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Knowledge and protection - Spain

Country: [Spain](#)

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▼ 2.1 Main inventories

Hide all

▼ 2.1.A Description of the inventory

Inventory's name:

General Register of Assets of Cultural Value -real estate-(Registro General Bienes de Interés Cultural-inmuebles)

Area (KM2): 505 963

Year: 2 011

Total number of items / 16 414

inventory objects:

Is inventory closed or open ?: Open

▼ 2.1.B Extent of coverage

Approach (click to collaps)

Archaeological Heritage

2.1.B Archaeological heritage list

Religious heritage

Architectural Heritage

Landscape Heritage

▼ 2.1.C Legal status

Is this inventory required by law?: Yes

Does it have 'procedural' implications?: Yes

If 'yes' above, are these procedural implications mandatory or advisory?:

Provide reference:

Section 28, Law 16/1985 on Spanish Historical Heritage

▼ 2.1.D Maintenance

Organisation responsible for the maintenance of this inventory:

Consejerías de Cultura CCAA (See each SAU)

Sub-Directorate General for the Protection of Historical Heritage of the Ministry of Culture. Subdirección General de Protección de Patrimonio Histórico. Dirección General de Bellas Artes y Bienes Culturales y Archivos y Bibliotecas.

▼ 2.1.E Content

Protection

Documentary

What do the records include?: Photographs
Text

▼ 2.1.F Use of Level of Detail

Level of detail: Selective

Level of location detail: Address
Primary data

Is it in database format?: No

What is the sort of information described in this inventory?: Detailed

Select the different levels of use of this inventory?: Conservation
Protection
Public access
Scientific research

Are there publication(s) associated with it?: No

▼ 2.1.G Finance

What type of financing does it receive?: Structural

What type of funding is used?: Public

▼ 2.1.H Internet

Is there Internet access?: Partial access

Name and URL:

Base de datos de bienes inmuebles

<http://www.mcu.es/bienes/cargarFiltroBienesInmuebles.do>

What is the Website's status?: In construction: partly
Out of date

Percentage of the inventory available on the website (%):: 75

How often is it maintained?: Periodically

Are sufficient resources available to maintain, update it?: Non

Hide all

▼ 2.1.A Description of the inventory

Inventory's name:

General Inventory of Personal Property (Inventario General de Bienes Muebles)

Area (KM2): 505 963**Year:** 2 012**Total number of items /****inventory objects:****Is inventory closed or open ?:** Open▼ **2.1.B Extent of coverage****Approach (click to collaps)****Archaeological Heritage****Architectural Heritage****Landscape Heritage**▼ **2.1.C Legal status****Is this inventory required by law?:** Yes**Does it have 'procedural' implications?:** Yes**If 'yes' above, are these procedural implications mandatory or advisory?:****Provide reference:**

Article 13, Law 16/1985 on Spanish Historical Heritage

▼ **2.1.D Maintenance****Organisation responsible for the maintenance of this inventory:**

Consejerías de Cultura CCAA (See each SAU)

Sub-Directorate General for the Protection of Historical Heritage of the Ministry of Culture. Subdirección General de Protección de Patrimonio Histórico. Dirección General de Bellas Artes y Bienes Culturales y Archivos y Bibliotecas.

▼ **2.1.E Content****What type of inventory is it?:** Topographic
Legal**What do the records include?:** Photographs
Text▼ **2.1.F Use of Level of Detail****Level of detail:** Comprehensive**Is it in database format?:** No**What is the sort of information described in this inventory?:** Summary**Are there publication(s):** No

associated with it?:

▼ 2.1.G Finance

What type of financing does it receive?: Structural

What type of funding is used?: Public

▼ 2.1.H Internet

Is there Internet access?: Partial access

What is the Website's status?: In construction: partly
Out of date

Percentage of the inventory available on the website (%): 50

How often is it maintained?: Periodically

Are sufficient resources available to maintain, update it?: Non

Hide all

▼ 2.1.A Description of the inventory

Inventory's name:

Inventory of Religious Assets (Inventario de Bienes Muebles de la Iglesia Católica)

Area (KM2): 505 963

Is inventory closed or open ?: Open

▼ 2.1.B Extent of coverage

Approach (click to collaps)

Archaeological Heritage

2.1.B Archaeological heritage list

Year No.

