

Secretariat for Culture

PROTECTION OF THE ARCHAEOLOGICAL AND PALEONTOLOGICAL HERITAGE

Resolution 2272/2004

A resolution establishing the requirements to be met, in the cases allowed under Act N° 25743, by the applications for temporary and permanent export, and the return of archaeological property.

Buenos Aires, 29 July 2004

HAVING REGARD TO File No. 400620/2004, of the register of the CUSTOMS BUREAU, a body within the scope of the FEDERAL TAX AUTHORITY, reporting in turn to the MINISTRY OF ECONOMY AND PUBLIC WORKS AND UTILITIES, and

WHEREAS

In the abovementioned file, the FEDERAL TAX AUTHORITY (AFIP) expresses the need to determine the certificates that shall be submitted by the exporter before it for the export of objects covered by Act No. 25743, as well as the requirements, formalities, characteristics, competent agencies and everything needed to establish the regulatory guidelines for the implementation of control regulations on the export of such objects;

As the NATIONAL SECRETARIAT FOR CULTURE has competence over archaeological property, it is necessary to consider the provisions of Section 51 of Act No. 25743, that allows for the prior consent of the NATIONAL INSTITUTE OF ANTHROPOLOGY AND LATIN AMERICAN THOUGHT as the national competent authority, pursuant to Sections 4 and 5 of such Act;

Therefore, the relevant requirements for temporary exports must be established, as well as for the return and permanent export of archaeological property, in accordance with legal provisions;

The ARGENTINE DIRECTORATE OF HERITAGE AND MUSEUMS and the NATIONAL INSTITUTE OF ANTHROPOLOGY AND LATIN AMERICAN THOUGHT have expressed their opinion on the matter;

The DIRECTORATE FOR LEGAL AFFAIRS, reporting to the GENERAL DIRECTORATE FOR ADMINISTRATIVE MANAGEMENT AND LEGAL AFFAIRS, has acted within its authority;

This resolution is passed in exercise of the powers conferred by Act No. 25743 and Executive Order No. 101/85;

Now, therefore,

THE NATIONAL SECRETARY FOR CULTURE

HEREBY RESOLVES:

Section 1 — To establish the requirements to be met, in the cases allowed under Act N° 25743, by the applications for temporary and permanent export, and the return of archaeological property, according to ANNEX I to this resolution.

Section 2 — The TEMPORARY or PERMANENT EXPORT CERTIFICATE OF ARCHAEOLOGICAL PROPERTY shall be signed by the director of the NATIONAL INSTITUTE OF ANTHROPOLOGY AND LATIN AMERICAN THOUGHT.

Section 3 — Be it registered, notified, published, submitted to the NATIONAL BOARD OF OFFICIAL REGISTRATION, and filed. — Torcuato S. Di Tella.

ANNEX I

SECRETARIAT FOR CULTURE RESOLUTION No. 2272

Temporary Export Certificate for Archaeological Property included in Act No. 25743

Requirements

I. Temporary exports

1. Temporary export applications shall be first submitted to the local competent agency to assess whether they meet the requirements set forth by the NATIONAL INSTITUTE OF ANTHROPOLOGY AND LATIN AMERICAN THOUGHT, which shall issue the “temporary export certificates” for property listed in Act No. 25743, in exercise of the powers conferred by Section 4 of such act.

2. Temporary export applications shall meet at least the following essential requirements:

a. Name and address of the applicant —person(s) and/or national/provincial research institution;

b. Name and address of the foreign consignee (institution) with a proven track record;

c. Application purposes, specifying whether the loan is for research and/or exhibition, and accounting for its scientific and/or cultural scope and relevance;

d. Detailed description of the property to be exported (report with front, side and back photographs);

e. Plan of activities to be developed by the consignee (activities, schedule, etc.);

f. Dates and duration of the loan;

g. List of the person(s) and/or authorities in charge of preparing the exported property for their removal, transfer and reception, and their conditioning and safeguarding in the place of destination;

- h. Plan of activities allowing for the essential requirements for the conditioning and transfer of property;
- i. List of the participating scientists, who shall have the necessary skills to perform the relevant tasks;
- j. Evidence of comprehensive insurance covering the transfer in and out of the country;
- k. Documentary evidence of comprehensive insurance from the consignee covering the transfer of property to their final destination, their physical point of reception, and during the course of exhibition or storage;
- l. Specification of the safety system to be implemented for the protection of temporarily stored property.

II. Permanent exports

Permanent export applications for the study of archaeological materials shall meet at least the following essential requirements:

- a. Name and address of the national/provincial research institution applying for the studies;
- b. Name and address of the foreign consignee (institution and/or laboratory);
- c. Application purposes;
- d. Detailed description of the property to be exported;
- e. Ratification of authorization by the relevant national agency: the National Institute of Anthropology and Latin American Thought for archaeological materials, and the Bernardino Rivadavia Museum for paleontological materials.

III. Return of archaeological property

Applications for the return of archaeological property to the country of origin shall meet at least the following essential requirements:

- a. Name and address of the person(s) and/or national/provincial research institution requesting the return of archaeological property;
- b. Name and address of the foreign consignee (institution);
- c. Reasons for the request;
- d. Detailed description of the property to be returned;
- e. List of the person(s) and/or authorities in charge of preparing the exported property for their removal, transfer and reception in the place of destination;

- f. Plan of activities allowing for the essential requirements for the conditioning and transfer of property;
- g. List of the participating scientists, who shall have the necessary skills to perform the relevant tasks;
- h. Evidence of comprehensive insurance covering the transfer in and out of the country;
- i. Ratification of authorization by the relevant national agency: the National Institute of Anthropology and Latin American Thought for archaeological materials, and the Bernardino Rivadavia Museum for paleontological materials.

Yo, María Marta Semberoiz, Traductora Pública, por la presente HAGO CONSTAR que la que antecede es traducción fiel y completa al inglés del documento en castellano que tengo ante mí y al cual me remito. EN FE DE LO CUAL estampo mi firma y sello en la ciudad de Buenos Aires, a los 27 días del mes de junio de 2007.-----