



Environmental Defenders Office

Commonwealth Heritage Protection Law

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Overview

Responsibility for heritage protection in Australia is split between Commonwealth, State and local government.

The Commonwealth is responsible for:

- World Heritage
- National Heritage, and;
- Commonwealth Heritage Places.

The main Commonwealth law covering these areas is the [Environment Protection and Biodiversity Conservation Act 1999 \(Cth\)](#) (**EPBC Act**).

The Commonwealth is also responsible for Indigenous heritage items and places under the [Aboriginal and Torres Strait Islander Heritage Protection Act 1984 \(Cth\)](#).

N.B. It is important to remember that Australian Government approval may be required in addition to any other approvals required under State or Territory law

Read: EDO Factsheet on [NSW Heritage Law](#) for more information on heritage protection under NSW laws (including the role of local government)

EDO Factsheet on [Cultural Heritage Protection in Queensland](#) for more information on cultural heritage protection under QLD laws

EDO Factsheet on [Indigenous heritage in the NT](#) for more information on indigenous heritage protection under NT laws

Australian Heritage Council

The Australian Heritage Council is an independent body of heritage experts and is the main external body advising the Minister on heritage matters.

Functions of the Australian Heritage Council include:

- Preparing proposed priority assessment lists each year for new nominations to the heritage lists;¹
- Nominating places for inclusion on the National Heritage List² and Commonwealth Heritage lists;³
- Assessing places on the Finalised Priority Assessment Lists and advising the Minister on the National Heritage List,⁴ and the Commonwealth Heritage List,⁵ and;
- Advising the Minister on the List of Overseas Places of Historic Significance to Australia.⁶

World Heritage

World Heritage sites in Australia are listed, managed and protected under the EPBC Act. The EPBC Act gives effect to Australia's international obligations⁷ under the *Convention Concerning the Protection of the World Cultural and Natural Heritage* (**World Heritage Convention**).⁸ The World Heritage Convention protects cultural and natural sites of outstanding universal value.

How are places listed?

Only the Australian Government can nominate places in Australia for entry onto the World Heritage List.⁹ The World Heritage Committee, established under the World Heritage Convention,¹⁰ assesses each nomination against a set of criteria and decides whether to

¹ [Environment Protection and Biodiversity Conservation Act 1999 \(Cth\)](#), ss 324E – 324JJ, 341E – 341JI (**EPBC Act**).

² EPBC Act, s 324JB(3)(b).

³ EPBC Act, s 341JA(3)(b).

⁴ EPBC Act, s 324JH.

⁵ EPBC Act, s 341JG.

⁶ EPBC Act, s 390P, and 390R.

⁷ The EPBC Act replaced the *World Heritage Properties Conservation Act 1983 (Cth)*.

⁸ *Convention Concerning the Protection of the World Cultural and Natural Heritage*, opened for signature 16 November 1972, 1037 UNTS 151 (entered into force on 17 December 1975) (**World Heritage Convention**).

⁹ EPBC Act, s 314.

¹⁰ World Heritage Convention, Art 8

enter a place on the World Heritage List.¹¹ A property cannot be included on the World Heritage List without the consent of the nation state where the site is located.¹²

What is on the World Heritage List?

Australian sites on the World Heritage List include the Greater Blue Mountains Area, Fraser Island, the Sydney Opera House, the Ningaloo Coast and the Great Barrier Reef.

Visit: The Commonwealth Government's:

- [Australia's World Heritage List](#) page for the full list of Australian sites
- [Protected Matters Search Tool](#) to find out whether there are any World Heritage properties in your area of interest

How is World Heritage protected in Australia?

Management plans

The EPBC Act requires the Commonwealth to prepare and implement management plans for all properties in Australia which are on the World Heritage List.¹³ These plans are reviewable every five years to ensure that the plan is consistent with the Australian World Heritage management principles.¹⁴

Controlled actions

A person must not take an action that has, will have, or is likely to have a significant impact on the world heritage values of a declared World Heritage property without approval from the Environment Minister.¹⁵

A 'declared World Heritage property' is one which is already on the World Heritage List, or one which the Minister 'declares' should be treated as World Heritage (eg because it is under threat).¹⁶

Each World Heritage property has its own world heritage values.¹⁷ It is the values, and not the site itself, which are protected. An action is likely to have a "significant impact" if there is a real chance or possibility that it will cause one or more of the World Heritage values to be lost, degraded, damaged or notably altered.¹⁸

Activities outside the World Heritage property which nevertheless affect the World Heritage values may also need approval from the Environment Minister.