Land-based sites/monuments that tend to be considered outside the definition of 'architectural heritage'	2011	2 056
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Architectural Heritage

2.1.B Architectural heritage

Year No.

Buildings still largely complete and/or habitable	2011	12 985
Groups of buildings still largely complete and/or habitable	2011	951

Landscape Heritage

2.1.B Landscape Heritage

Year No.

Designed landscapes (parks/gardens)	2011	89
Character areas		328

▼ 2.1.C Legal status

Is this inventory required by law?: Yes

Does it have 'procedural' implications?: Yes

If 'yes' above, are these procedural implications mandatory or advisory?: Mandatory

Provide reference:
Article 13, Law 16/1985 on Spanish Historical Heritage

▼ 2.1.D Maintenance

Organisation responsible for the maintenance of this inventory:
Consejerías de Cultura CCAA (See each SAU)
Ministerio de Educación, Cultura y Deporte - Ministry of Education, Culture and Sport.
Sub-Directorate General for the Protection of Historical Heritage of the Ministry of Culture. Subdirección General de Protección de Patrimonio Histórico. Dirección General de Bellas Artes y Bienes Culturales y Archivos y Bibliotecas.

▼ 2.1.E Content

What type of inventory is it?: Scientific
Topographic
Legal

What do the records include?: Maps+scale of maps
Photographs
Text

▼ 2.1.F Use of Level of Detail

Level of detail: Comprehensive

Level of location detail: Address
Co-ordinates
GIS

Is it in database format?: No

What is the sort of information described in this inventory?: Summary

Select the different levels of use of this inventory?: Conservation
Protection
Spatial planning

Are there publication(s) associated with it?: No

▼ 2.1.G Finance

What type of financing does it receive?: Structural

What type of funding is used?: Public

▼ 2.1.H Internet

Is there Internet access?: No access

Are sufficient resources available to maintain, update it?: Non

Hide all

▼ 2.1.A Description of the inventory

Inventory's name:

General Register of Assets of Cultural Value -moveable property-(Registro General Bienes de Interés Cultural-muebles)

Year: 2 012

Total number of items / 12 551

inventory objects:

Is inventory closed or open ?: Open

▼ 2.1.B Extent of coverage

Approach (click to collaps)

Archaeological Heritage

Architectural Heritage

Landscape Heritage

▼ 2.1.C Legal status

Is this inventory required by law?: Yes

Does it have 'procedural' implications?: Yes

If 'yes' above, are these procedural implications mandatory or advisory?:

Provide reference: Law 16/1985 on Spanish Historical Heritage

▼ 2.1.D Maintenance

Organisation responsible for the maintenance of this inventory:

Consejerías de Cultura CCAA (See each SAU)

Sub-Directorate General for the Protection of Historical Heritage of the Ministry of Culture.Subdirección General de Protección de Patrimonio Histórico. Dirección General de Bellas Artes y Bienes Culturales y Archivos y Bibliotecas.

▼ 2.1.E Content

What type of inventory is it?: Topographic
Legal

What do the records include?: Drawings
Photographs
Text

▼ 2.1.F Use of Level of Detail

Level of detail:	Comprehensive
Level of location detail:	Address Primary data
Is it in database format?:	No
What is the sort of information described in this inventory?:	Summary
Select the different levels of use of this inventory?:	Conservation Protection
Are there publication(s) associated with it?:	No

▼ 2.1.G Finance

What type of financing does it receive?:	Structural
What type of funding is used?:	Public

▼ 2.1.H Internet

Is there Internet access?:	Partial access
Name and URL:	Base de datos de bienes muebles http://en.www.mcu.es/bienes/cargarFiltroBienesMuebles.do
What is the Website's status?:	In construction: partly Out of date
Percentage of the inventory available on the website (%):	75
How often is it maintained?:	Periodically
Are sufficient resources available to maintain, update it?:	Non

▼ 2.1 Commentary

▼ 2.2.A Legal regulations for the creation and/or maintenance of storage areas for the documentation of the heritage.

