

## A.L. 46 ta' l-2005

**ATT DWAR IL-PATRIMONJU KULTURALI  
(KAP.445)**

**Regolamenti tal-2005 li jemendaw ir-Regolamenti dwar  
it-Treġġigh Lura ta' Proprjetà Mnehhija Illegalment  
minn Territorju ta' Stat Membru fl-Unjoni Ewropea**

BIS-SAHHA ta' l-artiklu 55 ta' l-Att dwar il-Patrimonju Kulturali, il-Ministru ghat-Turizmu u Kultura ghamel dawn ir-regolamenti li ġejjin:-

**1.** It-titolu ta' dawn ir-regolamenti hu Regolamenti tal-2005 li jemendaw ir-Regolamenti dwar Treġġigh Lura ta' Proprjetà Mnehhija Illegalment minn Territorju ta' Stat Membru fl-Unjoni Ewropea, u ghandhom jinqraw u jinftiehm u haġa wahda mar-Regolamenti tal-2003 dwar Treġġigh Lura ta' Proprjetà Mnehhija Illegalment minn Territorju ta' Stat Membru fl-Unjoni Ewropea, hawnhekk iżjed 'il quddiem imsejha "ir-regolamenti prinċipali".

Titolu.

A.L. 246 ta' l-2003.

**2.** Minflok ir-regolament 2 tar-regolamenti prinċipali ghandu jidhol dan li ġej:

Jissostitwixxi r-regolament 2 tar-regolamenti prinċipali.

“2. F'dawn ir-regolamenti, kemm-il darba r-rabta tal-kliem ma tkunx tehtieg xort'ohra-

“l-Att” ifisser l-Att dwar il-Patrimonju Kulturali;

“kollezzjonijiet pubbliċi” tfisser kollezzjonijiet li huma l-proprjetà ta' Stat Membru, jew xi awtorità lokali jew reġjonali f'xi Stat Membru, jew istituzzjoni li tkun tinsab f'dak it-territorju u li tigi definita bhala wahda pubblika skond il-ligijiet ta' dak l-Istat Membru, liema istituzzjoni tkun tappartejeni lil, jew tkun iffinanzjata b'mod sostanzjali minn, dak l-Istat Membru jew minn awtorità lokali jew reġjonali;

“mnehhija illegalment minn territorju ta' Stat Membru rikjedenti” tfisser -

(a) it-tnehhija ta' proprjeta mit-territorju ta' Stat Membru bi ksur tal-ligijiet tieghu dwar il-harsien ta' tezori nazzjonali jew bi ksur tar-Regolamenti dwar l-Esportazzjoni ta' Proprjeta Kulturali minn Malta lejn Pajjiżi Terzi 2005;

(b) proprjeta li ma tkunx treggghet lura wara perjodu li fih tkun giet imnehhija legalment, jew il-ksur ta' xi kundizzjoni ohra li tirregola dak ic-ċaqliq temporanju;

“Pajjiż Terz” jfisser stat jew territorju li la jkun hu membru u lanqas ma jkun jappartjeni lil xi Stat Membru;

“proprjeta kulturali” u “patrimonju kulturali” ifissru dik il-proprjeta speċifikata fl-Att u fl-Ewwel Skeda li tinsab ma' dawn ir-regolamenti u jinkludu proprjeta kulturali klassifikata, qabel jew wara ma din titneħħa illegalment minn territorju ta' Stat Membru, bhala tezor nazzjonali fil-kuntest tat-tifsira tal-Artiklu 30 tat-Trattat ta' l-Unjoni u din tkun taqa taht xi wahda mill-kategoriji elenkati fl-Ewwel Skeda izda ma tkunx tappartjeni ghal xi wahda minn dawn il-kategoriji izda tkun parti integrali minn kollezzjonijiet pubbliċi elenkati fl-inventarji ta' mużewijiet, arkivji jew xi kollezzjoni ta' konservazzjoni ta' biblijoteki, jew ghal inventarju ta' istituzzjonijiet ekkleżjastiċi;

“is-Sovrintendenza” tfisser is-Sovrintendenza tal-Patrimonju Kulturali mwaqqfa bl-artikolu 7 ta' l-Att;

“Stat Membru” tfisser kull stat membru, inkluża Malta, ta' l-Unjoni Ewropea;

“Stat Membru rikjedenti” tfisser Stat Membru li mit-territorju tieghu tkun illegalment tneħħiet il-proprjeta kulturali.”