¹¹ World Heritage Convention, Art 11(2).

¹² World Heritage Convention, Art 11(3).

¹³ EPBC Act, ss 316 and 322.

¹⁴ EPBC Act, s 323. The Australian World Heritage management principles are set out in [Environment Protection and Biodiversity Conservation Regulations 2000 \(Cth\)](#), sch 5 (**EPBC Regulations**).

¹⁵ EPBC Act, s 12(1).

¹⁶ EPBC Act, ss 13 and 14.

¹⁷ EPBC Act, s 12(3).

¹⁸ [Significant Impact Guidelines 1.1 - Matters of National Environmental Significance](#) (2013), p 16-18.

Read: The [Significant Impact Guidelines](#) published by the Commonwealth and [Actions on, or impacting upon, Commonwealth land and Actions by Commonwealth Agencies](#) for more information about what a ‘significant impact’ is

Taking action to protect a World Heritage property in danger

If you think a World Heritage property might be in danger, you can:

- Report a potential breach of the EPBC Act to the Department of Climate Change, Energy, the Environment and Water
- Contact EDO for legal advice
- Seek independent legal advice

Visit: The Commonwealth Government’s [Report a Breach of the EPBC Act](#) page EDO [website](#) to get in touch

List of World Heritage in Danger

The World Heritage Committee is required to keep a “List of World Heritage in Danger”.¹⁹ The List can only include properties which are threatened by serious and specific dangers, such as large-scale public or private projects, tourist developments, and changes in water levels.²⁰

National Heritage Places

The EPBC Act allows places which are thought to be of outstanding heritage value to the nation to be listed, managed and protected.²¹

National Heritage List

National Heritage sites and their heritage values are recorded on the National Heritage List.²² A place that is included in the National Heritage List is called a *National Heritage place*.²³

Natural, historic and Indigenous sites within Australia can be listed as National Heritage.²⁴

How are places listed?

¹⁹ World Heritage Convention, Art 11(4).

²⁰ See the World Heritage Convention, art 11(4) for other examples of threats that might make a site eligible for the “List of World Heritage in Danger”.

²¹ EPBC Act, ss 324A – 324ZC.

²² EPBC Act, s 324C

²³ EPBC Act, s 324D(2).

²⁴ EPBC Act, s 324D, and EPBC Regulations, cl 10.01A.

The Minister ultimately decides whether to include a place on the List, although the Minister must follow the consultation process,²⁵ which includes consulting with the public and the Australian Heritage Council before listing a place.²⁶

Under this process, there is an annual 12-month cycle (known as *assessment periods*) in which the listing process works as follows:

- the Minister invites the public to nominate places for inclusion in the National Heritage list,²⁷
- the Minister then gives the nominations to the Australian Heritage Council,²⁸ which prepares, and gives to the Minister, the list of places which it thinks should be assessed (including any nominations by the Council itself),²⁹
- the Minister finalises the list of places to be assessed,³⁰
- the Australian Heritage Council invites the public to make comments about the finalised list,³¹
- the Australian Heritage Council assess the places on the finalised list and advises the Minister;³² and
- the Minister ultimately decides whether a place should be included on the National Heritage List.³³

The Minister can make an emergency listing if the Minister believes that a place that meets the criteria for National Heritage listing is under threat (and it is not already listed).³⁴

Visit: The Commonwealth Government's page on [Priority Assessment Lists](#) to learn more about the Australian Heritage Council's assessment of places for the National Heritage List and Commonwealth Heritage List

Can I nominate a place for the National Heritage List?

Yes. Anyone can nominate a place which they think has outstanding heritage value to the nation and should be placed on the National Heritage List.³⁵ The nomination must set out

²⁵ EPBC Act, s 324JJ.

²⁶ [Environment and Heritage Legislation Amendment Act \(No 1\) 2006 \(Cth\)](#), sch 1, cl 550 – 563 (**Environment and Heritage Amendment**); and EPBC Act, ss 324E – 324R.

²⁷ EPBC Act, s 324J.

²⁸ EPBC Act, s 324JA.

²⁹ EPBC Act, s 324JB – 324JD.

³⁰ EPBC Act, s 324JE.

³¹ EPBC Act, s 324JF – 324JG.

³² EPBC Act, s 324JH.

³³ EPBC Act, s 324JJ, and s 324C(2).

³⁴ EPBC Act, s 324JK – 324JQ.

