Law no. 182 of 25th of October 2000 regarding the protection of the movable national heritage

The Parliament of Romania passes the present law.

Chapter I: General Provisions

Article 1
(1) The present law establishes the legal status of the objects belonging to the movable national cultural heritage, as part of the national cultural heritage, and regulates the specific protection activities.
(2) The national cultural heritage includes the totality of objects identified as such, regardless of the ownership right over them, representing a testimony and an expression of the values, beliefs, knowledge and traditions in continuous evolution; it comprises all the elements resulted from the interaction, in the course of time, between human and natural agents.

Article 2
(1) The state guarantees the ownership and provides, in compliance with the law, the protection of the objects that belong to the movable national cultural heritage.
(2) The exercise of the ownership rights and the other real rights, as well as of the right to administer an object belonging to the movable national cultural heritage is subject to the stipulations of the present law.
(3) The state provides, in compliance with the law, the necessary material base and financial resources for the protection of the movable national cultural heritage.
(4) For the purpose of the present law, the protection of the movable national cultural heritage shall be taken to signify the totality of scientific, judicial, administrative, financial, fiscal and technical measures, meant to ensure the identification, research, inventory, classification, preservation, safety, conservation, preparation, restoration and enhancement of the movable national cultural heritage, with a view to ensuring democratic access to culture and transmitting this heritage to future generations.
(5) The protection of the movable national cultural heritage shall be ensured by the public administration authorities, by specialised institutions, such as museums, public collections, memorial houses, archives and libraries, religious cults and ecclesiastical institutions, as well as by nongovernmental institutions in the field.
Article 3

(1) The movable national cultural heritage includes objects of exceptional historical, archaeological, documentary, ethnological, artistic, scientific and technical, literary, cinematographic, numismatic, philatelic, heraldic, bibliographic, cartographic and epigraphic value, representing material evidence for the evolution of the natural environment and for the relation of humans with it, the potential creativity of man and of the Romanian contribution to the universal civilization;

(2) The movable national cultural heritage consists of:

1. Archaeological and historical-documentary objects, such as:
   a. products of archaeological exploration and excavations conducted on land and under water, tools, pottery, inscriptions, coins, seals, jewellery, items of cloths or harness, weapons, funerary remains, except for construction material specimens, site materials which represent archaeological samples for specialised analysis;
   b. items relating to the political, economic, social, military, religious, scientific, artistic, sportive history;
   c. manuscripts, incunabula, rare books, old books, books of bibliographic value;
   d. documents and printed works of social significance: archives documents, maps and other cartographic materials;
   e. objects of memoirs value;
   f. items and documents of numismatic, philatelic, heraldic value: coins, medals, decorations, badges, registered designs, stamps, flags and banners;
   g. epigraphic items;
   h. items resulting from the dismemberment of historical monuments;
   i. photographs, photographic negatives, cinematographic films, sound recordings;
   j. musical instruments;
   k. military uniforms and accessories;
   l. items of technical value;

2. Items of artistic interest, such as:
   a. works of plastic arts: paintings, sculptures, graphics, drawings engravings, photographs and others;
   b. works of decorating and applied art in such materials as glass, ceramics, metal, wood, textile and other materials, adornments;
   c. cult objects: icons, embroideries, gold jewellery, items of furniture and others;
   d. projects and prototypes of design;
   e. original materials of animation, documentary and artistic movies;
   f. public monuments, outdoor exposed artistic items;

3. Items of ethnographic interest, such as:
   a. household and domestic appliances and tools;
   b. items of furniture;
   c. pottery;
   d. textile objects, clothing items, leather items;
   e. other items of metal, wood, bone, rock, glass;
   f. cult objects;
   g. adornments;
   h. ensembles of ethnographic items;
i. monuments of the ethnographic museums in open air;

4. Objects of scientific interest, such as:
   a. rare zoological, botanical, mineralogy and anatomy specimens and collections;
   b. game trophies;

5. Objects of technical interest, such as:
   a. unique technical creations;
   b. rarities, irrespective of mark;
   c. prototypes of current machines, appliances and creation tools;
   d. technical creations of memorial value;
   e. realisations of popular art;
   f. stencils of compact-disk, of CD-ROM, of DVD and others;

(on January 11th 2007 Chapter I, article 3, amended by article 1, paragraph 3 of Law 488/2006)

Article 4
According to their historical, archaeological, documentary, ethnological, artistic, scientific and technical, literary, cinematographic, numismatic, philatelic, heraldic, bibliographic, cartographic and epigraphic importance, ancientness, uniqueness or rarity, the objects belonging to the movable national heritage fall into:
   a) the movable national cultural heritage thesaurus, further referred to as thesaurus, consisting of cultural items of exceptional value for humanity;
   b) the movable national cultural heritage basic items, further referred to as basic items, consisting of cultural items of exceptional value for Romania.