Jissostitwixxi  
regolament 5 tar-  
regolamenti  
prinċipali.

**3.** Regolament 5 tar-regolamenti prinipali ghandu jinbidel b'dan li gej:

“Twaqqif ta'  
l-awtorità  
kompetenti.

5. Is-Sovrintendenza tal-Patrimonju Kulturali, mwaqqfa bl-artikolu 7 ta' l-Att, hija l-awtorità kompetenti mahtura biex twettaq d-dmirijiet li johorgu minn dawn ir-regolamenti.”.

4. Minflok ir-regolament 6 tar-regolamenti prinċipali ghandu jidhol dan li gej:

Jissostitwixxi regolament 6 tar-regolamenti prinċipali.

“6. Is-Sovrintendenza ghandha -

(a) hekk kif tircievi applikazzjoni minghand Stat Membru rikjedenti, taghti bidu ghal proċeduri intiżi biex tfittex il-proprjetà kulturali msemmija li tkun giet imnehhija illegalment mit-territorju ta' Stat Membru rikjedenti, bl-iskop li jigi identifikat il-possessur u, jew id-detentur. L-applikazzjoni ghandha tkun bil-miktub u tkun tinkludi:

(i) dokument li jiddeskrivi l-proprjetà li dwarha ssir it-talba li jiddikjara li dak l-oġġett ikun proprjetà kulturali, u

(ii) dikjarazzjoni, magħmula mill-awtoritajiet kompetenti ta' l-Istat Membru rikjedenti li dik il-proprjetà kulturali tkun giet imnehhija illegalment mit-territorju tiegħu, u

(iii) l-informazzjoni kollha mehtieġa bl-intenzjoni li tigi ffaċilitata din it-tfittxija, b'mod partikolari dwar il-post attwali jew preżunt fejn tinsab dik il-proprjetà;

(b) tinnotifika lill-Istat Membru konċernat f'każ li ssib dik il-proprjetà kulturali f'Malta li fuqha jkun hemm suspett serju li dik il-proprjetà kulturali tkun giet imnehhija illegalment mit-territorju ta' l-Istat Membru konċernat;

(ċ) tipprovdi dwar l-ispezzjon fiżiku ta' dik il-proprjetà mill-awtorità kompetenti ta' l-Istat Membru rikjedenti sabiex jiġi żgurat li l-oġġett hu fil-fatt proprjetà kulturali:

Iżda dak l-ispezzjon ghandu jsir fi żmien xahrejn mid-data tan-notifika skond m'hemm provdut fil-paragrafu (b) ta' dan ir-regolament lill-awtorità kompetenti fl-Istat Membru rikjedenti. Jekk dak l-ispezzjon ma jsirx fi żmien stipulat ghaldaqshekk, il-paragrafi (d) u (e) ta' dan ir-regolament itemmu milli jibqgħu japplikaw;

(d) tikkopera kif mehtieġ ma' l-Istat Membru rikjedenti bl-iskop li tikkonserva fiżikament il-propjetà kulturali msemmija;

(e) tagixxi biex tipprevjeni, b'kull mizura mehtiega f'dak il-waqt, xi azzjoni li tostakola l-proċeduri għat-treġġigh lura tal-proprjeta';

(f) tikkoordina u taghmilha ta' intermedjarju bejn l-Istat Membru rikjedenti u l-possessur u, jew id-detentur tal-proprjeta' kulturali mnehhija llegalment bl-iskop li tigi mreggħha lura dik il-propjeta kulturali lejn il-pajjiż ta' orijini tagħha. Dan għandu jinkludi l-kordinament biex jinbdew proċeduri ta' arbitraġġ skond il-liġi ta' Malta bejn l-Istat Membru rikjedenti u l-possessur u, jew id-detentur ta' dik il-proprjeta' kulturali.”.

