



Protection of Movable Cultural Heritage Regulations 1987

Statutory Rules 1987 No. 149 as amended

made under the

Protection of Movable Cultural Heritage Act 1986

This compilation was prepared on 11 June 2003
taking into account amendments up to SR 2001 No. 173

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1 Name of regulations [see Note 1]

These regulations are the *Protection of Movable Cultural Heritage Regulations 1987*.

2 Interpretation

(1) In these Regulations, unless the contrary intention appears:

authorised person means an officer of the Department authorised in writing by the Minister for the purposes of the provision in which the expression occurs.

bank account means the bank account established and maintained under subregulation 9 (1) for the purposes of the administration of the Fund.

register means the register referred to in section 22 of the Act.

significance to Australia, for an object, means 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 Act means the *Protection of Movable Cultural Heritage Act 1986*.

(2) If an object of a kind mentioned in Schedule 1 has been repaired, restored or reassembled, the age of the object is not affected by that action for any provision of Schedule 1 unless the action has substantially modified the object.

3 Prescribed categories

For the purposes of subsection 7 (1) of the Act, the following categories are prescribed:

- (a) archaeological objects of non-Australian origin;
- (b) natural science objects;

- (c) numismatic objects;
- (d) objects of social history;
- (e) philatelic objects.

4 National Cultural Heritage Control List [see Note 2]

For the purposes of subsection 8 (1) of the Act, the list of categories of objects that constitute the movable cultural heritage of Australia and are to be subject to export control is the list set out in Schedule 1.

5 Prescribed period — refusal to grant permit

For the purposes of subsection 10 (7) of the Act, the period of 14 days is prescribed.

6 Prescribed period — refusal to grant certificate of exemption

For the purposes of subsection 12 (6) of the Act, the period of 14 days is prescribed.

7 Register of expert examiners

The register to be maintained under section 22 of the Act must set out the following information:

- (a) the name of each person determined to be an expert examiner;
- (b) for a natural person — the person's usual residential address;
- (c) for a body or association — the address of its principal office.

8 Money of the Fund

The Fund shall consist of:

- (a) money appropriated by the Parliament for the purposes of the Fund;
- (b) money paid by an authority of a State or Territory for the purposes of the Fund;

- (c) gifts and donations of money or property received for the purposes of the Fund; and
- (d) payments of interest in relation to investment of money standing to the credit of the Fund.

9 Administration of Fund

- (1) Money of the Fund shall be paid to the credit of a bank account established by the Minister or an authorised person and maintained for the purposes of the administration of the Fund.
- (2) Subject to these Regulations, the Minister or an authorised person may:
 - (a) approve payments out of the bank account for the purposes of the Fund; and
 - (b) in relation to payments into the account — issue receipts against the Fund in accordance with subregulation (5).
- (3) The Minister or an authorised person may:
 - (a) deposit money in the bank account;
 - (b) withdraw money from that account; and
 - (c) obtain bank statements and other documents in relation to that account.
- (4) There shall be maintained a cash book showing details of money paid into the bank account for the purposes of the Fund and payments out of the bank account as follows:
 - (a) the date and amount of each transaction;
 - (b) in relation to each transaction:
 - (i) the name of the person paying money into the bank account or to whom payment is made out of the bank account; and
 - (ii) sufficient other details of the transaction to enable the circumstances of the transaction to be identified; and
 - (c) a running balance of money standing to the credit of the Fund in the bank account.
- (5) Where money received from a person for the purposes of the Fund is paid into the bank account:

- (a) a receipt shall be issued to that person from a book of receipts consecutively numbered kept for the purposes of this provision; and
 - (b) a duplicate of the receipt shall be retained in the book of receipts.
- (6) At the end of each period of one month after the commencement of these Regulations, or each lesser period as the Minister may from time to time direct, there shall be provided to the Minister in relation to that period:
- (i) a statement of account in respect of the bank account; and
 - (ii) a bank reconciliation statement showing and explaining any discrepancy between that statement and the records maintained for that period in the cash book.
- (7) In relation to the bank account, there shall be maintained such records as are sufficient to enable the preparation of an annual account of payments out of the Fund for the purpose of facilitating the acquisition of Australian protected objects.

