose are in conformity with the law and are authorized by the Competent National Authority;
  - b) the deposition of material recovered in the course of an authorized research project, provided such deposition does not prejudice the scientific or cultural interest or integrity of this material or results in its dispersal and is in accordance with Rule 21.

#### **Rule 3. Mitigation of Adverse Effects**

- 1.) Activities directed at cultural heritage of an archaeological character, including underwater cultural heritage shall affect them not more adversely than necessary for the objectives of the project.
- 2.) Non-destructive techniques and survey methods must be used in preference to excavation and recovery of objects. If excavation or recovery is necessary for the purpose of scientific studies or for protection, the methods and techniques used must be as non-destructive as possible and the preservation of the remains should be ensured.

#### **Rule 4. Human Remains and Venerated Sites**

- 1.) Activities directed at cultural heritage of an archaeological character, including underwater cultural heritage shall avoid the unnecessary disturbance of human remains or venerated sites.
- 2.) No public exhibition or media publication of human remains shall be made
  - a) against the pronounced wish of the family or State of origin of a deceased;
  - b) without scientific necessity or a considerable public interest, this being also the interest of public information and education;
  - c) without respecting the dignity of the deceased.

#### **Rule 5. International Cooperation**

International cooperation in the conduct of activities directed at cultural heritage of an archaeological character, including underwater cultural heritage shall be encouraged. It shall further the:

- a) exchange and use of historical, technical and scientific knowledge;
- b) exchange and use of archaeologists and other relevant professionals; and
- c) effectiveness of protection measures.

#### **Rule 6. Content of Project Design**

- 1.) Prior to the permission of any activity directed at cultural heritage of an archaeological character, including underwater cultural heritage, a project design shall be developed and submitted to the Competent National Authorities.
- 2.) The project design needs to include:
  - a) the project description and its objectives;
  - b) an assessment of previous or preliminary studies and the vulnerability of the site or objects;
  - c) the methodology to be used and the techniques to be employed;
  - d) the anticipated funding and its sources;
  - e) a timetable to assure the completion of all stages of the project;
  - f) the composition of the team and the qualifications, responsibilities and experience of each team member;
  - g) plans for post-fieldwork analysis and other activities;
  - h) a conservation programme;
  - i) a site management and maintenance policy for the whole duration of the project;
  - j) a documentation programme;
  - k) a safety policy;
  - l) an environmental policy;
  - m) arrangements for collaboration with museums and other institutions, in particular scientific institutions;
  - n) a report preparation;
  - o) a plan for the deposition of archives, documentation and recovered cultural heritage ;  
and
  - p) a programme for publication.

- 3.) The project design shall furthermore
  - a) demonstrate the ability to fund the project through to completion; and
  - b) include a contingency plan that will ensure conservation of cultural heritage and supporting documentation in the event of any interruption of funding or any interruption or termination of the project.

#### **Rule 7. Compliance with the Project Design**

- 1.) Activities directed at cultural heritage of an archaeological character, including underwater cultural heritage shall be carried out in accordance with the project design as approved by the Competent National Authority.
- 2.) Where unexpected discoveries are made or circumstances change, the project design shall be reviewed and amended subject to approval by the Competent National Authority.

#### **Rule 8. Immediate Danger**

In cases of immediate danger, urgency or chance discoveries, activities, including conservation measures or activities for a period of short duration, in particular site stabilization, may be authorized in the absence of a project design if this is in the interest of protection.

### **II. SPECIFIC RULES**

#### **Rule 9. Project Objective, Methodology and Techniques**

The applied project methodology shall comply with the project objectives, and the techniques employed shall be as non-intrusive as possible.

#### **Rule 10. Preliminary Work and Prior Assessments**

- 1.) Any work preliminary to the start of the intended activity shall include an assessment that evaluates the significance and vulnerability of the concerned cultural heritage and the surrounding natural environment to be impacted by the proposed project, and the potential to obtain data that would meet the project objectives.
- 2.) The assessment shall also include background studies of available historical and archaeological evidence, the archaeological and environmental characteristics of the site, and the consequences of any potential intrusion for the long-term stability of the cultural heritage affected by the activities.