³⁵ EPBC Act, s 324J, and EPBC Regulations, cl 10.01B.

how the place meets the National Heritage criteria.³⁶ For more information, you can request a Nomination Kit from the Australian Heritage Council.

Visit: The Commonwealth Government's pages on:

- [Nominating a Heritage Place](#) to nominate a place for the National and/or Commonwealth Heritage Lists
- [National Heritage List Criteria](#) to check whether the place meets the criteria
- [Request for Nomination Kit](#) to receive a nomination form for the National and/or Commonwealth Heritage Lists

What is on the National Heritage List?

The National Heritage List contains a full list of National Heritage places. You can find out whether there are any National Heritage places in your area of interest by conducting an online Protected Matters Search.

Visit: The Commonwealth Government's:

- [Australia's National Heritage List](#) page for the full list
- [Protected Matters Search Tool](#) to find out whether there are any National Heritage properties in your area of interest

How is National Heritage protected?

Management plans

The Minister must make a management plan to protect each National Heritage place which is within a Commonwealth area.³⁷ The Minister must use his or her best endeavours to make plans for places that are in State or Territory areas.³⁸ Management plans must not be inconsistent with National Heritage Management principles.³⁹

Controlled actions

A person must not take an action that has, will have, or is likely to have a significant impact on the heritage values of a listed National Heritage place without approval from the Environment Minister.⁴⁰ It is an offence to do so.⁴¹ Under these provisions, it is the heritage values, rather than the site itself, which are protected.

³⁶ EPBC Act, s 324D; EPBC Regulations, cl 10.01A.

³⁷ EPBC Act, s 324S, EPBC Regulations, cll 10.01C, 10.01D and sch 5.

³⁸ EPBC Act, s 324X.

³⁹ EPBC Act, s 324S(4)(b), and 324X(2). The principles are set out in Sch 5A of the EPBC Regulations, cl 10.01C.

⁴⁰ EPBC Act, s 15B.

⁴¹ EPBC Act s 15C.

Read: The [Significant Impact Guidelines](#) published by the Commonwealth and [Actions affecting Commonwealth land and actions by Commonwealth Agencies](#) for more information about what a 'significant impact' is

Taking action to protect National Heritage places

If you think a National Heritage property might be in danger, you can:

- Report a potential breach of the EPBC Act to the Department of Climate Change, Energy, the Environment and Water
- Contact EDO for legal advice
- Seek independent legal advice

Visit: The Commonwealth Government's [Report a Breach of the EPBC Act](#) page EDO [website](#) to get in touch

Bilateral (assessment) agreements

The EPBC Act allows for the Commonwealth to enter into bilateral (assessment) agreements with State or Territory governments for the assessment of activities likely to have an impact on matters of national environmental significance. Both World and National Heritage are listed as matters of national environmental significance under the EPBC Act.

Bilateral assessment agreements allow the Commonwealth to accept an environmental assessment done by the relevant State or Territory if the assessment was done in accordance with the agreement.⁴² Where this occurs, the assessment under State/Territory law replaces the need for separate assessment under the EPBC Act. After assessment, the proposed action still requires approval from the Commonwealth Environment Minister. The purpose of bilateral agreements is to reduce duplication of environmental assessment between the Commonwealth and State/Territory governments.

Visit: The Commonwealth Government's '[Shared Environmental Assessments](#)' page to learn more about bilateral agreements.

The applicable State/Territory Have Your Say portals to search for public consultations on activities or projects under accredited/bilateral assessment:

- [ACT Have Your Say](#)
- [NSW Have Your Say](#)

⁴² EPBC Act, ss 45 – 65A.

- [NT Have Your Say](#)
- [QLD Have Your Say](#)
- [SA Have Your Say](#)
- [WA Have Your Say](#)

Commonwealth Heritage Places

Heritage on Commonwealth land can be listed, managed and protected.⁴³ The purpose of this type of listing is to give the Commonwealth greater control over heritage places which are located in areas that the Commonwealth owns or controls.

Commonwealth Heritage listing does not offer as much protection as National Heritage listing because, unlike National Heritage, Commonwealth Heritage is not listed as a matter of national environmental significance under the EPBC Act.

Commonwealth Heritage List

Commonwealth heritage sites and their heritage values are recorded on the Commonwealth Heritage List.⁴⁴ A place that is on the Commonwealth Heritage List is called a Commonwealth Heritage place.⁴⁵

Natural, historic and Indigenous sites within Australia can be listed if they meet the criteria for listing and are in an area controlled by the Commonwealth.⁴⁶

Which areas are controlled by the Commonwealth?