Yes

Approach (click to collaps)

Integrated Approach

Cataloguing
Conservation
Environment
Safety
Security

▼ 2.2.B Archaeological finds and documentation kept together

No

▼ 2.2.C Non-statutory archaeological finds storage facilities

No

▼ 2.2.D Organisation(s) which have responsibility for storage of documentation or archaeological finds

Consejerías de Cultura CCAA (See each SAU)

Subdirección General de Museos. Dirección General de Bellas Artes y Bienes Culturales y Archivos y Bibliotecas. Secretaría de Estado de Cultura. Ministerio de Educación, Cultura y Deporte.

▼ 2.2.E Research and/or documentation centre(s) for heritage that are not part of government or university systems

Approach (click to collaps)

Integrated Approach

CSIC Consejo Superior de Investigaciones Científicas - Advanced Scientific Research Council
 Fundación del Patrimonio de Castilla y León
 Fundación Hispania Nostra para la conservación del Patrimonio
 Fundación Santa María La Real. Centro de Estudios del Románico
 Instituto de Ciencias del Patrimonio (INCIPIT-CSIC) Cultural Heritage Institute.

▼ 2.2 Commentary

Commentary (click to collaps)

Integrated Approach

Spanish Cultural Heritage assets are regulated by specific regulations, contained primarily in Law 16/1985, dated 25 June, on Heritage.

These regulations include a general scheme and special schemes based on the characteristics of the object to be protected.

2.2.A

Source Spanish Historical Heritage Law, 16/1985 (articles 40-58)

2.2.D

Storage is at SAU level (Autonomous Community level)

▼ 2.3 Systems of protection

Hide all

▼ 2.3.A Heritage legislation/ protection systems:

Category's name / Name of level:

Assets of Cultural Value (Bien de Interés Cultural-BIC) / Monuments, Historical garden, Historical Ensemble, Historical Site, Archaeological Zone

Number of items:

Year: 2012
Items: 29473

CoE Conventions to which it relates

Valletta Convention on Archaeological heritage:

- Visible remains
- Buried remains

Granada Convention on Architectural Heritage:

- Monuments (buildings / structures)
- Groups of buildings
- Sites (cultural landscapes)

Convention on Landscape Heritage:

▼ **2.3.B Inventory(ies) in which this category/protection scheme is recorded.**

General Register of Assets of Cultural Value -moveable property-(Registro General Bienes de Interés Cultural-muebles)

▼ **2.3.C Organisation(s) responsible for this category / protection scheme**

Consejerías de Cultura CCAA (See each SAU)

Sub-Directorate General for the Protection of Historical Heritage of the Ministry of Culture. Subdirección General de Protección de Patrimonio Histórico. Dirección General de Bellas Artes y Bienes Culturales y Archivos y Bibliotecas.

▼ **2.3.D Type of ownership**

2.3.d option list

State

Community (e.g parishes, co-operatives)

Private

▼ **2.3.E Approximate percentage of the area of the state / administration that is protected through this category**

100%'

Hide all

▼ **2.3.A Heritage legislation/ protection systems:**

Category's name / Name of level:

Inventoried Assets (Bienes inventariados) / Moveable Assets

Number of items:

Year: 2012
Items: 72517

CoE Conventions to which it relates

Valletta Convention on Archaeological heritage:

- Visible remains
- Buried remains

▼ **2.3.B Inventory(ies) in which this category/protection scheme is recorded.**

General Inventory of Personal Property (Inventario General de Bienes Muebles)

▼ **2.3.C Organisation(s) responsible for this category / protection scheme**

Consejerías de Cultura CCAA (See each SAU)

Sub-Directorate General for the Protection of Historical Heritage of the Ministry of Culture. Subdirección General de Protección de Patrimonio Histórico. Dirección General de Bellas Artes y Bienes Culturales y Archivos y Bibliotecas.

