

*Approved by Decision No 2/1 of Board of Ministry of
Culture & Tourism of the Republic of Azerbaijan dated Aug 03, 2006*

REGULATIONS

On Experts' Commission on issuance of certificate (license) for conducting of expertise of cultural wealth, definition of historical, artistic, scientific value and taking out of republic

I. General provisions

- 1.1. The Experts' Commission (hereinafter "Commission") on issuance of certificate (license) for conducting of expertise of cultural wealth, definition of historical, artistic, scientific value and taking out of republic the folk and arts and crafts samples, carpet and carpet works, weaving, cloths, metal items, jewellery items, natural gems, archaeological, paleontological, ethnographic materials and other cultural wealth was established by order of the Culture & Tourism of the Republic of Azerbaijan in accordance with requirements of Law of the Republic of Azerbaijan "On culture" under the Azerbaijan Carpet and Applied Folk Art Museum, and conducts full economic activities.
- 1.2. These Regulations define the rules of expertise of cultural wealth, being under the activity scope of the Commission, for taking out from the Republic of Azerbaijan.
- 1.3. In its activities the Commission is guided on the Constitution of the Republic of Azerbaijan, decrees and orders of the President of the Republic of Azerbaijan, decisions and resolutions of the Council of Ministries of Republic of Azerbaijan, Laws of the Republic of Azerbaijan "On culture", "On museums", "On protection and development of carpet art" and other laws of Republic of Azerbaijan, international contracts and conventions, joined by the Republic of Azerbaijan, collegial decisions, orders of and these Regulations of the Ministry of Culture & Tourism of the Republic of Azerbaijan.
- 1.4. The number and structure of Commission members is approved by the Ministry of Culture & Tourism of the Republic of Azerbaijan.
- 1.5. If the below given cultural wealth has historical, artistic, scientific value irrespective of date of creation, its removal from the Republic of Azerbaijan is not allowed.
Carpet and carpet works, folk and arts and crafts samples: weaving, cloths, jewellery items, precious metals (gold, silver and platinum) and natural gems (diamond, ruby, malachite, amber, sapphire, emerald, etc) as well as items made of pearl, wood, metal, bone, ivory, paper and other materials, domestic items, items and its parts found at archaeological excavations.

II. The rules on issuance of permission for taking out of cultural wealth from republic.

- 2.1. The legal and natural person applies with an application to Commission for getting the permission for taking out of cultural wealth from republic. The item to be taken out from republic, the photos of this item in 13x18 cm size, 3 pcs are added to this application.
- 2.2. The expertise is conducted by commission members without presence of owner of the item. But in necessary cases the owner of item may be called at expertise.
- 2.3. The item is studied thoroughly, its technological features, as well as historical, artistic, scientific importance and cost is defined and finally a decision is taken whether on allowing or not for its removal from republic.
- 2.4. The conclusion of expertise is a base for permitting/refusing on its removal from the Republic of Azerbaijan and in case of refusal the justified reference is issued to citizen.