(on January 11th 2007 Chapter I, article 4 amended by article 1, paragraph 4, of Law 488/2006)

Article 5
(1) Movable cultural objects may be held in public or private property by the state or by territorial-administrative entities or in private property by private bodies or individuals.
(2) According to the property status and in compliance with the law, an administration right or other real rights can be established for the items stated in paragraph 1.

Article 6
(1) The Ministry of Culture and Religious Affairs and the National Commission for Museums and Collections shall coordinate the specific activities in the field of the movable national cultural heritage.

(on January 11th 2007 Chapter I, article 6 paragraph (1) amended by article 1, paragraph 5, of Law 488/2006)
(2) The stipulations of paragraph 1 are not to be applied to the National Archive Fund of Romania administered by The National Archives as well as by the county offices of the National Archives, established according to the provisions of the Law of National Archives no 16/1996.
(3) The Ministry of Culture and Religious Affairs shall represent the Romanian State in the national and international relations that refer to the movable national cultural heritage.

Article 7
(1) The competent authorities have the obligation to intercede, according to the legal provisions in force and the international conventions to which Romania is signatory, in
order to recover the cultural objects that were illegally removed or appropriated from museums or collections or unrightfully held abroad.

(2) The competent authorities must participate in any international joint operation, on the basis of a cooperation agreement, with a view to prohibiting and deterring illicit activities of import, export and property transfer of cultural objects.

(on January 11th 2007 Chapter I, article 6 paragraph (1) amended by article I, paragraph 5, of Law 488/2006)

**Article 8**
The public authorities, owners, bearers of other real rights, as well as bearers of the administration right of the objects belonging to the movable national cultural heritage have the obligation to protect them against any deliberate or perfunctory deeds that can lead to their degradation, damage, loss, illegal export or appropriation.

(on January 11th 2007 Chapter I, article 8 amended by article I, paragraph 6, of Law 488/2006)

**Chapter II: Research, Inventory and Classification**

(on January 11th 2007 Chapter II, amended by article I, paragraph 7, of Law 488/2006)

**Article 9**
The research activity carried on by scientific researchers in public specialised institutions that own objects that belong to the movable national cultural heritage implies researching, developing and enhancing the movable national cultural heritage, especially the one owned by the respective institution.

**Article 10**
For the purposes of this law, “classification” shall be taken to mean the procedure of establishing which movable cultural objects belong to which judicial category of the movable national cultural heritage, the thesaurus or basic.

(on January 11th 2007 Chapter II, article 10 amended by article I, paragraph 9, of Law 488/2006)

**Article 11**
The procedure of classifying movable cultural objects is triggered:

1. ex officio, in the following situations:
   a) for the movable cultural objects belonging to the State or to the territorial-administrative entities by the public institutions and administered by public institutions, national companies or other commercial entities to which the state or an authority of the local public administration is shareholder;

   (on January 11th 2007 Chapter II, article 11 paragraph (1) letter A amended by article I, paragraph 10, of Law 488/2006)

   b) for the movable cultural objects belonging to religious cults;

   c) for the movable cultural objects that are subject to public sale through auction or through an authorized agent;

   d) for the movable cultural objects for which the temporary or permanent export is solicited;

   e) for the movable cultural objects accidentally discovered or in the context of archaeological, ethnological, paleontologic or geological research;

   (on January 11th 2007 Chapter II, article 11 paragraph (1) letter E amended by article I, paragraph 10, of Law 488/2006)
f) for the confiscated movable cultural objects;
g) for the movable cultural objects that were subject to attempts of illegal export;
g1) for the movable cultural objects that were illegally removed from Romania;
(on April 5th 2003 Chapter II, article 11, paragraph 1, letter G, completed by article 1, paragraph 6 of Emergency Ordinance 16/2003)
h) for the movable cultural objects that are in the custody of public institutions and likely to be returned.
i) for the movable cultural objects to be restored;
j) for the movable cultural objects subject to criminal research;
(on January 11th 2007 Chapter II, article 11 paragraph (1) amended by article I, paragraph 11, of Law 488/2006)

2. at the request of individuals and other private bodies, owning the respective object.