Jissostitwixxi  
regolament 7 tar-  
regolamenti  
prinċipali.

**5.** Minflok ir-regolament 7 tar-regolamenti prinċipali għandu jidhol dan li gej:

“7. (1) Stat Membru rikjedenti għandu d-dritt jibda proċeduri legali quddiem il-Qorti kompetenti f'Malta kontra l-possessur jew, fin-nuqqas, id-detentur ta' dik il-proprjeta' kulturali bl-iskop li jiżgura t-treġġigh lura tal-proprjeta' kulturali li tkun giet imnehhija illegalment mit-territorju ta' dak l-Istat Membru rikjedenti.

(2) Salv għal dak xort'ohra provdut f'regolament 8, il-qorti kompetenti għanda tordna t-treġġigh lura tal-proprjeta' kulturali msemmija meta dik il-proprjeta' tkun klassifikata bhala proprjeta' kulturali u jirriżulta li tkun giet imnehhija illegalment mit-territorju ta' l-Istat Membru rikjedenti.

(3) Il-proċedimenti jistghu biss jinbdew wara li ssir applikazzjoni bil-miktub skond m'hemm provdut f'regolament 6(a). Barra minn hekk, id-dokument u d-dikjarazzjoni imsemmija f'regolament 6(a) għandhom jiġu pprezentati fil-qorti mill-attur meta tibda tinstama' l-kawża.

(4) L-awtorita' ċentrali ta' l-Istat Membru rikjedenti għandha minnufih tinforma lis-Sovrintendenza bil-bidu tal-proċedimenti intiżi biex jiżguraw t-treġġigh lura tal-proprjeta' kulturali. Is-Sovrintendenza għandha minnufih tgharraf lill-awtoritajiet ċentrali ta' l-Istati Membri l-ohra.”.

Jemenda  
r-regolament 8  
tar-regolamenti  
prinċipali.

**6.** Fis-subregolament (1) tar-regolament 8 tar-regolamenti prinċipali, minflok il-kliem “tal-pajjiż mitlub jibgħat lura l-oġġett” għandha tidhol il-kelma “Malta”.

**7.** R-regolament 9 tar-regolamenti prinċipali ghandu jigi emendat kif gejj:

Jemenda r-regolament 9 tar-regolamenti prinċipali.

a. fis-subregolament (1), minflok il-kliem “liġijiet nazzjonali ta’ l-Istat Membru involut” ghandhom jidhlu l-kliem “liġijiet ta’ Malta”; u

b. fis-subregolament (2), minflok il-kliem “liġi ta’ l-Istat Membru li tkun saritlu t-talba” ghandhom jidhlu l-kliem “liġi ta’ Malta”.

**8.** Minflok is-subregolament (3) tar-regolament 10 tar-regolamenti prinċipali ghandu jidhol dan li gej:

Jemenda regolament 10 tar-regolamenti prinċipali.

“(3) Dawn il-proċedimenti ma jistgħu, f’ebda każ, jingiebu quddiem il-qorti kompetenti ta’ Malta iktar minn tletin sena wara li proprjetà kulturali tkun giet imnehhija illegalment mit-territorju ta’ l-Istat Membru rikjedenti. Madankollu, fil-każ ta’ proprjetà li tkun tagħmel parti minn kollezzjonijiet pubbliċi elenkati fl-inventarji ta’ mużewijiet, arkivji jew kollezzjonijiet ta’ konservazzjoni ta’ biblijoteki, u beni ekkleżjastiċi fl-Istat Membru fejn ikunu soġġetti għal arrangament ta’ protezzjoni speċjali taht il-liġi nazzjonali, il-proċeduri għat-treġġigh lura jkunu soġġetti għal perjodu li ma jiskadix il-hamsa u sebghin sena, minbarra fi Stat Membru rikjedenti fejn il-proċeduri ma jkunu soġġetti għal ebda skadenza ta’ terminu, jew fil-każ ta’ ftehim bilaterali bejn Malta u l-Istat Membru rikjedenti li jstipula terminu li jeċċedi l-hamsa u sebghin sena.”.

