



## June 2014 REPORT

Friday 6<sup>th</sup> June 2014

Thank you to those that sacrificed their time to attend the AHMF ½ term meeting on Saturday 29<sup>th</sup> March. All present were committed to historic motoring in Australia and quite a lot was achieved in our short period of time.

The minutes of the meeting have been completed and emailed to all and a summary is within this report.

We are now working towards the AGM in Wollongong in August. Make sure you have your fares and accommodation booked – and email Wendy Muddell (with email to Neil Athorn & Christine Stevens) to advise your attendance.

### NATIONAL CULTURAL HERITAGE COMMISSION

AHMF have committed to investigate thoroughly the export of vehicles of significant history to Australia. AHMF have also undertaken to provide the relevant information regarding the export as, currently, the majority of people are not aware of the act, rules and regulations. The main purpose of the Act is to control the export from Australia of significant cultural heritage objects. This ensures that objects whose loss by export overseas would significantly diminish the cultural heritage of Australia are retained for the benefit of the nation.

The Act was passed in 1986 to give force in Australian law to protect our cultural heritage, prevent the wrongful import or acquisition of designated cultural property stolen in or illegally exported and return certain stolen or illegally exported cultural property.

The Act is not intended to restrict normal and legitimate trade in cultural property and does not affect an individual's right to own or sell objects within Australia.

The Government does not wish to stop the movement of most cultural material, nor discourage the legitimate international dealing in cultural items. The aim of Government is to prevent the export of only those items that would represent a significant loss to the cultural heritage of Australia

The legislation is very clear but vehicles are still slipping through the cracks.

AHMF website will soon include the rules and regulations that need to be followed to export a vehicle. We feel strongly about preserving Australia's history in Australian for Australians – today and into the future.

Examples of vehicles that have been exported and we believe should have been protected under the act:

- a) A 1927 Bentley 4 ½ litre was sold at MotorClassica in 2013; it was believed to have been owned by Dame Nellie Melba which links it to someone significant and does bring it under the Act.

When an owner wishes to export a motor vehicle 30+ years old, the requirement is for the owner to obtain a permit. This legislation has been in place since 1986 and our endeavour is to educate people of this legislation. The Protection of Movable Cultural Heritage Regulations 1987 are attached (**Annexure 1 word doc & Annexure 2 PDF**)

There is a National Cultural Heritage Committee; members serve for terms of up to 4 years and are eligible for reappointment. The details of the National Cultural Heritage Committee are attached (**Annexure 3**).

### **Application for a Permit to Export Cultural Heritage Objects**

An Application for a Permit to Export Cultural Heritage Objects from Australia (**Annexure 4**) is to be completed and submitted. When exporting an item, the customs system was not “flagging” that the items after 30 years old required this permit; this has not been rectified.

It is to be noted, the Commonwealth’s Criminal Code Act 1995 applies to this application. There are severe penalties for knowingly making false or misleading statements in this application. It is, therefore, our responsibility to ensure the correct procedures to be followed.

When the National Cultural Heritage Committee receives an application for an export permit under the Projection of Movable Cultural Heritage Act 1986 (PMCH Act), the Committee provides details of the object to one of more Export Examiners for assessment.

### **Expert Examiners**

The National Cultural Heritage Committee maintains a register of Expert Examiners who are drawn from a range of institutions and backgrounds, and provide their expertise on a voluntary basis. The voluntary work of export examiners is a vital part of the operation of the PMCH Act.

It is believed there are currently only 6 Expert Examiners. It is my belief that many more are required with a range of expertise. In my opinion they would require the following:

1. The passion to retain Australia’s significant heritage (this is not just to try to block vehicles that are simply old and rare)
2. Good contacts to assist in their research
3. Time – as I believe this many be quite time-consuming.

The Expert Examiners research the history of the motor vehicle or other item to be exported. In most cases, no particular significance is established, a permit is granted, and the vehicle is exported legally.