- 2.5. The Commission evaluates the historical, artistic, scientific importance of the items submitted by legal and natural persons and issues testimonial on it.
- 2.6. The Ministry of Tourism and Culture issues a numerated strict letterhead, a certificate (permission document-license) for the item allowed for removal from the republic, and the item is marked.
- 2.7. The information on cultural wealth not permitted for removal from republic, its owner, description, value and protection level is delivered to entity appointed by the Ministry of Culture and Tourism for purposes of registration in the list of protection of cultural wealth of the Republic of Azerbaijan.
- 2.8. The certificate (permission document) is signed by the commission members and approved with seal.
- 2.9. The photos and one copy of certificate (permission document) of the items taken out from republic are kept at Experts' Commission and rest two are given to owner of the item (one for submission to customs and other for keeping by self owner of item).
- 2.10. The meetings of the Commission are recorded with protocols.
- 2.11. Natural or legal person has to pay certain amount in cash or through bank transfer based on tariff schedule agreed with the Ministry of Culture and Tourism against the conduction of expertise.
- 2.12. The meetings of Commission are held twice a week, at the dates fixed beforehand. Whenever required the Commission may have out of turn expertise of cultural wealth based on requests and against the additional payment.
- 2.13. The Commission carries out educational works on rules for taking out of cultural wealth from republic and delivers to buyers through heads of firms, art galleries, fair exhibition halls, shops dealing with sales of modern art samples, the rules for taking out of cultural wealth from republic.
- 2.14. The Commission carries out in-situ expertise of items of firms, art galleries, fair exhibition halls, shops dealing with manufacture, export and sales of modern art samples and provides preliminary issuance of certificates (permission document) for its removal from republic.
- 2.15. The Commission makes records of souvenirs and presents prepared and manufactured in mass in modern period and being at sales, maintains the register updated systematically and twice a year. In January and July months informs the Ministry of Culture and Tourism for conveying to the State Customs Committee. Items included in register may be taken out the country without any limitation and certificate (permission document).
- 2.16. The Commission issues a certificate (permission document) just for first copies of mass manufacture samples submitted by firms dealing with manufacture, export and sales of modern art samples and the document notes their mass manufacture. Those items manufactured in ten or more number are enlisted in register of souvenirs and presents according to Article 2.15 and may be taken out the country without any limitation and certificate (permission document).
- 2.17. In case of application of natural and legal persons the Commission conducts the expertise of samples of modern art imported in the Republic of Azerbaijan and issues a certificate (permission document).
- 2.18. The certificate (permission document) is valid for 5 (five) years since the issuance date.
- 2.19. The income gained from expertise are distributed to commission members as honorarium in order established by the Ministry of Culture and Tourism, directed at payment of expertise related expenses and development of museum.

III. The rules of issuance of certificates (permission documents) by the Commission free of charge and at discounted price.

- 3.1. The Commission carries out free of charge expertise for items presented to official guests based on order, resolution and letters of the Ministry of Culture and Tourism.
- 3.2. In cases when the members of the Union of Azerbaijani Artists, students of Painting Academy of Azerbaijan and Azerbaijan State Culture and Art University take out the own works for demonstration in foreign countries, the expertise for them is carried out free of charge.
- 3.3. The authors' works taken out from republic for sales purposes are subject to expertise on discounted prices.

IV. The Rules on permission of taken out of cultural wealth from republic in connection with temporary exhibiting, restoration, presentation and international cultural events.

- 4.1. Temporary taking out of cultural and museum wealth with historical, artistic and scientific importance from republic in connection exhibition, restoration, getting the conclusion of foreign specialist, presentation, and international culture events is considered at application of organizations. The reasons and conditions of removal of items, as well as duration of its stay abroad are to be mentioned in the application.
- 4.2. The Commission is submitted the list in 3 copies and photos of the items together with items. The name of author, date of creation, sizes, materials, methods and insurance cost are shown in the list and at the back side of photos.
- 4.3. The items are provided with "Certificate (permission document) entitling removal of cultural wealth" in Azerbaijani and English languages, developed by UNESCO and the World Customs Organisation and adopted by the Ministry of Culture and Tourism.
- 4.4. The duration of stay of the given cultural wealth out of the republic must not exceed six months in a year.
- 4.5. When the cultural wealth temporarily removed from republic is returned in country their repeated expertise is carried out.

V. Rights and obligations of commission members

- 5.1. The Commission is entitled with following rights and obligations:
 - expertise and evaluation of items to be taken out from republic;
 - in cases of necessity to involve qualified specialists for evaluation and expertise of cultural wealth;
 - adoption of decision on allowing/refusing of removal of cultural wealth from republic;
 - to reply in written to enquiries received from natural and legal persons;

VI. Liabilities of Commission members

- 6.1. Commission members are liable for violations in work in accordance with laws of the Republic of Azerbaijan.

VII. Rights and obligations of citizens in connection with removal of cultural wealth from republic.

- 7.1. Citizens may apply to the Ministry of Culture and Tourism of the Republic of Azerbaijan or court in connection with activity of Experts' Commission.
- 7.2. Citizens, legal and natural persons are liable for execution of Article 4.5 of these Regulations.