**9.** Ir-regolamenti 11 u 12 tar-regolamenti prinċipali ghandhom jiġu mħassra u regolamenti 13 u 14 jiġu rinumerati 11 u 12.

Thassar regolamenti 11 u 12 tar-regolamenti prinċipali.

**10.** Fis-subregolament (4) tar-regolament 12 tar-regolamenti prinċipali, minflok il-kliem “proprjetà ta’ l-Istat li jkollu l-obbligu li jikkonservah u li jagħmel” ghandhom jidhlu l-kliem “proprjetà ta’ Malta li jkollha l-obbligazzjoni li tikkonservah u li jagħmel”.

Jemenda r-regolament 14 tar-regolamenti prinċipali.

**11.** Minnufih fi tmiem ir-regolament 12 tar-regolamenti prinċipali ghandha tiżdied din l-iskeda li gejja :

Iżid l-Ewwel Skeda mar-regolamenti prinċipali.

L-EWWEL SKEDA

(Regolament 2)

Kategoriji msemija fit-tifsira “propjeta kulturali” u “patrimonju kulturali” fir-regolament 2 li fihom ghandhom jitqeghdu oggetti meqjusa bhala ‘teżori nazzjonali’ skond it-tifsira f’ Artiklu 36 tat-Trattat tal-Unjoni biex jkunu jistghu jikkwalifikaw biex jitreggghu lura skond dawn ir-regolamenti.

A. 1. Materjal arkeologiku li ghandu aktar minn 100 sena u li huwa rizultat ta’:

- skavi fuq l-art jew taht l-ilma u oggetti misjuba,
- siti arkeologici
- kollezzjonijiet ta’ xorta arkeologika.

2. Elementi li jiffurmaw parti integrali minn monumenti artistici, storiici jew reliġjużi, li ġew zmembrati, u aktar minn 100 sena.

3. Disinji tpingija u pitturi, li m’humiex daww inkluzi f’Kategorija 3 A jew 4, magħmulin għal kollox bl-idejn fuq kull materjal u b’kull mezz <sup>(1)</sup>.

3A. Akwarelli, *gouaches* u *pastels* magħmulin għal kollox bl-idejn fuq kull materjal <sup>(1)</sup>.

4. Mużajk ta’ kull materjal, maħdum għal kollox bl-idejn, appartu daww li jaqgħu f’Kategoriji 1 jew 2, u disinji b’kull mezz magħmula għal kollox bl-idejn fuq kull materjal <sup>(1)</sup>.

5. Inċizjonijiet, stampi, serjografiji u litografiji originali bil-pjani rispettivi u manifesti originali tagħhom <sup>(1)</sup>.

6. Skultura originali jew statwarja u kopji magħmulin bl-istess proċess bħal fl-originali <sup>(1)</sup> hlief daww f’kategorija 1.

7. Fotografiji, filmati u n-negattivi tagħhom <sup>(1)</sup>.

8. *Incunabula* u manuskritti, inkluzi mapep u partituri mużikali, kemm wahdiet kemm parti minn kollezzjoni <sup>(1)</sup>.

9. Kotba li ghandhom iktar minn 100 sena, kemm wahdiet kemm parti minn kollezzjoni.

10. Mapep stampati li ghandhom iktar minn 200 sena.

11. Arkivji u elementi marbuta magghom, ta' kull xorta, fuq kull materjal, inklużi elementi li ghandhom iktar minn 50 sena.