10 Gifts and bequests

- (1) Where a gift or bequest made for the purposes of the Fund is an asset other than money, the Minister or an authorised person shall obtain an expert valuation of the monetary value of the asset.
- (2) The monetary value of an asset referred to in subregulation (1) shall be entered in a register kept for the purpose known as the Register of Non-monetary Assets of the Fund.
- (3) The Minister or an authorised person may:
 - (a) sell a non-monetary asset of the Fund and cause the proceeds of sale to be invested for the purposes of the Fund; and
 - (b) from time to time, obtain a further expert valuation of such an asset.
- (4) Upon a further expert valuation of a non-monetary asset of the Fund, that valuation shall be entered in the Register of

Non-monetary Assets of the Fund in substitution for any previous valuation so entered.

11 Payments out of the Fund

- (1) Money of the Fund shall be applied only in relation to the acquisition of a Class A object, or of any Class B object in respect of which the Minister has refused to grant, or has granted subject to conditions, a permit under section 10 of the Act.
- (2) The Minister or an authorised person may authorise payment of money of the Fund to a public institution or authority for the purpose of acquiring a Class A object, or a Class B object referred to in subregulation (1), for display or safe keeping but shall not authorise a payment of money of the Fund for the purposes of a private collection.
- (3) The Minister or an authorised person shall not authorise payment of money of the Fund under subregulation (2) except after taking into consideration the advice of the Committee in relation to the proposed payment.
- (4) Without limiting the generality of subregulation (3), the Committee shall, as appropriate in the circumstances of a particular case, advise the Minister in accordance with that subregulation in relation to the following matters:
 - (a) the fair market price of the object in relation to which assistance is sought from the Fund;
 - (b) the priorities determined by the Committee among applications for such assistance;
 - (c) the most appropriate location of the object, or of objects of the class in which the object is included;
 - (d) any conditions to be attached to the payment or to the acquisition of the object, or both.
- (5) In relation to an authorisation of payment under subregulation (2), the Minister or authorised person may:
 - (a) direct how the payment is to be effected; and

- (b) specify a period commencing on the date of the authorisation within which the payment is to be made, or is not to be made.

12 Investment of money of the Fund

Money standing to the credit of the Fund may be invested by the Minister or an authorised person:

- (a) in any securities of, or guaranteed by, the Government of the Commonwealth or of a State;
- (b) on deposit in a bank; or
- (c) in the purchase of Australian protected objects for the purposes of the Act.

13 Audit of accounts

For the purpose of the audit of accounts of the Fund, section 63G of the *Audit Act 1901* shall apply in relation to the Fund.

Schedule 1 National cultural heritage control list — categories of objects

(regulation 4)

Part 1 Objects of Australian Aboriginal and Torres Strait Islander Heritage

- 1.1 This Part lists heritage objects of the category Objects of Australian Aboriginal and Torres Strait Islander Heritage.
- 1.2 An object is in this category if:
- (a) it is an object:
 - (i) of cultural significance to Aboriginal or Torres Strait Islander people; or
 - (ii) made by Aboriginal or Torres Strait Islander people; and
 - (b) it is not an object created specifically for sale; and
 - (c) for an object mentioned in item 1.4 — it:
 - (i) is at least 30 years old; and
 - (ii) is not adequately represented in Aboriginal or Torres Strait Islander community collections, or public collections in Australia.
- 1.3 The following objects of this category are Class A objects for the Act:
- (a) sacred and secret ritual objects;
 - (b) bark and log coffins used as traditional burial objects;
 - (c) human remains;
 - (d) rock art;
 - (e) dendroglyphs.

Note Under the Act, a Class A object that is in Australia cannot be exported from Australia. However, for a Class A object that is not in Australia and that a person wishes to temporarily import, a certificate may be granted by the Minister authorising the subsequent export of the object.

- 1.4 All objects in this category, other than objects mentioned in item 1.3, are Class B objects for the Act, and include:
- (a) objects relating to famous and important Aborigines or Torres Strait Islanders, or to other persons significant in Aboriginal or Torres Strait Islander history; and
 - (b) objects made on missions or reserves; and
 - (c) objects relating to the development of Aboriginal or Torres Strait Islander protest and self-help movements; and
 - (d) original documents, photographs, drawings, sound recordings, film and video recordings and any similar records relating to objects included in this category.

