



Australian Government

Department of Infrastructure, Transport, Regional Development and Communications
Office for the Arts

National Cultural Heritage Account Guidelines

May 2021

Introduction

The National Cultural Heritage Account (the Account) is established under section 25 of the [Protection of Movable Cultural Heritage Act 1986](#) (the Act). The Account is managed in accordance with section 21 of the [Financial Management and Accountability Act 1997](#).

The following guidelines are approved by the Minister responsible for the administration of the Act (the Minister) and are intended to provide guidance regarding the assessment of applications for assistance from the Account.

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Purpose of the Account

Section 25B of the Act provides that amounts standing to the credit of the Account may be expended for the purpose of facilitating the acquisition of Australian protected objects for display or safe-keeping. This accords with the following objectives of the Act:

where appropriate, keep Australian protected objects in Australia; and place such objects into public collections for display or safekeeping, where appropriate and practicable.

Objects for which funding may be provided

In determining whether an amount will be expended from the Account, preference or priority will be given to the following [Australian protected objects](#):

- Class A objects in Australia and overseas;
- Class B objects which have been denied an export permit;
- Class B objects which have been granted an export permit on condition that they be available at fair market value for purchase by an eligible cultural organisation
- Class B objects which are overseas.

Mode of assistance

The expenditure of funds from the Account is to be by way of a deed of grant.

Eligibility for funding assistance

Australian cultural organisations are eligible to apply for funding assistance from the Account. Such organisations might be museums, art galleries, libraries, archives, historic buildings and others, having permanent and appropriately maintained/conserved collections which are accessible to the public.

In considering applications for funding assistance, preference will be given to Cultural Organisations with the intention and capacity to care for and provide public access to Australian Protected Objects in perpetuity.

Assistance may also be given to other persons, particularly where they intend to gift the object to an eligible cultural organisation with a permanent public collection.

Permanent public collections may include special collections which can only be accessed by a particular group of people, such as an Aboriginal or Torres Strait Islander keeping place for sacred/secret material.

Given the special significance of Class A objects of Australian Aboriginal and Torres Strait Islander heritage to indigenous communities, grants in respect of those objects may be made to groups which do not have a permanent public collection.

When funding assistance is provided to a third party in order to gift an object to an appropriate cultural organisation, the grant and the gifting of the object are to be simultaneous.

Cultural Gifts Program

The Cultural Gifts Program is administered by the Department of Infrastructure, Transport, Regional Development and Communications.

An object which has been the subject of financial assistance from the Account and gifted to an appropriate cultural organisation is not subject to benefits under the Cultural Gifts Program.

The assessment of requests for funding assistance

Applications for funding assistance from the Account should be made in writing. Funding assistance will be provided on a case by case basis at the discretion of and as determined by the Minister generally after considering the advice of the National Cultural Heritage Committee (the Committee). The Act provides that the Committee is to advise the Minister in relation to the operation of the Account.

Amount of funding

The purchase price is essentially a matter between the owner of an Australian protected object and the recipient of the object.

Funding assistance from the Account will normally cover only a proportion of the “fair market value” of the object. In advising the Minister on the issue of the fair market value, the Committee may consider the sale price of the object at a recent public auction and or the purchase price being paid by the applicant. Where the Committee considers it necessary and appropriate, the applicant may be requested (at the applicant’s cost) to provide at least two independent valuations from valuers approved under the Commonwealth’s Cultural Gifts Program. The fair market value, for the purposes of establishing the level of funding assistance to be provided from the Account, will be the value accepted by the Minister generally after considering the advice of the Committee.

A list of approved Cultural Gifts Program valuers can be found on our [website](#).

Responsibility of the funding recipient

In accordance with the purpose for which the Account has been established, it is expected that in most cases recipients of an Australian Protected Object for which funding assistance has been provided will care for and provide public access to that object in perpetuity. The Committee is to be notified, however, where a situation arises in respect of such objects:

- that the recipient has lost the capacity to keep safe and care for the object; or
- that the object is to be de-accessioned from the permanent collection.

In such circumstances the recipient will seek the advice of the Committee as to the appropriate action to take and advise to whom the object is going.

It is not the intention, nor envisaged that, Cultural Organisations would look to sell an Australian Protected Object for which funding assistance has been provided. In the event, however, that it is proposed to sell such an object within five years of the date of the grant, the Commonwealth is to be

paid a proportion of the proceeds according to its contribution to the purchase price paid by the recipient.

Find out more

For more information, including a list of what and who we've funded, visit our [website](#).

Applications for funding assistance or enquiries

Applications and enquiries should be addressed to:

Cultural Property Section
Office for the Arts
Department of Infrastructure, Transport, Regional Development and Communications'
GPO Box 2154
CANBERRA ACT 2601

Phone: 1800 819 461

Email: movable.heritage@arts.gov.au