12. (a) Kollezzjonijiet u eżempji minn kollezzjonijiet żoologiċi, botaniċi, mineralogiċi u anatomiċi;

(b) Kollezzjonijiet ta' interess storiku, paleontologiċu, etnografiċu jew numismatiku.

13. Mezzi tat-trasport li ghandhom aktar minn 75 sena.

14. Kull antikità oħra li mhix inkluża f'Kategoriji A 1 sa A 13, li ghandha aktar minn 50 sena.

L-oġġetti ta' xorta kulturali f'Kategoriji A 1 sa A 14 jaqgħu taħt dawn ir-regolamenti biss jekk il-valur tagħhom ikun jikkorrispondi mal-limiti finanzjarji f'Taqsimha B jew ikun aktar għoli minnhom.

**B. Limiti ta' ammonti finanzjarji li ghandhom japplikaw għal ċerti kategoriji taħt parti A**

*VALUR:*

Ikun xi jkun il-valur

- 1 (Materjal arkeologiċu)
- 2 (Monumenti żmembrati)
- 8 (*Incunabula* u manuskritti)
- 11 (Arkivji)

Lm 6,000

- 4 (Mużajk u disinji)
- 5 (Inizjonijiet)
- 7 (Fotografiji)
- 10 (Mapep stampati)

Lm 12,000

- 3A (Akwarelli, *gouaches* u *pastels*)

Lm 20,000

- 6 (Statwarja)
- 9 (Kotba)
- 12 (Kollezzjonijiet)

B 438

- 13 (Mezzi tat-trasport)
- 14 (Kull oġġett ieħor)

Lm 60,000

- 3 (Pitturi)

L-istima dwar jekk il-kondizzjonijiet dwar il-valuri finanzjarji humiex osservati mharsa jew le ghandha ssir meta jiġi mitlub it-treġġiegh lura. Il-valur finanzjarju jkun dak ta' l-oġġett f'Malta.

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(<sup>1</sup>) Li ghandhom iktar minn hamsin sena u ma jappartjenux ghal min ghamilhom.



**L.N.46 of 2005**

**CULTURAL HERITAGE ACT  
(CAP.445)**

**Return of Cultural Objects Unlawfully Removed from the  
Territory of a Member State of the European Union  
(Amendment) Regulations, 2005**

BY virtue of article 55 of the Cultural Heritage Act, the Minister for Tourism and Culture has made the following regulations:

**1.** The title of these regulations is the Return of Cultural Objects Unlawfully Removed from the Territory of a Member State of the European Union (Amendment) Regulations, 2005, and they shall be read and construed as one with Return of Cultural Objects Unlawfully Removed from the Territory of a Member State of the European Union Regulations, 2003, hereinafter referred to as “the principal regulations”.

Title.

L.N. 246 of 2003.

**2.** For regulation 2 of the principal regulations, there shall be substituted the following:

Substitutes regulation 2 of the principal regulations.

“2. In these regulations, unless the content otherwise requires –

“the Act” means the Cultural Heritage Act;

“cultural property” and “cultural heritage” means such property as is specified in the Act and in the First Schedule to these regulations, and include cultural property which is classified, before or after its unlawful removal from the territory of a Member State, as national treasures within the meaning of Article 30 of the Treaty of the Union and belongs to one of the categories listed in the First Schedule or does not belong to one of these categories but forms an integral part of public collections listed in the inventories of museums, archives or libraries conservation collection, or to the inventories of ecclesiastical institutions;

“Member State” means any member state, including Malta, of the European Union;

“public collections” means collections which are the property of a Member State, a local or regional authority within a Member State, or an institution situated in its territory

and defined as public in accordance with the legislation of that Member State, such institution being the property of, or significantly financed by, that Member State or a local or regional authority;

“requesting Member State” means the Member State from whose territory the cultural property has been unlawfully removed;

“the Superintendence” means the Superintendence of Cultural Heritage established by article 7 of the Act;

“Third Country” means a state or territory which is not or does not belong to a Member State;

“unlawfully removed from the territory of a requesting Member State” means-

(a) the removal of property from the territory of that Member State in breach of its laws on the protection of national treasures or in breach of the Export of Cultural Property from Malta to Third Countries Regulations, 2005;

(b) property which is not returned at the end of a period of lawful temporary removal, or any breach of another condition governing such temporary removal.”.