The Expert Examiners assess if the object is an “Australian protected object” by assessing whether it meets the criteria contained within the relevant part(s) of the National Cultural Heritage Control List. They advise whether the object is of such importance to Australia that its loss through export would constitute a signification diminution of Australia’s cultural heritage.

There are 3 possible outcomes from an assessment:

1. The Expert Examiner decides the object is not an Australian protected object, therefore the Act does not apply to the object and there is no restriction on its export.
2. The Expert Examiner decides that the object meets the criteria to be an Australian [protected object, but its level of significance to Australia is such that its loss by export would not be a serious diminution of Australia’s cultural heritage, and recommends that a permit may be granted.
3. The Expert Examiner assesses that the level of significance to Australia is very high, and recommends against the issue of a permit.

The National Cultural Heritage Committee reviews the Expert Examiner assessment and then makes a recommendation to the Minister on the granting of a permit.

The role of Expert Examiners is attached (**Annexure 5**) along with the Guidelines for Expert Examiners (**Annexure 6**).

### **National Cultural Heritage account**

There is The National Cultural Heritage account which helps Australian cultural organisations purchase "Australian Protected Objects". It is especially for those objects that have been denied export permits. Its purpose is to encourage organisations to buy objects they could not otherwise afford with the intention that they be preserved and made accessible to the public. Museums and the likes are all eligible to apply. Funding from the national Cultural Heritage Account assists organisations that cannot raise the full purchase price for an Australian Protected Object.

### **What is significance?**

Significance means the historic, aesthetic, scientific and social values that an object or collection has for past, present and future generations.

Significance is not fixed and may change over time. It refers not just to the physical fabric or appearance of an object; it includes all elements that contribute to an objects meaning including context, history, uses and social and cultural significance

The *Protection of Movable Cultural Heritage Regulations 1987* defines significance to Australia for an object, as meaning the object is of Australian origin, has substantial Australian content, or has been used in Australia, and:

- a) is associated with a person, activity, event, place or business enterprise, notable in history; or
- b) has received a national or international award or has a significant association with an international event; or
- c) represents significant technological or social progress for its time; or
- d) is an object of scientific or archaeological interest.'

The object needs to be significant to understanding Australian national heritage. Objects which are significant to local communities cannot be considered Australian protected objects. Full details with the definition of significance, is included in Annexure 6.

As stated above, there is the provision for Funding applications through the National Cultural Heritage Account (NCHA) (**Annexure 7**). Funding from the NCHA is provided for the acquisition of significant national, state and local heritage objects. The significance assessment is therefore broader than the assessment for export permits.

The report for funding applications should include the following:

1. Brief description of the object; including type of object; identifying information such as name of artist; place and date of manufacture; location item found.
2. Background on the significance of the object; including original place and name of manufacture; rarity, links with significant people, places and events.
3. Assessment of significance of the object.
4. Statement of significance of the object.
5. Identification of whether the object is a Class A or Class B object, and under which part of the *PMCH Act* control list the object falls.
6. Australian Protected Object Status: Does the object meet the criteria for an Australian Protected Object.
7. Recommendation of it would be appropriate for the funding application to be supported.

A full list of objects funded through the NCHA since 2001 through to 2012 is attached (**Annexure 8**) with motor vehicles and machinery, relevant to our movement, summarised below:

- a) 1923 Alfa Romeo Tourer motor vehicle – Queen Victoria Museum and Art Gallery in Launceston, May 2001.

This Alfa Romeo was bodied in Tasmania and it was owned by Hudson Fysh; he recorded the Tasmania Land speed Record in this vehicle.

The National Cultural Heritage Account paid ½ the asking price to assist the museum to purchase the vehicle.