▼ **2.3.D Type of ownership**

2.3.d option list

State

Community (e.g parishes, co-operatives)

Private

▼ **2.3.E Approximate percentage of the area of the state / administration that is protected through this category**

100%'

Hide all

▼ **2.3.A Heritage legislation/ protection systems:**

Category's name / Name of level:

Spanish Historical Heritage (Patrimonio Histórico Español) / 3

Number of items:

Year: 2012

CoE Conventions to which it relates

Valletta Convention on Archaeological heritage:

- Visible remains
- Buried remains

Granada Convention on Architectural Heritage:

- Monuments (buildings / structures)
- Groups of buildings
- Sites (cultural landscapes)

Convention on Landscape Heritage:

▼ **2.3.B Inventory(ies) in which this category/protection scheme is recorded.**

General Register of Assets of Cultural Value -moveable property-(Registro General Bienes de Interés Cultural-muebles)

General Register of Assets of Cultural Value -real estate-(Registro General Bienes de Interés Cultural-inmuebles)

Inventory of Religious Assets (Inventario de Bienes Muebles de la Iglesia Católica)

▼ **2.3.C Organisation(s) responsible for this category / protection scheme**

Ministerio de Educación, Cultura y Deporte - Ministry of Education, Culture and Sport.

▼ **2.3.D Type of ownership**

2.3.d option list

State

Community (e.g parishes, co-operatives)

Private

▼ **2.3.E Approximate percentage of the area of the state / administration that is protected through this category**

100%'

▼ **2.3 Commentary**

Commentary (click to collaps)

Integrated Approach

Legal protection:

-Spanish constitution of December 27, 1978. (Arts. 9, 44, 46, 48, 50, 148 and 149). The Spanish Constitution of 1978 creates a special form of the nation's territorial organization known as the Autonomous State. Thus Articles 148 and 149 establish a distribution of Federal/Autonomous Community competences that is later regulated, in regard to Heritage, by Law 16 /1985, of June 25, on Spanish Historical Heritage as can be seen throughout the entire report.

-Law 16/1985, of June 25, on Spanish Historical Heritage.

-Royal Decree 111/1986, of January 10, on the partial implementation of Law 16/1985, of June 25, on the S.H.H., modified by Royal Decree 64/1994, of January 21.

The different laws on the Heritage of the Autonomous Communities (SAUs)

2.3.

Spanish Cultural Heritage assets are regulated by specific regulations, contained primarily in Law 16/1985, dated 25 June, on Heritage.

These regulations include a general scheme and special schemes based on the characteristics of the object to be protected.

General system for the protection of historical heritage

The general scheme includes three levels of protection based on the unique importance of the asset. From least to greatest protection, they are the following:

- Spanish Historical Heritage.
- General Inventory of Personal Property.
- Assets of Cultural Interest.

The protection of these assets means that the owners have certain rights and responsibilities established in Law 16/1985 on Spanish Historical Heritage.

Spanish Historical Heritage.

This is the minimum level of protection for an asset. Spanish Historical Heritage covers all real estate and personal property of artistic, historical, paleontological, archaeological, ethnographical, scientific or technical interest. It also covers Documentary and Bibliographical Heritage, archaeological sites and zones, natural sites, gardens and parks with an artistic, historical or anthropological value (Law 16/1985, art.1).

General Inventory of Personal Property.

A higher level of protection is given to assets in the *General Inventory of Personal Property*, which possess a notable historical, archaeological, scientific, artistic, technical or cultural value and have not been declared of cultural value. (Law 16/1985, art. 26).

Assets of Cultural Value.