Substitutes regulation 5 of the principal regulations.

**3.** For regulation 5 of the principal regulations there shall be substituted the following :-

“Establishment of the competent authority.

5. The Superintendence of Cultural Heritage, established by article 7 of the Act shall be the competent authority appointed to carry out the duties provided for in these regulations.”.

Substitutes regulation 6 of the principal regulations.

**4.** For regulation 6 of the principal regulations there shall be substituted the following:

“6. The Superintendence shall -

(a) upon application by a requesting Member State, initiate proceedings to seek a specified cultural object which has been unlawfully removed from the territory of the requesting state, with the purpose of identifying the possessor and, or holder. The application shall be in writing and shall:

i. include a document describing the object covered by the request and stating that it is a cultural object, and

ii. include a declaration by any competent authority of the requesting Member State that the cultural object has been unlawfully removed from its territory, and

iii. include all information needed to facilitate this search, with particular reference to the actual or presumed location of the object;

(b) notify the Member State concerned on finding cultural property in Malta and there is reasonable suspicion that such cultural property has been unlawfully removed from its territory;

(c) provide for the physical inspection of the said cultural property by the competent authority of the requesting Member State to verify that the object is cultural property:

Provided that the inspection is to be carried out within two months from the date of notification provided for in paragraph (b) hereof by the competent authority in the requesting Member State. If the inspection does not take place within the stipulated time, then paragraphs (d) and (e) hereunder shall cease to apply;

(d) take any necessary measures in cooperation with the requesting Member State to physically preserve the cultural property in question;

(e) act to prevent, by any necessary interim measure, any action to evade the return procedure; and

(f) coordinate with and liaise between the requesting Member State and the possessor and, or holder of illegally removed cultural property for the purpose of returning such cultural property to its place of origin. This may include coordination to commence arbitration proceedings according to Maltese law between the requesting Member State and the possessor and, or holder of the cultural property.”.

Substitutes regulation 7 of the principal regulations.

**5.** For regulation 7 of the principal regulations there shall be substituted the following:

“7. (1) A requesting Member State shall be entitled to initiate proceedings before the competent court in Malta against the possessor or, in default, the holder of the said object to secure the return of cultural property unlawfully removed from the territory of such requesting Member State.

(2) Save as otherwise provided for in regulation 8, the competent court shall order the return of the cultural object in question where such object is classified as cultural property and it is found to have been unlawfully removed from the territory of the requesting Member State.

(3) Proceedings may only be brought following a written application as provided for in regulation 6(a). Moreover, the document and declaration provided for in regulation 6(a) shall be filed in court by the plaintiff on commencement of the proceedings.

(4) The central authority of the requesting Member State shall forthwith inform the Superintendence that proceedings have been initiated with the aim of securing the return of cultural property. The Superintendence shall forthwith inform the central authorities of other Member States.”.

Amends regulation 8 of the principal regulations.

**6.** In sub-regulation (1) of regulation 8 of the principal regulations for the words “the requested state” there shall be substituted the word “Malta”.

Amends regulation 9 of the principal regulations.

**7.** Regulation 9 of the principal regulations shall be amended as follows :-

(a) for the words “the Member State involved” in sub-regulation (1) there shall be substituted the word “Malta”; and

(b) in sub-regulation (2) thereof, for the words “the legislation of the requested Member State” there shall be substituted the words “Maltese law”.

Amends regulation 10 of the principal regulations.

