

Transfer of cultural property

1. Applicable legislation

- Convention of 14 November 1970 on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property ([SR 0.444.1](#))
- Federal Act on the International Transfer of Cultural Property (Cultural Property Transfer Act, CPTA, [SR 444.1](#))
- Ordinance on the International Transfer of Cultural Property (Cultural Property Transfer Ordinance, CPTO, [SR 444.11](#))

2. Cultural property

The term "cultural property" means property which is important on religious or secular grounds for archaeology, prehistory, history, literature, art or science and which belongs to one of the categories specified in [Article 1 of the UNESCO Convention of 1970](#).

The Federal Office of Culture (FOC) provides tools for the recognition of cultural property:

- [Checklist "Cultural property"](#)
- [FAQ – Frequently asked questions regarding the application of the CPTA](#)

3. Authorisation obligation

- Import (including temporary admission and warehousing) and transit

Any person importing cultural property that is the subject matter of an agreement under **Article 7 of the CPTA** ([SR 444.1](#)) directly into Switzerland from a contracting state or transporting such property through Switzerland must prove to the FOCBS that the export provisions of the foreign contracting state have been observed. If the foreign contracting state requires a licence for the export of such cultural property, this must be shown to the FOCBS.

For agreements, see the [FOC website](#).

- Export

Certain cultural property belonging to the Confederation is listed in the [Federal Registry](#).

A permanent export from Switzerland of such cultural property is forbidden.

Any person who wishes to temporarily export listed cultural property needs an export licence from the FOC, which must be presented to the FOCBS.

The FOC does not issue export licences for any other cultural property.

If necessary, cantonal law may provide for export restrictions, but these are generally not applicable to foreign cultural property. The person subject to the declaration obligation must clarify this issue directly with the cantonal authorities concerned.

4. Customs declaration

Any person importing, exporting or transporting cultural property in transit must state this in the customs declaration.

When importing or exporting cultural property of tariff headings 9701 to 9706, this information shall be stated in the customs declaration by selecting the corresponding control element.

Import: - cultural property that is listed in the appendices to a bilateral agreement¹ and is imported directly from the state concerned → control element 911

- other cultural property → control element 912

Export: - cultural property that is entered in the Federal Registry or a cantonal registry → control element 911

- cultural property that is listed in the appendices to a bilateral agreement¹ → control element 912

¹ [Bilateral agreements](#)

- other cultural property → control element 913

In the case of cultural property of other tariff headings, as well as in transit declarations, a corresponding statement must be entered under Remarks.

Additional information in the e-dec or NCTS customs declaration

In the e-dec or NCTS customs declaration, all cultural property subject to an authorisation requirement (control element 911) must be declared using the NZE mandatory code "1 NZE: yes" and NZE type code 026.

Additional information in the Passar goods declaration

In the Passar goods declaration, all cultural property subject to an authorisation requirement (control element 911) must be declared using Restriction "1 yes" and Restriction code "801 cultural property".

Other information

Irrespective of the declaration type or the direction of travel, the following information must be provided for all cultural property:

- the type of object; and
- the most precise details possible on the place of manufacture or, if the cultural property was obtained as the result of archaeological or paleontological excavations or discoveries, the place of discovery.

5. Contracting states

The term "contracting state" means any country which has ratified the 1970 UNESCO Convention ([list at the end of the Convention](#)).