**Article 12**

(1) Classification shall be performed on the basis of an expertise report elaborated by experts or specialists licensed by the National Commission of Museums and Collections.
(on April 16th 2004 Chapter II, article 3, paragraph 12, paragraph (1) amended by article 1, paragraph 6 of Law 105/2004)

(2) The classification of an object must be completed within 3 months from the moment the procedure of classification began.

(3) The competent scientific organism proficient in deciding on the classification submitting is the National Commission of Museums and Collections.

(4) The classification decision shall be signed by the president of the National Commission for Museums and Collections and shall be approved by the minister of culture and religious affairs’ order, within the term stipulated under paragraph (2).

(5) The conclusions of the expertise report identifying the respective movable cultural object, the standard datasheet of the object and a colour or black and white photograph shall be attached to the classification decision.

(6) In the case of movable cultural objects that were not submitted for classification, the conclusions of the expertise report containing the identification data of the objects shall be communicated to the bearers of other real rights within 30 days after the expertise is over.

(7) The expertise of the movable cultural objects that were not submitted for classification can be appealed against at the National Commission for Museums and Collections within 10 days after receiving the notification sent by the expert or specialist. The result of the appeal shall be communicated within 20 days.
(on April 16th 2004 Chapter II, article 12, paragraph (7), amended by article 1, paragraph 6 of Law 105/2004)

**Article 13**

(1) Public institutions owning movable cultural objects belonging to the movable national cultural heritage must inventory these goods both analytically, by the standard datasheet, according to the norms issued by the Ministry of Culture and Religious Affairs, and synoptically, by the data bank that also contains the image archive.

(2) The public authorities to which the institutions owning goods belonging to the movable national cultural heritage are subordinated have the obligation to provide the necessary financial resources for the digital inventory of the objects.
(on January 11th 2007 Chapter II, article 13 amended by article I, paragraph 12, of Law 488/2006)
Article 14

(1) The minister of culture and religious affairs shall communicate in writing the classification order to the owner, to the bearer of the real rights or, if the case is, to the bearer of the administration right within 10 days after the approval.

(2) The Ministry of Culture and Religious Affairs shall issue, for every classified object, a classification certificate and the standard datasheet of the object.

(on January 11th 2007 Chapter II, article 14 amended by article I, paragraph 13, of Law 488/2006)

Article 15

(1) After a movable cultural object is classified, it is registered in the Heritage Inventory of the movable national cultural heritage, in one of the two categories, thesaurus or basic cultural items.

(2) The inventory of the movable national cultural heritage is elaborated on the basis of orders regarding classified movable cultural objects; the centralisation, the digital registry and the administration of documents that underly the inventories are carried out by the Institute for Cultural Memory.

(3) The data regarding the national cultural heritage, except the list of the movable cultural objects and their image, are not intended for the public, unless the owner agrees.

(4) The data regarding the movable national cultural heritage can be provided, at request, by the Institute for Cultural Memory, to the specialised institutions, to researchers and to other licensed specialists, with a view to conducting specific activities of identification and research. The data obtained this way can only be capitalised if the owner agrees. The data identifying the owner can only be made public only with his / her agreement.

(5) The data included in these inventories can be provided to the police organs, to the organs of criminal pursuit and to the instance courts only to solve certain cases directly linked to the respective movable cultural objects and only if the legal provisions in the field are complied with.

(on January 11th 2007 Chapter II, article 15 amended by article I, paragraph 14, of Law 488/2006)

Article 16

(1) Owners, bearers of other real rights or of the administration right and any other type of possessors of the movable cultural objects for which the classification procedure was initiated have the obligation to allow the examination of the respective goods by experts or licensed specialists.

(on April 16th 2004 Chapter II, article 16, paragraph (1), amended by article 1, paragraph 7 of Law 105/2004)

(2) Movable cultural objects can only be taken for laboratory analyses in special cases and for determinate periods of time stipulated under the classification norms of the movable cultural objects and only if the owners or the bearers of other real rights agree; these can be taken over on the basis of a delivery-receipt protocol signed by the private bodies and individuals, mentioned in paragraph (1), according to the norms of Ministry of Culture and Religious Affairs.
**Article 17**
During the classification procedure initiated ex officio of a movable cultural object classified as thesaurus, this is protected according to the stipulations of the present law.