Note 1 A Class B object can be exported from Australia if a permit or certificate is granted under the Act in relation to the object.

Note 2 Part 5 of this Schedule deals with items that are objects of Aboriginal or Torres Strait Islander fine or decorative arts.

Part 2 Archaeological Objects

- 2.1 This Part lists heritage objects of the category *Archaeological Objects*.
- 2.2 An object is in this category if it:
- (a) is of significance to Australia; and
 - (b) is an indigenous or non-indigenous object that was recovered, as mentioned in paragraph 7 (1) (a) of the Act, after remaining for at least 50 years in the place from which it was removed; and
 - (c) is not represented in at least 2 public collections in Australia by an object of equivalent quality.
- 2.3 Objects in this category are Class B objects for the Act, and include:
- (a) objects relating to seagoing exploration, transportation, supply and commerce, including ordnance, coins, ship's gear, anchors, cargo and personal items from shipwrecks, sunken ships and landfalls, ships' logbooks and other documentation; and
 - (b) objects relating to military activity; and

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- (c) objects relating to the exploration of Australia and to the colonisation and development of Australia by non-indigenous peoples; and
 - (d) objects relating to convict transportation and settlement; and
 - (e) objects relating to relations between indigenous and non-indigenous peoples; and
 - (f) objects relating to missionary activity; and
 - (g) objects (including documentation) relating to the history of mining, processing, industry, technology and manufacture in Australia; and
 - (h) objects relating to the development of the pastoral industry and other land industries; and
 - (i) objects relating to whaling and sealing; and
 - (j) objects relating to visits to, or settlement in, Australia of identifiable cultural minorities; and
 - (k) biological or ethnographic objects or collections; and
 - (l) human remains, other than remains mentioned in Part 1; and
 - (m) organic remains associated with, or representative of, a prehistoric or historic culture; and
 - (n) archaeological objects not mentioned in this item relating to persons, places or events significant in the history of Australia; and
 - (o) unclassified material recovered, as mentioned in paragraph 7 (1) (a) of the Act, for archaeological study; and
 - (p) material related to any object mentioned in this item that adds significantly to Australian historical or scientific information.

Note A Class B object can be exported from Australia if a permit or certificate is granted under the Act in relation to the object.

Part 3 Natural Science Objects

- 3.1 This Part lists heritage objects of the category *Natural Science Objects*.
- 3.2 An object is in this category if it:

- (a) is of significance to Australia; and
- (b) is an object of the kind mentioned in item 3.4; and
- (c) is not adequately represented in public collections in Australia.

3.3 For item 3.2, an object of a kind well represented in public collections in Australia may nevertheless not be adequately represented because of the object's quality or because of the place where the object was collected.

3.4 Objects in this category are Class B objects for the Act, and include:

- (a) any palaeontological object; and
- (b) any mineral object not otherwise mentioned in this item having a current Australian market value of at least \$10,000; and
- (c) any gold nugget having a current Australian market value of at least \$250,000; and
- (d) any diamond or sapphire having a current Australian market value of at least \$250,000; and
- (e) any opal having a current Australian market value of at least \$100,000; and
- (f) any other gemstone having a current Australian market value of at least \$25,000; and
- (g) any meteorite; and
- (h) any type specimen of present-day flora or fauna, a palaeontological object or a mineral if:
 - (i) the type specimen is not lodged in an overseas collecting institution; or
 - (ii) a permit or an authority under the *Wildlife Protection (Regulation of Exports and Imports) Act 1982* is not in force for the type specimen.

Note A Class B object can be exported from Australia if a permit or certificate is granted under the Act in relation to the object.

3.5 In this Part:

holotype means the original specimen from which the description of a new species is made.

lectotype means a specimen selected as the type of a species or subspecies if the type was not designated by the author of the original description.

mineral includes a carving or sculpture created from any mineral, including a polished gemstone, but does not include any ore or concentrate used industrially or intended for industrial use.

neotype means a specimen chosen to act as a type material subsequent to a published original description if a holotype has been lost or destroyed.

palaeontological object means:

- (a) a vertebrate or invertebrate fossil or plant fossil or a trace fossil specimen, not being a fossil fuel or fossiliferous rock used or intended for any use relating to industry; and
- (b) a sculpture or other object made from fossiliferous or fossilised matter; and
- (c) a precious or non-precious opal replacement fossil of a vertebrate or invertebrate animal or of a plant.

paratype means a specimen other than a holotype, used at the time of original description, and designated as a paratype by the author of the original description, or clearly indicated as being one of the specimens on which the original description was made.

syntype means any specimen of a series in which no specimen is designated as the holotype.

type specimen means holotype, lectotype, neotype, paratype or syntype, as appropriate.