The highest level of protection covers the real estate and personal property declared of cultural value. These assets are included in the *General Register of Assets of Cultural Value*. Firstly, the Assets of Cultural Value established as such by law, which are the buildings designated as facilities for archives, libraries and state-owned museums, as well as the property assets kept in them. They also include caves, shelters and places that contain cave art, as well as castles, symbols, municipal boundary crosses and similar pieces, as well as ancient "hórreos" (granaries) or "cabazos" (manors) in Galicia and Asturias (Law 16/1985, arts. 40.2 and 60.1; and additional provision two). Article 15 lists different categories: Monuments, Historical garden, Historical Unit, Historical Site and Archaeological area. Secondly, the Assets of Cultural Value established by Royal Decree, which are protected individually and require the prior opening and processing of an administrative file. In the case of the Central Government, a favourable report is also required from any of the following advisory institutions: Spanish Historical Heritage Assets Classification, Valuation and Export Board, the Royal Academies, the Spanish Universities, the Higher Council for Scientific Research or the Higher Commissions. In the case of assets affecting the Autonomous Regions, the report will be issued by the institutions accepted by them.

Special Systems for the protection of historical heritage.

Law 16/1985, dated 25 June, on Spanish Historical Heritage, Titles V, VI and VII, includes a series of categories based on which specific protection regulations are developed.

- **Archaeological Heritage** Art. 40 of the Historical Heritage Act indicates that this heritage includes personal property or real estate assets that may be studied using archaeological methods, whether or not extracted and both on the surface or underground, within national marine waters or on the continental shelf. This Heritage likewise includes geological and paleontological elements related to the history of humanity and its origins and predecessors. Finally, the Act clearly establishes that actions at archaeological sites may include either excavations or explorations, and they must be duly authorised by the competent Administration, and that all assets discovered belong in the public domain; that is, their commercialisation is strictly prohibited.
- **Ethnographical Heritage** This section includes knowledge and activities that are or have been a significant expression of the traditional culture of the Spanish people in their material, social or spiritual facets. Furthermore, it establishes special protection for those that are in danger of disappearing, indicating, in this case, that the competent Administration shall adopt measures leading to the scientific study and documentation of such personal property, real estate or intangible assets.
- **Inventory of Property Assets of the Catholic Church** It is essential to mention the legal protection afforded to the Property Assets of the Catholic Church, as these make up the vast majority of the Spanish Historical Heritage assets held privately. Article 28 of the Historical Heritage Act establishes that "the property assets declared of cultural interest and included in the General Inventory that are held by religious institutions may not be transferred to private individuals nor to mercantile entities." Furthermore, Transitory Provision Five established a legislative mandate to the

competent Public Administrations, which in this case are the Autonomous Regions, to prepare the Inventory of Property Assets of the Catholic Church. These annual cataloguing campaigns have been financed since 1986 through an agreement between the Ministry of Education, Culture and Sport and the Autonomous Regions. In a second phase, the Autonomous Regions must select which assets to protect legally and in which category: Register of Assets of Cultural Interest or General Inventory of Personal Property.

- **Documentary Heritage** A document is any natural or conventional language expression and any other graphic expression, whether sound or image, held on any type of material medium, including computer media. The Historical Heritage Act establishes the production of the Documentary Heritage Census, which is drawn up through co-operation agreements between the Ministry of Education, Culture and Sport and the Autonomous Regions, and include:
 - Documents produced, conserved or held by any public body or entity, as well as those related to the management of these services.
 - Documents over forty years old that were produced, conserved or held by entities and associations of a political, syndical or religious nature and by private cultural or educational entities, foundations or associations.
 - Documents over a hundred years old that were produced, conserved or held by private entities or individuals.
- **Bibliographical Heritage** According to article 50 of the Historical Heritage Act, the following belong to this Heritage:
 - Public libraries and bibliographical collections and literary, historical, scientific or artistic works, as a single unit or a series, hand-written or printed, of which there is no record of the existence of at least three copies in public libraries or services.
 - Literary, scientific or artistic works, as a single unit or a series, hand-written or printed, of which there is no record of the existence of at least three copies in public libraries or services.
 - Copies of cinematographic film products, audio-visual materials or similar, whatever the material medium, of which at least three copies are known to exist in the public services or one in the case of cinematographic films.