*(on January 11th, 2007, Chapter II, article 17 amended by article I, paragraph 15, of Law 488/2006)*

**Article 18**

1. The owner’s right to solicit the classification of the movable cultural object is imprescriptible.
2. If a movable cultural object was not classified, the procedure may be resumed, at request, after at least 3 years; where there are new proofs, this delay may be shortened by the National Commission of Museums and Collection.

**Article 19**

1. Movable cultural objects can be declassified as a result of the request of the ownership right bearer or ex officio, in the following cases:
   a) the expertise becomes null;
   b) total loss;
   c) serious damage which cannot be recovered through restoration work.
2. The declassifying procedure is the same as the classifying procedure.
3. The declassifying order is registered at the Inventory of the Movable National Cultural Heritage and consequently the object is erased from the inventory stated at article 15 paragraph (1).

*(on January 11th, 2007, Chapter II, article 19 paragraph (3) amended by article I, paragraph 16, of Law 488/2006)*

4. The declassifying order is communicated in writing to the owner, to the bearer of other real rights, or to the bearer of the administration right.

**Article 19**

**Article 19**

Shifting one movable cultural object from one category of the movable national cultural heritage to another can only be done in compliance with the procedures stated for classifying them.

*(on January 11th, 2007, Chapter II, article 19 completed by article I paragraph (17) of Law 488/2006)*

Shifting one movable cultural object from one category of the movable national cultural heritage to another can only be done in compliance with the procedures stated for classifying them.

*(on January 11th, 2007, Chapter II, article 19 completed by article I paragraph (17) of Law 488/2006)*

*(on April 5th, 2003, Chapter II, article 20 abrogated by article I paragraph (10) of Emergency Ordinance 16/2003)*

**Article 21**

1. The owner or the bearer of the administration right can appeal against the order on classifying, declassifying or shifting from one category of national cultural heritage to another of a movable cultural heritage at the Ministry of Culture and Religious Affairs within 30 days after it was communicated.

*(on January 11th, 2007, Chapter II, article 21 paragraph (1) amended by article I, paragraph 18, of Law 488/2006)*
(2) The Ministry of Culture and Religious Affairs has the obligation to solve the contestation within 30 days after it was recorded.

(3) If the owner or the bearer of the administration right is not satisfied by the result of the appeal submitted to the Ministry of Culture and Religious Affairs, he/she may appeal, according to the provisions of the law, to the competent instance courts.

Article 21

Article 21

(1) The movable cultural objects held in public property by certain national companies or other commercial entities based on major or entirely state owned capital, which are in process of being privatised, shall be classified before the privatisation process begins.

(2) The Authority for State Assets Recovery or, if the case may be the central or local public authority in charge with privatising a legal body stated at paragraph (1) must notify, in writing, the decentralised public office of the Ministry of Culture and Religious Affairs covering the company’s headquarters, about the beginning of the privatisation procedure, 30 days before.

(3) Within 10 days after the communication stated at paragraph (2) is registered, the decentralised public office of the Ministry of Culture and Religious Affairs shall verify the movable cultural objects likely to be classified, at the headquarters of the privatising legal body, and, if the case may be, it shall begin the classification procedure.

(4) The movable cultural objects classified as consequence of the situation described in the present article shall be administered by a specialised public institution, appointed by the National Commission of Museums and Collections.

(on January 11th 2007 Chapter II, article 21 completed by article I, paragraph 19, of Law 488/2006)

(1) The movable cultural objects held in public property, owned by certain national companies or commercial entities based on major or entirely state owned capital which are in process of being privatised, shall be classified before the privatisation process begins.

(2) The Authority for State Assets Recovery or, if the case may be the central or local public authority in charge with privatising a legal body stated at paragraph (1) must notify, in writing, the decentralised public office of the Ministry of Culture and Religious Affairs covering the company’s headquarters, about the beginning of the privatisation procedure, 30 days before.

(3) Within 10 days after the communication stated at paragraph (2) is registered, the decentralised public office of the Ministry of Culture and Religious Affairs shall verify the movable cultural objects likely to be classified, at the headquarters of the privatising legal body, and, if the case may be, it will begin the classification procedure.

(4) The movable cultural objects classified as consequence of the situation described in the present article shall be administered by a specialised public institution, appointed by the National Commission of Museums and Collections.