Part 4 Objects of Applied Science or Technology

- 4.1 This Part lists heritage objects of the category *Objects of Applied Science or Technology*.
- 4.2 The objects in this category relate to human enterprise and activity, other than artistic activity, such as:
 - (a) tools, weapons, implements and machines; and

- (b) any other object produced by, or related to, an object of the kind mentioned in paragraph (a), including prototypes, models, patents and equipment.

4.3 An object is in this category if:

- (a) it is of significance to Australia; and
- (b) for an object:
 - (i) of Australian origin — it was made in Australia at least 30 years ago; or
 - (ii) that has substantial Australian content — the Australian content was made in Australia at least 30 years ago; or
 - (iii) that is not of Australian origin — it was in use in Australia at least 30 years ago; and
- (c) it is an object of the kind mentioned in item 4.4; and
- (d) it is not represented in at least 2 public collections in Australia by an object of equivalent quality.

4.4 Objects in this category are Class B objects for the Act, and include:

- (a) any agricultural object, including:
 - (i) an object used for agricultural production; and
 - (ii) an object used for processing agricultural products; and
 - (iii) an object relating to an industry producing products for use in agriculture; and
 - (iv) any tool, implement or equipment used or intended for use in agriculture or in farming life; and
 - (v) scientific equipment relating to agricultural research; and
 - (vi) any other thing related to agriculture; and
- (b) any engineering object, including:
 - (i) a manufactured object relating to any branch of engineering, including any object that is a machine or hand tool, engine or workshop equipment, a control system or control mechanism, or an invention, prototype or related model or patent object; and

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- (ii) any other thing related to engineering; and
 - (c) any object of air transport, including:
 - (i) any lighter-than-air craft, including an airship; and
 - (ii) a glider, or kite, including a hang glider; and
 - (iii) any power driven aircraft; and
 - (iv) any equipment used, or intended for use, in aircraft manufacture or repair; and
 - (v) any aircraft communication and guidance system, or component of that kind of system; and
 - (vi) any aircraft instrument, engine, equipment, part or weapon; and
 - (vii) any prototype aircraft or experimental material relating to the design or manufacture of aircraft; and
 - (viii) any other thing related to air transport; and
 - (d) any object of rail transport, including:
 - (i) a locomotive or rolling stock for a railway; and
 - (ii) a tram or an associated service vehicle for a tramway; and
 - (iii) any equipment, tool, accessory, machinery or model relating to rail transport; and
 - (iv) any other thing related to rail transport; and
 - (e) any object of road transport, including:
 - (i) a motor vehicle or horse drawn vehicle; and
 - (ii) a motorcycle or a pedal operated cycle; and
 - (iii) a mining or other barrow, perambulator, sedan chair or litter; and
 - (iv) any equipment, manufacturing machine, tool, fuel distribution appliance or instrument relating to an object mentioned in subparagraph (i) or (ii); and
 - (v) any other thing related to road transport; and
 - (f) any object of scientific interest, including:
 - (i) an implement, tool or device used, or intended for use, for scientific examination or measurement; and
 - (ii) apparatus assembled or constructed for purposes of scientific research; and

- (iii) a model of original scientific apparatus or of an original scientific instrument; and
- (iv) any other thing related to the field of science; and
- (v) any object that is a component or part related to any object mentioned in subparagraphs (i) to (iv); and
- (g) any object of water transport, including:
 - (i) a sailing vessel, a steam propelled vessel or a power driven vessel; and
 - (ii) a rowing boat, canoe or punt; and
 - (iii) any equipment, manufacturing machine, tool or navigation equipment relating to water transport; and
 - (iv) any other thing related to water transport; and
- (h) any object of weaponry, including any aircraft, vehicle, vessel, weapon, or a related component or related equipment, used or intended for use in warfare involving Australia either in Australia or overseas (but not currently in use for the Australian Defence Force).