In this case, a Bibliographical Heritage Collective Catalogue must be produced, as with the Documentary Heritage, through Co-operation Agreements between the Ministry of Education, Culture and Sport and the Autonomous Regions.

Inventory 1 Legal Status. Procedural implications. In Spain there are two types of inventories: documentary (only) and protection source (both).

Art. 13, Spanish Historical Heritage Law

1. An official title shall be issued by the general Register for property declared to be of cultural interest to identify it and record all legal or artistic actions on it. Any conveyance or transfer of such property shall be entered in the Register. The type and character of this title shall be laid down in regulations.

2. Moreover, the owners or, where appropriate, the holders of real rights on such property or persons possessing them under any title shall be obliged to permit and facilitate inspection by the appropriate organisations, study by researchers on reason application by same and public visits which shall be free as officially determined at least four days a month on the days and at the times stipulated in advance. Fulfilment of this latter obligation may be waived completely or partially by the appropriate Administration for a justified cause. In the case of movable property and in substitution of this obligation, an agreement may be reached to deposit the property in a place covered by suitable conditions of security and exhibition during a maximum period of five months every two years.

Art. 26.6 Spanish Historical Heritage Law

The following regulations shall be applicable to movable property forming part of the Spanish Historical heritage and included in the general Inventory:

a. The appropriate Administration shall at all times be able to inspect the state of conservation

b. Its owners and, where appropriate, any other holders of real rights over such property shall be obliged to allow researchers to examine it on prior, reasoned application and to lend it, with proper guarantees, to any contemporary exhibitions organised by the bodies referred to in article 6 of this Law. It shall not be obligatory to carry out such loans for periods in excess of one month a year.

c. Inter vivos or mortis causa transfers and any other change in the situation of property

shall be notified to the appropriate Administration and entered in the general Inventory.

Archaeological Heritage

2.3. Archaeological Heritage

Special Systems for the protection of historical heritage.

Law 16/1985, dated 25 June, on Spanish Historical Heritage, Titles V, VI and VII, includes a series of categories based on which specific protection regulations are developed.

- **Archaeological Heritage** Art. 40 of the Historical Heritage Act indicates that this heritage includes personal property or real estate assets that may be studied using archaeological methods, whether or not extracted and both on the surface or underground, within national marine waters or on the continental shelf. This Heritage likewise includes geological and paleontological elements related to the history of humanity and its origins and predecessors. Finally, the Act clearly establishes that actions at archaeological sites may include either excavations or explorations, and they must be duly authorised by the competent Administration, and that all assets discovered belong in the public domain; that is, their commercialisation is strictly prohibited.

2.4.A Mandatory reporting to the competent authorities, by the finder of the chance discovery of heritage elements

Yes

Competent authorities:

Type:	Name of the organisation	Approach type
Organisation	Subdirección General de Museos. Dirección General de Bellas Artes y Bienes Culturales y Archivos y Bibliotecas. Secretaría de Estado de Cultura. Ministerio de Educación, Cultura y Deporte.	Integrated approach
Organisation	Comunidad de Madrid. Consejería de Empleo, Turismo y cultura. Dirección General de Patrimonio Histórico.	Integrated approach
Organisation	Ceuta (Ciudad autónoma de). Consejería de Educación, Cultura y Mujer	Integrated approach
Organisation	Diputación General de Aragón. Departamento de Educación, Universidad, Cultura y Deporte. Dirección General de Patrimonio Cultural	Integrated approach
Organisation	Generalitat de Catalunya. Dirección General del Patrimoni Cultural	Integrated approach
Organisation	Generalitat Valenciana. Conselleria de Turismo, Cultura y Deporte. Dirección General de Patrimonio Cultural	Integrated approach
Organisation	Gobierno de Canarias. Viceconsejería de Cultura y Deportes. Dirección General de Cooperación y Patrimonio cultural.	Integrated approach
Organisation	Gobierno de Cantabria. Consejería de Educación, Cultura y Deporte	Integrated approach
Organisation	Gobierno de La Rioja. Consejería de Educación Cultura y Turismo. Dirección General de Cultura	Integrated approach
Organisation	Gobierno de las Islas Baleares Dirección General de Cultura y Juventud	Integrated approach
Organisation	Gobierno de Navarra	Integrated approach
Organisation	Gobierno Vasco. Consejería de Cultura. Dirección de Patrimonio Cultural	Integrated approach