A place can only be included on the Commonwealth Heritage List if it is:⁴⁷

- on land owned or leased by the Commonwealth (or a Commonwealth agency);
- on land in an external Territory (including Antarctica, Christmas Island and Norfolk Island) or the Jervis Bay Territory;
- in Commonwealth waters,⁴⁸ or;
- outside Australia, but owned or leased by the Commonwealth.

How are places listed?

The Minister ultimately decides whether to include a place on the Commonwealth Heritage List, although the Minister must follow a consultation process⁴⁹ which includes consulting with the public and the Australian Heritage Council before listing a place.⁵⁰

⁴³ EPBC Act, ss 341A-341ZH.

⁴⁴ EPBC Act, s 341C(1).

⁴⁵ EPBC Act, s 341C(3).

⁴⁶ EPBC Act, s 341D, and EPBC Regulations, cl 10.03 A(2) set out the criteria.

⁴⁷ EPBC Act, s 341C(2); and s 525 defines a “Commonwealth area”.

⁴⁸ EPBC Act, s 525(3). Note that coastal waters of States (territorial waters) are not Commonwealth waters.

⁴⁹ EPBC Act, s 341JI.

⁵⁰ EPBC Act, ss 341E – 341R.

Under the consultation process, there is an annual 12-month cycle (known as *assessment periods*) in which the listing process works as follows:

- the Minister invites the public to nominate places for inclusion in the Commonwealth Heritage list,⁵¹
- the Minister then gives the nominations to the Australian Heritage Council,⁵² which then prepares and gives to the Minister the list of places which it thinks should be assessed (including any nominations by the Council itself),⁵³
- the Minister finalises the list of places to be assessed,⁵⁴
- the Australian Heritage Council invites the public to make comments about the finalised list,⁵⁵
- the Australian Heritage Council assess the places on the finalised list and advises the Minister,⁵⁶ and
- the Minister ultimately decides whether a place should be included on the Commonwealth Heritage List.⁵⁷

Visit: The Commonwealth Government's page on [Priority Assessment Lists](#) to see the current lists and learn more

The Minister can make an emergency listing if the Minister believes that a place which is capable of meeting the criteria for Commonwealth Heritage listing is under threat (and it is not already listed).⁵⁸

Can I nominate a place for the Commonwealth Heritage List?

Yes. Anyone can nominate a place which they think is of national heritage value and should be placed on the Commonwealth Heritage List.⁵⁹ The nomination must set out how the place meets the Commonwealth Heritage criteria.⁶⁰ For more information, you can request a Nomination Kit from the Australian Heritage Council.

Visit: The Commonwealth Government's pages on:

⁵¹ EPBC Act, s 341H.

⁵² EPBC Act, s 341J.

⁵³ EPBC Act, s 341JA – 341JC.

⁵⁴ EPBC Act, ss 341JD and 341JE.

⁵⁵ EPBC Act, s 341JF.

⁵⁶ EPBC Act, s 341JG.

⁵⁷ EPBC Act, ss 341J and 341C(2).

⁵⁸ EPBC Act, ss 341JJ – 341JP.

⁵⁹ EPBC Act, s 341H, and EPBC Regulations, cl 10.03AB.

⁶⁰ EPBC Act, s 341D requires the criteria for listing to be prescribed by the Regulations: see EPBC Regulations, cl 10.03A.

- [Nominating a Heritage Place](#) to nominate a place for the National and/or Commonwealth Heritage Lists
- [Commonwealth Heritage List Criteria](#) to check whether the place meets the criteria
- [Request for Nomination Kit](#) to receive a nomination form for the National and/or Commonwealth Heritage Lists

What is on the Commonwealth Heritage List?

There are hundreds of places on the Commonwealth Heritage List. These places are often connected to defence, communications, customs and other government activities that reflect Australia's development as a nation.

You can find out whether there are any Commonwealth Heritage places in your area of interest by conducting an online Protected Matters Search.

Visit: The Commonwealth Government's:

- [Australian Heritage Database](#) for the full list
- [Protected Matters Search Tool](#) to find out whether there are any Commonwealth Heritage properties in your area of interest

How is Commonwealth Heritage protected?