Note A Class B object can be exported from Australia if a permit or certificate is granted under the Act in relation to the object.

Part 5 Objects of Fine or Decorative Art

- 5.1 This Part lists heritage objects of the category *Objects of Fine or Decorative Art*.
- 5.2 An object is in this category if:
 - (a) it is an Australia-related object; and
 - (b) for an object mentioned in Part 1 of the table following item 5.3 — it is at least 20 years old; and
 - (c) for an object mentioned in Part 2 of the table following item 5.3 — it is at least 30 years old.
- 5.3 Objects in this category are Class B objects for the Act, and include an object mentioned in column 2 of an item in the following table that has a current Australian market value of at least the amount mentioned in column 3 of the item.

Item	Objects of fine or decorative art	Amount (\$)
Part 1 — Aboriginal or Torres Strait Islander objects		
1	objects of Aboriginal or Torres Strait Islander fine or decorative art	10,000
Part 2 — Other objects		
2	objects that are not otherwise mentioned in this table and that are made from glass, wood, paper, plastic, ceramic, leather, ivory, natural or man made fibre, or a base metal	5,000
3	objects made from precious metals	25,000
4	musical instruments	10,000
5	arms and armour	5,000
6	architectural fittings and decoration, and interior decoration	15,000
7	tapestries and carpets	10,000
8	sculptures	30,000
9	furniture	30,000
10	jewellery	40,000
11	clocks and watches	40,000
12	watercolours, pastels, drawings, sketches and other similar works	40,000
13	paintings	250,000
14	prints, posters, photographs or similar works of art with potential for multiple production	10,000

5.4 This category includes an object of fine or decorative art not mentioned in item 5.3 if the object provides documentation of any notable person or event in Australian science, technology, arts or history.

Note A Class B object can be exported from Australia if a permit or certificate is granted under the Act in relation to the object.

5.5 However, an object is not in this category if it is owned by the person who created the object.

5.6 In this Part:

Australia-related object means an object designed or made:

- (a) in or outside Australia by an Australian; or
- (b) in Australia by a foreign person who, at some time, worked or resided in Australia; or
- (c) outside Australia by a foreign person, if the object incorporates Australian motifs or subject-matter, or is otherwise relevant to Australia.

object of Aboriginal or Torres Strait Islander fine or decorative art means an object made in the indigenous tradition by an Aboriginal or Torres Strait Islander person, other than an object listed in the category in Part 1 of this Schedule.

Part 6 Objects of Documentary Heritage

6.1 This Part lists heritage objects of the category *Objects of Documentary Heritage*.

6.2 An object is in this category if it is a document that:

- (a) is of significance to Australia; and
- (b) is at least 30 years old; and
- (c) is not represented in at least 2 public collections in Australia by an object of equivalent quality.

6.3 Objects in this category are Class B objects for the Act.

Note A Class B object can be exported from Australia if a permit or certificate is granted under the Act in relation to the object.

6.4 In this Part:

document means any written or printed material, or any article on which information has been stored or recorded either mechanically or electronically, and includes:

- (a) a book, letter, ledger, register, pamphlet or similar article; and

- (b) a sound recording, a film, television or video production, or any other production that includes moving images or recorded sounds; and
- (c) a map, plan, photograph, drawing or other graphic; and
- (d) an article that forms part of government records or archives of the Commonwealth, a State or a Territory, a Commonwealth, State or Territory authority, the Governor-General or the Governor of a State, only if, because of a law of the Commonwealth, a State or a Territory in relation to the article, the article must be kept permanently in Australia.

government records or archives has the meaning given by any relevant law of interpretation of the government of the Commonwealth or the State or Territory that created, or has custody or control of, the records in relation to which an application for a certificate or permit under the Act has been made.

Part 7 Numismatic Objects

- 7.1 This Part lists heritage objects of the category *Numismatic Objects*.
- 7.2 An object is in this category if it is:
- (a) a Victoria Cross medal mentioned in item 7.3; or
 - (b) an object of the kind mentioned in item 7.4 that:
 - (i) is of significance to Australia; and
 - (ii) has a current Australian market value of at least \$15,000; and
 - (iii) is not represented in at least 2 public collections in Australia by an object of equivalent quality.
- 7.3 A Victoria Cross medal is a Class A object if it is awarded to any one of the following persons:

Anderson, C.G.W.	Gordon, J.H.	Middleton, R.H.
Axford, T.L.	Gratwick, P.E.	Moon, R.V.
Badcoe, P.I.	Grieve, R.C.	Murray, H.W.
Beatham, R.	Gurney, A.S.	Newland, J.E.