(on January 11th 2007 Chapter II, article 21 completed by article I, paragraph 19, of Law 488/2006)
Chapter III: Preserving, storing and providing security for movable cultural objects

Article 22

(1) Owners, bearers of other real rights or bearers of the administration as well as other types of owners of classified movable cultural objects have the following obligations:
   a) to provide the best preserving conservation conditions and, if the case is, storing conditions preventing any degradation, damage or total loss;
   b) not to damage or destroy these objects and in the case of the metal ones not even to melt them;
   c) to insure the security of these goods;
   d) to notify within 5 days the county offices for culture and national culture heritage if an imminent danger of serious damage or total loss of these goods is discovered;
   e) not to use or allow to use of these objects during shows, fashion parades or as movie or theatre props, as well as for other purposes that might endanger their integrity or expose the goods to loss, deterioration or theft.
   f) to allow access to the specialists from the county offices for culture and national culture heritage to establish the conservation state of these goods; in the case of private bodies or individuals that own cultural objects, the access of the specialists of the county offices for culture and national culture heritage will be granted only with the written agreement of the owner regarding the access conditions.

(2) Owners or bearers of the administration right of classified movable cultural objects have the following obligations:
   a) to ensure the restoration of the movable cultural objects;
   b) to entrust the restoration works exclusively to the restorators licensed by the National Commission of Museums and Collections.

(3) Specialised and unspecialised public institutions, religious affairs, as well as economic operators who own with any title classified movable cultural objects have the obligation to finance the acquisition and installment of anti theft, anti-fire and microclimate systems for the protection of the movable cultural goods.

(4) Private bodies and individuals that can allow the use of the movable cultural objects classified as basic cultural items during shows, fashion parades or as movie or theatre props, under contractual conditions, at the same time observing the conservation and restoration norms for the classified movable cultural objects are not subject to the provisions of paragraph (1) letter e).

(on January 11th 2007 Chapter III, article 22 paragraph (4) amended by article 1, paragraph 21, of Law 488/2006)

Article 23

Private bodies and individuals who own with any title classified movable cultural objects benefit of free consulting from specialised institutions with the purpose of preserving, conserving and enhancing these objects.

Article 24

(1) Public institutions have the obligation to make movable cultural objects which they administer available to experts, licensed specialists and researchers, for studies and specialised works, under commonly agreed conditions.
(2) For studies and specialised works on movable cultural objects held in private property, the owner’s approval is necessary.

Article 25

(1) Copies, mouldings, posthumous editions and facsimiles made after the classified movable cultural objects must be visibly marked in order not to be confused with the original; they will carry the mention copy, facsimile, posthumous edition, the name of the author and the year they were created as well as the specification of the collection where the object is.

(2) The mentions under paragraph (1) are compulsory, regardless of the year the copies, mouldings, posthumous editions and facsimiles were created and every time these are made known to the public.

Article 26

(1) Copies, mouldings, posthumous editions and facsimiles made after the classified movable cultural objects held in public property, can only be done with the written approval of the bearer of the administration right, in conformity with the norms stipulated by the National Commission of Museums and Collections.

(2) Copies, mouldings, posthumous editions and facsimiles made after the classified movable cultural objects held in private property, can only be done with the written approval of the owner in conformity with the norms stipulated by the National Commission of Museums and Collections.

(3) The reproduction of the classified movable cultural objects through photographic, video or digital means can only be performed with the written approval of the bearer of the administration right or of the owner.

(4) The persons that execute copies, mouldings, posthumous editions and facsimiles after the classified movable cultural objects have the obligation to use adequate techniques and to take the necessary measures in order not to damage, immediately or in time, the integrity or the quality of the original objects.

Chapter IV: The conservation and restoration of classified movable cultural objects

Article 27

(1) The conservation and restoration works of classified movable cultural objects can only be carried out by licensed conservators and restorators, on the basis of a contract concluded in conformity with the common law.

(2) The conservators and restorators who are in charge of conserving and restoring classified movable cultural objects are licensed by the National Commission of Museums and Collections, according to the norms for licensing conservators and restorators.

(3) On the basis of the licence obtained, the Ministry of Culture and Religious Affairs issues free lance certificates to the conservators and restorators, according to the norms for licensing conservators and restorators.

(4) Laboratories and workshops, performing conservation and restoration works on classified movable cultural objects, function on the basis of an authorisation issued by the Ministry of Culture and Religious Affairs, approved by National Commission of Museums and Collections, according to the norms regarding the authorisation of conservation and restoration laboratories and workshops.