Organisation	Junta de Andalucía.Dirección General de Bienes Culturales.	Integrated approach
Organisation	Junta de Castilla y León Consejería de Cultura y Turismo	Integrated approach
Organisation	Junta de Comunidades Castilla La Mancha Consejería de Educación, Cultura y Deportes Dirección General de Cultura	Integrated approach
Organisation	Junta de Extremadura. Consejería de Educación y Cultura. Dirección General de Patrimonio Cultural	Integrated approach
Organisation	Junta de Galicia . Consellería de Cultura, Educación y Ordenación Universitaria. Direccion Xeral de Patrimonio Cultural	Integrated approach
Organisation	Melilla (Ciudad autónoma de). Consejería de Cultura y Festejos.	Integrated approach
Organisation	Principado de Asturias. Consejería de Cultura y Turismo. Dirección General de Patrimonio Cultural	Integrated approach
Organisation	Región de Murcia. Consejería de Cultura y Turismo. Dirección General de Bellas Artes y Bienes Culturales.	Integrated approach
Organisation	Ministerio Interior	Integrated approach
Police	Ministerio Interior	Integrated approach

▼ 2.4 Commentary

Commentary (click to collaps)

Integrated Approach

2.4.A.

Discoveries by chance are considered of the public domain (they belong to the State or Autonomous Communities (never to finder). They shall be given/ notified to Museums or competent authority in a maximum period of thirty days. (See art.44 at 16/1985 Spanish Historical Heritage Law).

Art. 44 Spanish Historical Heritage Law

1. *All objects and materials remains possessing the values of the Spanish Historical Heritage that are discovered as a result of excavations, earth moving or works of any type or by chance are considered of the public domain. The discoverer shall notify the appropriate Administration of the discovery within a maximum period of thirty days and immediately in the case of casual finds. Under no circumstances shall the provisions of article of article 351 of the Civil Code be applicable to such finds.*
2. *Once the find has been notified, and until such time as the objects are delivered to the appropriate Administration, the rules for legal deposit shall be applied to the discoverer unless the objects are delivered to a public Museum.*
3. *The discoverer and owner of the place on which the object was found shall be entitled, by way of a reward, to half the value attributed to it in the legal valuation and this shall be shared between them in equal proportions. If there are two or more discoverers or owners, the same proportions shall be maintained.*
4. *Non-fulfillment of the obligations given in sections 1 and 2 of this article shall deprive the discoverer and, where applicable, the owner of the right to the above-mentioned reward*

and the objects shall immediately pass to the appropriate Administration, without prejudice to any liability and due sanctions.

5. *The find of parts of the architectural structure of a building included in the Register of property of cultural interest shall be excepted from the provisions of this article. However, the find must be notified to the appropriate Administration in a maximum period of thirty days.*

Archaeological Heritage

2.4.A. (Archaeological Heritage)

Discoveries by chance are considered of the public domain (they belong to the State or Autonomous Communities (never to finder). They shall be given/ notified to Museums or competent authority in a maximum period of thirty days. (See art.44 at 16/1985 Spanish Historical Heritage Law).