Management plans

A Commonwealth agency must make a management plan to protect and manage the Commonwealth Heritage values of a Commonwealth Heritage place it owns or controls.⁶¹ The plan must address the matters set out in the Regulations,⁶² and must not be inconsistent with the Commonwealth Heritage Management principles.⁶³ The plans are binding on the Commonwealth.⁶⁴

Usual approval and offence provisions do not apply

Commonwealth Heritage is not included as a *matter of national environmental significance* under the EPBC Act. This means the usual approval and offence provisions which protect matters of national environmental significance under the EPBC Act do not apply.

However, a Commonwealth agency must not take an action that has, will have, or is likely to have an adverse impact on the Commonwealth Heritage values of a Commonwealth

⁶¹ EPBC Act, s 341S.

⁶² EPBC Act, s 341S(4)(a), and EPBC Regulations, cl 10.03B, Sch 7A.

⁶³ EPBC Act, s 341S(4)(b), 341Y; and EPBC Regulations, cl 10.03D, Sch 7B.

⁶⁴ EPBC Act, s 341V.

Heritage place unless there is no feasible and prudent alternative and action is taken to mitigate the impacts.⁶⁵

If an area is sold or leased which contains a Commonwealth Heritage place, then the contract for sale or lease must include provisions which protect the heritage values of the site.⁶⁶

Overseas places of historic significance to Australia

Places can be listed which are overseas if they have historic significance to Australia.⁶⁷

This list is symbolic in nature only; there are no enforcement provisions attached to the List.

List of Overseas Places of Historic Significance to Australia

The Minister can decide to add a place to the List of Overseas Places of Historic Significance to Australia if the place is:

- outside Australia, and;
- the Minister believes that it has outstanding historic significance to Australia.⁶⁸

No public nominations or public consultation required

There are no provisions in the EPBC Act which allow the public to nominate a place to the List, nor is the Minister required to consult with the public before making a listing (although other Ministers must be informed).⁶⁹

Before listing a place, the Minister can seek advice from the Australian Heritage Council if the Minister so wishes.⁷⁰

What is on the List of Overseas Places?

There are currently three sites on the List of Overseas Places:

- Anzac Cove, Gallipoli
- Kokoda Track, Papua New Guinea
- Howard Floreys Laboratory, United Kingdom (where penicillin was developed).

⁶⁵ EPBC Act, s 341ZC.

⁶⁶ EPBC Act, s 341ZE.

⁶⁷ EPBC Act, ss 390K – 390R.

⁶⁸ EPBC Act, s 390L.

⁶⁹ EPBC Act, s 390N.

⁷⁰ EPBC Act, s 390P.

Visit: The Commonwealth Government's page on [List of Overseas Places of Historic Significance to Australia](#) to learn more

Indigenous Heritage Protection

EPBC Act heritage protection

Indigenous heritage sites can be protected under the EPBC Act as World Heritage, National Heritage or Commonwealth Heritage if the site concerned meets the criteria for the relevant list.

Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Cth)

Objects (artifacts and Aboriginal remains) and areas which are of particular significance to Aboriginal peoples and traditions can be protected from injury or desecration under the [Aboriginal and Torres Strait Islander Heritage Protection Act 1984 \(Cth\)](#) (**ATSIHP Act**).⁷¹

To activate protection under the ATSIHP Act there must be a declaration in place protecting a particular area (a significant Aboriginal area) or object.

Declarations in relation to areas and objects

An Aboriginal person or Torres Strait Islander person can ask the Minister to make a declaration protecting an Aboriginal area or object (including Aboriginal remains) from injury or desecration.⁷²

There are a range of declarations that can be made, including emergency declarations and ongoing declarations. If the declaration is to be ongoing (known as a section 10 declaration), the Minister must first obtain a report advising the Minister of the need for, and impacts of, making such a declaration.⁷³ The report must be published in the Gazette and a local newspaper inviting interested persons to make submissions.⁷⁴

All declarations must be published in the Gazette and in a local newspaper in the region,⁷⁵ and the Minister must give written notice of the declaration to people likely to be substantially affected (although failure to do so will not invalidate a declaration).⁷⁶

⁷¹ [Aboriginal and Torres Strait Islander Heritage Protection Act 1984 \(Cth\)](#), s 4 (Purposes of Act) (**ATSIHP Act**).

⁷² ATSIHP Act, s 10 (Declarations in relation to areas), and s 12 (Declarations in relation to objects).

⁷³ ATSIHP Act, s 10.

⁷⁴ ATSIHP Act, s 10(3).

⁷⁵ ATSIHP Act, ss 14(1), and s 14(2)(a).

⁷⁶ ATSIHP Act, s 14(3).