Bell, F.W.	Hall, A.C.	Newton, W.E.
Birks, F.	Hamilton, J.	O'Meara, M.
Bisdee, J.H.	Howell, G.J.	Partridge, F.J.
Blackburn, A.	Howse, N.R.	Payne, K.
Borella, A.	Ingram, G.M.	Peeler, W.
Brown, W.E.	Inwood, R.R.	Pope, C.
Buckley, A.	Jacka, A.	Rathey, R.R.
Buckley, M.V.	Jackson, J.W.	Ruthven, W.
Bugden, P.J.	Jeffries, C.S.	Ryan, J.
Burton, A.	Jensen, J.C.	Sadlier, C.W.K.
Carrol, J.	Joynt, W.D.	Shout, A.J.
Cartwright, G.	Kelliher, R.	Simpson, R.S.
Castleton, C.	Kenna, E.	Starceвич, L.T.
Cherry, P.H.	Kenny, T.J.	Statton, P.C.
Chowne, A.	Keysor, L.M.	Storkey, P.V.
Cooke, T.	Kibby, W.H.	Sullivan, A.P.
Currey, W.	Kingsbury, B.S.	Symons, W.J.
Cutler, A.R.	Leak, J.	Throssell, H.V.H.
Dalziel, H.	Lowerson, A.D.	Towner, E.T.
Davey, P.	Mackey, J.B.	Tubb, F.H.
Derrick, T.C.	Mactier, R.	Wark, B.A.
Dunstan, W.	Maxwell, J.	Weathers, L.C.
Dwyer, J.J.	Maygar, L.C.	Wheatley, K.A.
Edmondson, J.H.	McCarthy, L.D.	Whittle, J.W.
French, J.A.	McDougall, S.R.	Woods, J.P.
Gaby, A.E.	McGee, L.	Wylly, G.G.
Gordon, B.S.	McNamara, F.H.	

Note Under the Act, a Class A object that is in Australia cannot be exported from Australia. However, for a Class A object that is not in Australia and that a person wishes to temporarily import, a certificate may be granted by the Minister authorising the subsequent export of the object.

- 7.4 All objects in this category, other than objects mentioned in item 7.3, are Class B objects for the Act, and include:
- (a) a badge, token or charm, coin or paper money; and

- (b) a pattern, proof or specimen striking; and
- (c) any medal or other decoration, whether of a civil or military nature (other than a campaign medal), awarded to a person:
 - (i) ordinarily resident in Australia at the time of the award; or
 - (ii) for a posthumous award — ordinarily resident in Australia at the time of the service or circumstance to which the award relates; and
- (d) any citation or other document, or insignia, relating to a medal or decoration mentioned in paragraph (c).

Note A Class B object can be exported from Australia if a permit or certificate is granted under the Act in relation to the object.

- 7.5 However, a medal to which item 7.3 applies, or an object to which paragraph 7.4 (c) or (d) applies, is not an object in this category if it is owned:
- (a) by the person to whom the award was made; or
 - (b) in the case of a posthumous award — by the person's next-of-kin to whom the award was made.

Part 8 Philatelic Objects

- 8.1 This Part lists heritage objects of the category *Philatelic Objects*.
- 8.2 An object is in this category if it:
- (a) is of significance to Australia; and
 - (b) is an object of the kind mentioned in item 8.3; and
 - (c) is an object of which no more than 2 examples are known to exist in Australia; and
 - (d) is not represented in at least 2 public collections in Australia by an object of equivalent quality.
- 8.3 Objects in this category are Class B objects for the Act, and include:
- (a) a postal marking, or postage or revenue stamp, that is in mint condition or is attached in any way to a document; and

- (b) any material used in the design, production, usage or collection of stamps; and
- (c) a stamp collection of substantial importance that:
 - (i) has won an award known as a Large Gold medal in international competition; or
 - (ii) has a current Australian market value of at least \$150,000.

Note A Class B object can be exported from Australia if a permit or certificate is granted under the Act in relation to the object.