Art. 44 Spanish Historical Heritage Law

1. *All objects and materials remains possessing the values of the Spanish Historical Heritage that are discovered as a result of excavations, earth moving or works of any type or by chance are considered of the public domain. The discoverer shall notify the appropriate Administration of the discovery within a maximum period of thirty days and immediately in the case of casual finds. Under no circumstances shall the provisions of article of article 351 of the Civil Code be applicable to such finds.*

2. *Once the find has been notified, and until such time as the objects are delivered to the appropriate Administration, the rules for legal deposit shall be applied to the discoverer unless the objects are delivered to a public Museum.*

3. *The discoverer and owner of the place on which the object was found shall be entitled, by way of a reward, to half the value attributed to it in the legal valuation and this shall be shared between them in equal proportions. If there are two or more discoverers or owners, the same proportions shall be maintained.*

4. *Non-fulfillment of the obligations given in sections 1 and 2 of this article shall deprive the discoverer and, where applicable, the owner of the right to the above-mentioned reward and the objects shall immediately pass to the appropriate Administration, without prejudice to any liability and due sanctions.*

5. *The find of parts of the architectural structure of a building included in the Register of property of cultural interest shall be excepted from the provisions of this article. However, the find must be notified to the appropriate Administration in a maximum period of thirty days.*

2.5.A Specific legal responsibility concerning illicit circulation of elements of heritage

Yes

Integrated approach
Archaeological Heritage
Architectural Heritage
Landscape Heritage

2.5.B Illicit trade of heritage governed by a specific law

Yes

Integrated approach
Archaeological Heritage
Landscape Heritage

▼ 2.5.C Police unit dedicated to the illicit antiquities trade

Yes

▼ 2.5.D State action to identify material suspected of coming from illicit excavations or unlawfully from official excavations in

2.5.D State action to identify material suspected of coming from illicit excavations or unlawfully from official excavations in other States party to the Valletta convention

Activity **Year** **Number of occasions**

Border inspections	2012	340
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Import controls	2012	3 206
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Monitoring sales	2012	92
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Other (please specify)

Year **Number of occasions**

Checks and patrols for the protection of national heritage	2012	803
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Recognition of open space	2012	2 671
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▼ 2.5.E Parties involved in the following activities for identifying illicit archaeological excavations (including the illegal use

2.5.E Parties involved in the following activities for identifying illicit archaeological excavations (including the illegal use of metal detectors, treasure hunting)

▼ 2.5.F Museums and similar institutions required by the State to abide by acquisition policies ensuring they do not purchase elem

Yes

▼ 2.5 Commentary

Commentary

Integrated Approach

2.5.D.

In relation to the actions of the Guardia Civil in the protection of Spanish Historical Heritage:

Since the Civil Guard, in the scope of their competencies (1) and considering holding the public safety in more than 80% of the area of the country and throughout the territorial sea as well as the general jurisdiction to prosecute and prevent contraband, we have reviewed all internal instructions (2) on the subject and have launched specific service devices in order to increase the security of Spanish Historical Heritage and reduce criminal activity in this sector, according to a set of guidelines set by the DAO in a new plan (3) that includes the policy framework of the different services and units of Spanish Guardia Civil in this matter.

Thus, have been reinforced both preventive and reactive tasks, which together with the investigation of organized crime and smuggling were developing.

- (1) Law 2/86 of 13 March, the Security Forces of the State.
 (2) Directive 1/97 of March 20 PHE Defense and the Service Order 8/2008 of 14 February "Underwater Archaeological Heritage Protection"
 (3) Plan for the Defense of Spanish Historical Heritage "Service Order 4/2012, of February 22, 2012.

The total number of procedures performed in 2012 was 14883

Of all the interventions we highlight:

Confront and other work in customs and border	340
Vigilance generic protection of public safety	350
Control of people, vehicles and roads for public safety protection	242
Checking of baggage and passengers who access aircraft	3206
Checks and patrols for the protection of inland waters and inland	20
Checks and patrols for the protection of national heritage	803
Device operating on public roads for preventive protection of public safety	26
Inspection of antiques and other facilities	92
Checkpoints for document control	35
Control checkpoints and collecting weapons, prohibited or dangerous objects	69
Checkpoints for identification of people and vehicles	116
Recognition of open space	2671
Surveillance villages	6270
Monitoring environmental objectives and mountains	47

Monitoring of protected natural areas or spaces	42
Generic monitoring sea ports and preventing smuggling. Mobile patrols coasts. Protection of sea routes.	466

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