- a) Cliff and bunting Steam Traction Engine c. 1902 – Museum Victoria, May 2003
- b) Marshall “Colonial” C Class Oil Tractor c. 1911 – Queensland Sugar Museum, February 2003
- c) The Holden “No. 1 Prototype” – National Museum of Australia, August 2004
- d) Clayton & Shuttleworth Steam Traction Engine 1911 – Millthorpe & District Historical Society, December 2005
- e) Hobson’s Bay Pier Steam Hoisting Engine, c 1854 – Museum Victoria, June 2006
- f) Fowler Steam Traction Engine, 1884 – Nathalia and District Historical Society, June 2007
- g) Genairco biplane aircraft, 1930 – Powerhouse Museum, June 2007
- h) 1896 Fowler 0-6-0T Tank Steam Locomotive – Isis & District Historical Society, October 2007
- i) Department of Aircraft Production (DAP) Beaufort Bomber Mark V-A9-13 – Australian Aviation Restoration Group, June 2011
- j) Malcolm Moore Engine, c. 1956 – Alexandra Timber Tramways, October 2011
- k) Marshall T6275 Engine, c. 1914 – The New England Antiques Machinery Club, September 2012

Recently a 1904 Innes was retained in Australia under the act. The National Cultural Heritage Account contributed the funds they had left for 2013 (I believe this was \$30,000) to assist the Motorlife Museum to purchase the vehicle. The 1904 Innes was built in Sydney and won a medal in the 1905 Dunlop Reliability run from Sydney to Melbourne, driven by owner William Arnott (of Arnott’s biscuits)

### **What is AHMF doing to assist?**

1. To assist all wishing to export a motor vehicle 30+ years of age, Steve Henderson is adding the procedure and regulations to be followed to the AHMF Webpage.
2. To broaden our knowledge further, 2 employees from the Canberra office administering the Protection of Movable Cultural Heritage Act, will speak with us during the Saturday dinner at the AGM in Wollongong in August.
3. All state and territory bodies are asked to provide the information to their clubs and to inform them of the Act and requirements in exporting a historic motor vehicle
4. The Customs was now “flagging” that the items after 30 years old required a Permit to Export Cultural Heritage Objects from Australia; this has now been rectified.

## ROBERT SHANNON FOUNDATION

John Kennett has been putting considerable time and effort into the Trust Deed, charity status and tax deductibility for the Robert Shannon Foundation. Changes to the Trust Deed were submitted. John received confirmation (on 7<sup>th</sup> May) from the Australian Charities and Not-for profits Commission (ACNC) that the Robert Shannon Foundation is once again a registered Charity.

The issue of Deductible Gift Status has been forwarded to the Australian Taxation Office for a resolution; we are hopeful of a positive result.

Thank you John for all of your hard work; you need a short holiday to recover.

The suggestion was put forward (at the meeting in Melbourne) that perhaps AHMF could extend the Robert Shannon Foundation grants to members of Tasmanian car clubs. It was agreed this would not proceed for a range of reasons:

1. It would not be equitable for the Tasmanian submissions to be sent direct to the Robert Shannon Foundation when applications from all other states must be supported by their club, supported by their state or territory body, then submitted to the Robert Shannon Foundation.
2. Applications direct to Robert Shannon Foundation would greatly increase the work-load of John Kennett the Robert Shannon Foundation Chairman

## AHMF LOGO & SLOGAN

All have agreed on the AHMF logo above. We are working on this logo to improve the graphics and will pass it on to you once completed.

Russell Manning has contacted Rod Graydon (QHMC) in an attempt to have then changes made and to obtain the working document for the logo so changes can be made. (We currently have a jpeg only).

All at the meeting in Melbourne agreed proceed with the slogan on the logo of, *"Driving Australia's Motoring Heritage"*

## NATIONAL MOTORING HERITAGE DAY

4 to 5 year plan

### **ACTION ITEM:**

**All**

Advise details of major events being organised and held on National Motoring Heritage Day – Details to be supplied to Neil Athorn.