#### **Rule 11. Funding**

Except in cases of immediate danger to the concerned cultural heritage an adequate funding base shall be assured in advance of any activity, which needs to be sufficient to complete all stages of the project design, including conservation, documentation and curation of recovered artefacts, report preparation and dissemination.

## **Rule 12. Project duration – timetable**

An adequate timetable shall be developed to assure in advance of any activity the completion of all stages of the project design, including conservation, documentation and curation of recovered material, as well as report preparation and dissemination.

## **Rule 13. Composition of the Team, Competence and Qualifications**

- 1.) Activities directed at cultural heritage of an archaeological character, including underwater cultural heritage shall only be undertaken under the direction and control of, and in the regular presence of, a qualified archaeologist with scientific competence appropriate to the particular project in question.
- 2.) All persons on the project team shall be qualified and have demonstrated competence appropriate to their roles in the project.

## **Rule 14. Conservation Programme**

The conservation programme for artefacts and the site shall be elaborated in close cooperation with the competent authorities and provide for the treatment of the cultural heritage during the activities directed at them, during transit and in the long term. Conservation shall be carried out in accordance with professional state-of-the-art standards.

## **Rule 15. Site Management Programme**

A site management programme shall be elaborated in close cooperation with the competent authorities and provide for the protection and management *in situ* of the cultural heritage of an archaeological character, including underwater cultural heritage in the course of and upon termination of fieldwork. It shall include public information, reasonable provision for site stabilization, monitoring, and protection against interference.

## **Rule 16. Documentation**

- 1.) The documentation programme shall set out thorough documentation including a progress report of activities, in accordance with current professional standards of archaeological documentation.
- 2.) Documentation shall include, at a minimum, a comprehensive record of the site, including the provenance of cultural heritage moved or removed in the course of the activities, field notes, plans, drawings, sections, and photographs or recording in other media.

## **Rule 17. Safety**

- 1.) A safety policy shall be prepared that is adequate to ensure the safety and health of the project team and third parties and that is in conformity with any applicable statutory and professional requirements.
- 2.) In the case of activities directed at underwater cultural heritage safety measures have to include appropriate dive training for the project team as well as adequate technical and medical equipment.

## **Rule 18. Environment**

An environmental policy shall be prepared that is adequate to ensure that the environment, including fauna and flora are not unduly disturbed.

## **Rule 19. Reporting**

- 1.) Interim and final reports shall be made available according to the timetable set out in the project design, and deposited with the [Competent National Authority] and in relevant public records.
- 2.) They shall include:
  - a) an account of the project objectives;
  - b) an account of the methods and techniques employed;
  - c) an account of the results achieved;
  - d) graphic and photographic documentation on all phases of the activity;
  - e) recommendations concerning conservation and curation of the site and of any material removed; and
  - f) recommendations for future activities.

## **Rule 20. Curation of Project Archives**

- 1.) Arrangements for curation of the project archives shall be agreed to before any activity commences, and shall be set out in the project design.
- 2.) The project archives, including any material recovered and a copy of all supporting documentation shall, as far as possible, be kept together and intact as a collection in a manner that is available for professional and public access as well as for the curation of the archives. This should be done as rapidly as possible and in any case not later than ten years from the completion of the project, compatible with conservation of the cultural heritage concerned.
- 3.) The project archives shall be managed according to international professional standards and subject to the approval by the [Competent National Authority].

## **Rule 21. Public Education and Dissemination**

- 1.) Projects shall provide for public education and popular presentation of the project results where appropriate.
- 2.) A final synthesis of a project shall be:
  - a) made public as soon as possible, having regard to the complexity of the project and the possible confidential or sensitive nature of any of the information; and
  - b) deposited in relevant public records.