**8.** For sub-regulation (3) of regulation 10 of the principal regulations, there shall be substituted the following:

“(3) Such proceedings may not, at any event, be commenced more than thirty years after the object was unlawfully removed

from the territory of the requesting Member State. However, in the case of objects forming part of public collections listed in the inventories of museums, archives or the conservation collection of libraries, and ecclesiastical goods in the requesting Member State where they are subject to special protection arrangements under national law, return proceedings shall be subject to a time limit of seventy-five years, except where proceedings are not subject to a time limit in the requesting Member State, or in the case of a bilateral agreement between Malta and the requesting Member State laying down a period exceeding seventy-five years.”.

**9.** Regulations 11 and 12 of the principal regulations shall be deleted and regulations 13 and 14 renumbered as 11 and 12.

Deletes regulations 11 and 12 of the principal regulations.

**10.** In sub-regulation (4) of regulation 12 of the principal regulations, for the words “the property of the State who is obliged” there shall be substituted the words “the property of Malta which has the obligation”.

Amends regulation 14 of the principal regulations.

**11.** Immediately at the end of regulation 12 of the principal regulations there shall be added the following schedule:

Adds First Schedule to the principal regulations.

FIRST SCHEDULE

(Regulation 2)

Categories referred so in the definitions “cultural property” and “cultural heritage” in regulation 2 to which objects classified as ‘national treasures’ within the meaning of Article 30 of the Treaty of the Union must belong in order to qualify for return under these regulations.

A. 1. Archaeological objects more than 100 years old which are the products of:

- land or underwater excavations and finds,
- archaeological sites,
- archaeological collections.

2. Elements forming an integral part of artistic, historical or religious monuments which have been dismembered, more than 100 years old.

3. Pictures and paintings, other than those included in Category 3A or 4, executed entirely by hand on any material and in any medium <sup>(1)</sup>.

3A. Water-colours, gouaches and pastels executed entirely by hand on any material <sup>(1)</sup>.

4. Mosaics in any material executed entirely by hand, other than those falling in Categories 1 or 2, and drawings in any medium executed entirely by hand on any material <sup>(1)</sup>.

5. Original engravings, prints, serigraphs and lithographs with their respective plates and original posters <sup>(1)</sup>.

6. Original sculptures or statuary and copies produced by the same process as the original <sup>(1)</sup> other than those in category 1.

7. Photographs, films and negatives thereof <sup>(1)</sup>.

8. Incunabula and manuscripts, including maps and musical scores, singly or in collections <sup>(1)</sup>.

9. Books more than 100 years old, singly or in collections.

10. Printed maps more than 200 years old.

11. Archives and any elements thereof, of any kind, on any medium, comprising elements more than 50 years old.

12. (a) Collections and specimens from zoological, botanical, mineralogical or anatomical collections;

(b) Collections of historical, palaeontological, ethnographic or numismatic interest.

13. Means of transport more than 75 years old.

14. Any other antique item not included in categories A 1 to A 13, more than 50 years old.

The cultural objects in categories A 1 to A 14 are covered by these regulations only if their value corresponds to, or exceeds, the financial thresholds under part B.

## **B. Financial thresholds applicable to certain categories under A**

### *VALUE:*

Whatever the value

- 1 (Archaeological objects)
- 2 (Dismembered monuments)
- 8 (Incunabula and manuscripts)
- 11 (Archives)

*Lm 6,000*

- 4 (Mosaics and drawings)
- 5 (Engravings)
- 7 (Photographs)
- 10 (Printed maps)

*Lm 12,000*

- 3A (Water colours, gouaches and pastels)

*Lm 20,000*

- 6 (Statuary)
- 9 (Books)
- 12 (Collections)
- 13 (Means of transport)
- 14 (Any other item)

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*Lm 60,000*

- 3 (Pictures)

The assessment of whether or not the conditions relating to financial value are fulfilled must be made when return is requested. The financial value is that of the object in Malta.

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(<sup>1</sup>) Which are more than fifty years old and do not belong to their originators.