### **DUE DATE:**

**Advise as soon as you are aware of each of the events – 15<sup>th</sup> April 2014 at the latest**

## NATIONWIDE PROMOTION OF AHMF

### **What has AHMF achieved in the past 5 years?**

As we are well aware, AHMF had fallen off the tracks for a few years so there are not many positive answers regarding the past few years. The focus now is on the future.

## What support has AHMF given to Councils?

- What do the state or territory council want from AHMF?
- How this can be achieved?

## AUSTRALIAN TAXATION OFFICE

As we all know, if a club receives over \$416 pa in non-member income they should be submitting a Tax return.

It is time to start working with the politicians regarding the unfairness; Sporting clubs have deductibility and not car clubs that are preserving Australia's history.

## AHMF CONTACT LIST

An updated contact is attached (**Annexure 9**) If your information is not correct is very likely you did not send through and confirm your details.

## AHMF AGM – SATURDAY 23<sup>RD</sup> & SUNDAY 24<sup>TH</sup> AUGUST 2014

CHMC NSW is the host of the AHMF AGM Saturday 23<sup>rd</sup> & Sunday 24<sup>th</sup> August 2014 (all day Saturday and Sunday morning). The meeting opens 8:30am Saturday & concludes 12:30pm Sunday, followed by lunch **so book your airfares.**

### Registration form is attached (**Annexure 10**)

<b>Timetable:</b>	Friday		Informal Dinner Wollongong Golf Club ( <i>not prebooked or prebooked or prepaid</i> ) – “AHMF” table booked from 6:30pm
	Saturday	8:30am	Meeting commences at The Motorlife Museum
			Morning tea The Motorlife Museum
			Lunch The Motorlife Museum
			Afternoon tea The Motorlife Museum
		5:30pm	Meeting to be adjourned
		7:00pm	Dinner – Wollongong Golf Club
	Sunday	9:00am	Meeting to reconvene at Motorlife Museum
			Morning tea The Motorlife Museum
		12:30pm	Meeting closing time
			Lunch The Motorlife Museum – <i>For those that do not need to rush off</i>

**Accommodation:** The Best Western City Sands Motel, *Wollongong Golf Club, 151-161 Corrimal Street, Wollongong NSW 2500*

Make your booking using GROUP BOOKING # 35680 – Ph: 02 4222 3111

\$169 p/night 1 Bedroom apartment or \$239 p/night 2 Bedroom apartment

**Conference Costs:** \$170 Per delegate – Incl. 2 m' teas, 2 lunches, 1 a'tea, Saturday night dinner (Cost is \$100 if you are not staying for Sunday lunch)

\$60 Saturday night dinner only

\$10 Sunday lunch only

**Payment:** Cheque: "Australian Historic Motoring Federation Inc",

Direct Debit: AHMF, Westpac BST 032 558 A/c 183 308. Please email payment confirmation to Malcolm Roy on [treasurer@ahmf.org.au](mailto:treasurer@ahmf.org.au) – and CC Neil Athorn on [Neil.Athorn@bendigoadelaide.com.au](mailto:Neil.Athorn@bendigoadelaide.com.au)

**Transport:** CHMC will provide transport for delegates for the variety of arrival times at Mascot, to either meeting venue or accommodation venue, depending upon arrival times, in time for the 8:30am start. Please coordinate with Wendy Muddell for transport.

CHMC will provide transport for delegates between accommodation and Motorlife Museum.

**Meeting Venue:** The Motorlife Museum, *Darkes Road, Kembla Grange*

<b>DUE DATES</b>	<b>AGENDA ITEMS:</b>	<b>Thursday 10<sup>th</sup> July 2014</b>
	<b>STATE COUNCIL REPORTS:</b>	<b>Thursday 10<sup>th</sup> July 2014</b>
	<b>ADVISE ATTENDANCE, ETC:</b>	<b>Friday 25<sup>th</sup> July 2014</b>
	<b>PAYMENT:</b>	<b>Friday 25<sup>th</sup> July 2014</b>

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