

Act No. 332 of 4 June 1986 on Protection of Cultural Assets in Denmark

Part 1 Objective and Scope

§ 1. The objective of this Act is to protect the Danish cultural heritage through preservation of cultural assets in Denmark.

§ 2. The Act shall apply to the following cultural assets which are not publicly owned:

1. cultural objects from the period before 1660,
2. cultural objects of a value of DKK 100,000 or more and older than 100 years.

Subsection 2. Regardless of Subsection 1, item 2, photographs of a value of DKK 30,000 or more shall be subject to the Act.

Subsection 3. The Act shall not apply to coins and medals.

Subsection 4. On the recommendation of the Cultural Assets Commission, cf. Section 5, the Minister for Cultural Affairs may decide that the Act be applied to a cultural object not covered by the Act, where special circumstances require this.

Part 2 Protection of Cultural Assets

§ 3. Without a special licence, export of objects covered by this Act to other countries or the Faroe Islands and Greenland shall be prohibited.

Subsection 2. An application for an export licence may be submitted by the owner of the object only.

§ 4. Prior to any change of ownership in respect of a cultural object subject to Section 2 (4) of this Act, the owner or his successors shall inform the Cultural Assets Commission thereof.

Part 3 Export Licences

§ 5. Export licences shall be granted by the Cultural Assets Commission, consisting of the State Antiquary, the Director of the National Archives, the Director of the Royal Museum of Fine Arts, the Chief Librarian at the Royal Library as well as the Chairman of the National Council of Museums. The Commission shall elect a chairman and vice-chairman from among its members.

Subsection 2. The Minister for Cultural Affairs may lay down rules governing the activities of the Cultural Assets Commission.

§ 6. An application for an export licence must contain a detailed description of the object and its origin together with a valuation and photograph of the object, in duplicate. The latter shall not apply to applications concerning books, archive documents and the like. It must be possible to inspect the object on request. *Subsection 2.* In the event that the decision has not been notified three months at the latest from receipt of an application as mentioned in subsection 1, the export licence shall be regarded as granted. The Cultural Assets Commission shall issue a statement to this effect. *Subsection 3.* Subsection 2 shall not apply where a request for an opportunity to inspect the object has not been granted.

§ 7. Export licences for cultural objects subject to Section 2 (1) and (2) must be granted in the following cases:

1. Where the owner attests that the object has been created outside Denmark and was imported to Denmark within the last 100 years.
2. Where the owner attests his wish to export the object as part of his household effects in connection with permanent residence outside Denmark.

§ 8. Export licences concerning archive documents may be conditional upon access to copying.

§ 9. An export licence shall lapse, if the export has not taken place within five years from the issue of the licence.

§ 10. The Cultural Assets Commission may grant a standing export licence to state-owned or state-subsidized museums, or others exporting cultural objects in connection with exhibitions and the like abroad.

Part 4 Legal Effects of Export Prohibition

§ 11. Where an application for an export licence is refused the Cultural Assets Commission shall offer to buy the object at the price which can be obtained on sale on the free market.

Subsection 2. The value of the object shall be fixed upon advice from special experts.

Subsection 3. The offer to buy the object shall lapse, if the owner has not accepted the offer three months at the latest from submission.

§ 12. Objects acquired under Section 11 shall form part of the collection of a state-owned or state-subsidized museum, or other collections, in accordance with the decision of the Cultural Assets Commission. However, in exceptional cases the Commission may provide for the object to remain in the place in which it was previously kept.

Part 5 General provisions

§ 13. Contravention of Section 3 (1) or Section 4 shall be punishable by a fine.

§ 14. The decisions of the Cultural Assets Commission cannot be brought before any other administrative authority.

§ 15. This Act shall enter into force on January 1, 1987.

§ 16. This Act shall not extend to the Faroe Islands and Greenland.