Declarations (including emergency declarations) are legally enforceable.⁷⁷ If it appears that a declaration might be breached, the Federal Court can issue an injunction to restrain the activity.⁷⁸

Emergency declarations

If there is a serious and immediate threat of injury or desecration to an Aboriginal area, an Aboriginal or Torres Strait Islander person can ask the Minister to make an *emergency declaration* which lasts for 30 days (which can be extended to 60 days).⁷⁹

Officers authorised by the Minister under the ATSIHP Act can also make emergency declarations regarding areas or objects lasting up to 48 hours.⁸⁰

Protection under State or Territory law must be ineffective

If the Aboriginal area or object is located in a State or Territory (and not on Commonwealth land), the Minister must only make a declaration if the Minister has consulted the relevant State Minister and is satisfied that State or Territory law does not effectively protect the area or object.⁸¹

How is an application made?

Applications for a declaration can be made orally or in writing. They can be made by an individual or a group (but they must be an Aboriginal or Torres Strait Islander person). Applicants can apply for legal and financial assistance under the ATSIHP Act.⁸²

Read: EDO publication on [Ministerial declarations and protection of areas under the Aboriginal and Torres Strait Islander Heritage Protection Act 1984 \(Cth\)](#) for more information about making an application

Movable cultural heritage

Movable cultural heritage includes things such as artifacts and artwork, fossils, books, stamps and military medals, and even aircraft. Movable cultural heritage is often traded between nations.

Protection of Movable Cultural Heritage Act 1986 (Cth)

In Australia, this trade is regulated under the [Protection of Movable Cultural Heritage Act 1986 \(Cth\)](#) (**PMCH Act**). The legislation does not affect a person's right to own or sell movable cultural heritage within Australia.

⁷⁷ ATSIHP Act, ss 22, 23 and 25.

⁷⁸ ATSIHP Act, s 26.

⁷⁹ ATSIHP Act, s 9.

⁸⁰ ATSIHP Act, ss 17-18.

⁸¹ ATSIHP Act, s 13.

⁸² ATSIHP Act, s 30.

The PMCH Act implements Australia’s obligations under the UNESCO *Convention on the Means of Prohibiting the Illicit Import, Export and Transfer of Ownership of Cultural Property*.

It is unlawful to export a “protected object” without a certificate or permit from the Minister.⁸³ Unlawful exporting may mean the object is forfeited and can attract a maximum penalty for an individual of \$313,000 or 5 years imprisonment, or for a corporation, a fine of up to \$626,000.⁸⁴

An object is taken to be exported at the time that it is placed on board a ship or aircraft with the intention

National Cultural Heritage Control List

“Protected objects” which are subject to export control are listed in the *National Cultural Heritage Control List* in Schedule 1 of the [Protection of Movable Cultural Heritage Regulations 2018 \(Cth\)](#).⁸⁵

The following nine categories of objects make up the Control List:

- objects of Australian Aboriginal and Torres Strait Islander Heritage (including sacred and secret objects, and human remains)
- archaeological objects (such as objects from shipwrecks)
- natural science objects (such as gold nuggets, gemstones and meteorites)
- objects of applied science or technology (such as tools, weapons, machines and aircraft)
- objects of fine or decorative art (such as musical instruments and paintings)
- objects of documentary heritage (such as books, letters and films)
- numismatic objects (such as Victoria Cross medals)
- philatelic objects (stamps)
- objects of historical significance (such as Ned Kelly’s armour).

The Regulations (Schedule 1) contain a detailed description of the objects covered by each category.

Glossary

Key terms used in this factsheet

ATSIHP Act	means the Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Cth)
Department	means the Australian Department of Climate Change, Energy, the Environment and Water
EPBC Act	means Environment Protection and Biodiversity Conservation Act 1999 (Cth)

⁸³ [Protection of Movable Cultural Heritage Act 1986 \(Cth\)](#), s 9 (**PMCH Act**).

⁸⁴ PMCH Act, s 9(3B).

⁸⁵ [Protection of Movable Cultural Heritage Act 1986 \(Cth\)](#), s 8, and [Protection of Movable Cultural Heritage Regulations 2018 \(Cth\)](#), sch 1.

EPBC Regulations	means the Environment Protection and Biodiversity Conservation Regulations 2000 (Cth)
Minister	means the Australian Government Minister for the Environment and Water
PMCH Act	means the Protection of Movable Cultural Heritage Act 1986 (Cth)
World Heritage Convention	means the Convention Concerning the Protection of the World Cultural and Natural Heritage

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