Part 9 Objects of Historical Significance

9.1 This Part lists heritage objects of the category *Objects of Historical Significance*.

9.2 An object is in this category if it is:

- (a) an object of the kind mentioned in item 9.2A; or
- (b) an object of the kind mentioned in item 9.3 that:
 - (i) is associated with a person, activity, event, place or business enterprise, notable in Australian history; and
 - (ii) is at least 30 years old; and
 - (iii) is not represented in at least 2 public collections in Australia by an object of equivalent quality.

9.2A Each piece of the suit of metal armour worn by Ned Kelly at the event known as the siege of Glenrowan in Victoria in 1880 is a Class A object for the Act.

Note Under the Act, a Class A object that is in Australia must not be exported from Australia. However, if a person intends to import temporarily a Class A object that is not in Australia, before exporting the object, the person may apply to the Minister for a certificate authorising the subsequent export of the object (see section 12 of the Act).

9.3 Objects in this category, except objects mentioned in item 9.2A, are Class B objects for the Act, and include:

- (a) objects of heraldry; and
- (b) objects relating to Australian military history; and

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- (c) objects relating to domestic life, including buildings, fixtures and decorations, equipment and furniture, costumes and textiles and personal effects; and
 - (d) objects relating to work life, including specialised trades and labour material, trade unionism, company activity and corporate identity, trade and commerce; and
 - (e) objects relating to courts and tribunals, law enforcement including the police, law-breakers, convicts and prison life; and
 - (f) objects relating to education; and
 - (g) objects relating to health and medicine; and
 - (h) objects relating to arts and crafts; and
 - (i) objects relating to leisure and recreation, including all forms of sport, entertainment and tourism; and
 - (j) objects relating to politics; and
 - (k) objects relating to exploration; and
 - (l) objects relating to migration; and
 - (m) objects relating to community activities; and
 - (n) objects relating to religion.

Note A Class B object can be exported from Australia if a permit or certificate is granted under the Act in relation to the object.

9.4 In this Part:

Australian military history means the history of:

- (a) wars, and operations or activities relating to warfare, in which Australians have been actively engaged; and
- (b) any army, navy or air force unit in which Australians have taken part; and
- (c) the Australian Defence Force; and
- (d) operations, or other activities, conducted in Australia by any army, navy or air force personnel or unit of a country other than Australia; and
- (e) objects used against the Australian Defence Force, whether in Australia or overseas.

objects of heraldry means flags, banners, guidons and colours.

Table of Statutory Rules

Notes to the *Protection of Movable Cultural Heritage Regulations 1987***Note 1**

The *Protection of Movable Cultural Heritage Regulations 1987* (in force under the *Protection of Movable Cultural Heritage Act 1986*) as shown in this compilation comprise Statutory Rules 1987 No. 149 amended as indicated in the Tables below.

Table of Statutory Rules

Year and number	Date of notification in <i>Gazette</i>	Date of commencement	Application, saving or transitional provisions
1987 No. 149	25 June 1987	1 July 1987	—
1988 No. 194	29 July 1988	1 Aug 1988	—
1990 No. 116	5 June 1990	5 June 1990	—
1990 No. 293	21 Sept 1990	21 Sept 1990	—
1990 No. 350	16 Nov 1990	16 Nov 1990	—
1991 No. 27	6 Mar 1991	6 Mar 1991	—
1993 No. 215	3 Aug 1993	3 Aug 1993	—
1996 No. 244	1 Nov 1996	1 Nov 1996	—
1998 No. 367	22 Dec 1998	Schedule 2: 1 May 1999 Remainder: 22 Dec 1998	—
1999 No. 25	2 Mar 1999	2 May 1999	—
2001 No. 173	5 July 2001	5 July 2001	—

Table of Amendments**Table of Amendments**

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
R. 1	rs. 1998 No. 367
R. 2	am. 1993 No. 215; 1998 No. 367
R. 4	am. 1998 No. 367
R. 7	rs. 1998 No. 367
Schedule 1	
Heading to Schedule 1.....	rs. 1998 No. 367
Schedule.....	rs. 1988 No. 194; 1998 No. 367 am. 1990 Nos. 116, 293 and 350; 1991 No. 27; 1993 No. 215; 1996 No. 244; 1998 No. 367; 1999 No. 25; 2001 No. 173