(5) When professional errors are committed, the National Commission for Museums and Collections suspends for up to 2 years the licence stipulated at paragraph (2) or the
approval stipulated at paragraph (4). The Ministry of Culture and Religious Affairs shall take the necessary measures for implementing the decisions of the National Commission of Museums and Collections, and a counter expertise may be solicited at the request of the persons concerned.

(6) Private bodies that own authorised laboratories or workshops have the obligation to display in a visible manner the authorisation issued according to the provisions of paragraph (4).

(7) The Ministry of Culture and Religious Affairs shall authorise the existing conservation and restoration laboratories to function further on as specialised public institutions, as well as the establishing of such new laboratories and the National Commission for Museums and Collections shall approve it.

(8) Conservation and restoration laboratories, functioning within public museum institutions, can perform such works for other public museum institutions, for private or public bodies or individuals, complying with the conditions stipulated under the present law; in such cases the solicitors shall be charged for the expenses for these works, according to the contractual stipulations.

**Article 28**
The restoration of the movable cultural objects classified as thesaurus can only be performed with the prior approval of the National Commission of Museums and Collections, which mentions the authorised laboratories and workshops.

**Article 29**

(1) The movable cultural objects classified as thesaurus, irrespective of their ownership status, which are in imminent danger of destruction or serious degradation are subject to conservation and restoration works in conformity with the order of the minister of culture and religious affairs, on the basis of an expertise report endorsed by National Commission of Museums and Collections.

(2) The owner shall be charged for the conservation and restoration works.

(3) The amount charged for the conservation and restoration works performed according to the stipulations of paragraph (1) and the stipulations of article 22, paragraph (2) letter a) are deductible from the income taxes or the profit tax.

(4) If the owner of a movable cultural object classified as thesaurus is a private persons who declares at their own risk that they don’t dispose of the financial resources for covering the expenses for restoration and conservation, these expenses shall be covered, partially or fully, from the state budget or from the local budget, according to the stipulations of the present law. If the movable cultural objects are subsequently sold, the costs for the conservation and restoration works shall be repaid by the owner-seller to the financing institution.

**Article 30**

(1) The provisions of the present law are to be applied accordingly to the goods of cultural value made of precious metals or containing precious or semi-precious stones owned, administered or possessed by any title by the National Bank of Romania, by the State Mint or by other banks.

(2) The private bodies listed at paragraph (1) have the obligation to allow the examination of the objects by experts namely designed by the Ministry of Culture and Religious Affairs, who will suggest, if the case may be, the initiation of the classification procedure.
Article 31
Melting or modifying, no matter how, the classified movable cultural objects, owned by any title by the National Bank of Romania, by the State Mint or by other banks is strictly forbidden.

Chapter V: The Circulation of the movable cultural objects

Article 32
The classified movable cultural objects, representing public assets of the State or of the territorial-administrative entities, are inalienable, imprescriptible and exempt from seizure.

Article 33
(1) With a view to organising expositions or realising cultural projects, public institutions can lend to public institutions or private legal entities from our country, in compliance with the common law, classified movable cultural objects which they administer, with the approval of the National Commission for Museums and Collections and the approval of the Ministry of Culture and Religious Affairs.
(2) Private bodies and individuals can lend classified movable cultural objects to public institutions or to private legal entities, in compliance with the common law and the present law.
(3) The classified movable cultural objects, belonging to religious cults, can be lent to specialised public institutions, in compliance with the common law and the present law, with the approval of the cult head.
(4) The organizer of the exposition or the initiator/author of the cultural project is legally responsible for the integrity of the objects exposed and must take all the necessary measures to remove any risk, in order to ensure the security and the preservation of the cultural objects.

Article 34
(1) The movable cultural objects held in public property, owned by trading companies where the State is the major or sole stockholder will be classified before they are privatised.
(2) The commercial companies stipulates under paragraph (1) have the obligation to notify, in writing, the county offices for culture and national cultural heritage covering their headquarters about signing up for privatisation within 5 days from the date of the signing up.
(3) Within 10 days from the registration of the notification stipulated under paragraph (2), the county office for culture and national cultural heritage shall verify the movable cultural objects likely to be classified, at the privatising commercial company and shall initiate the classification procedure.
(4) A specialised public institution, designated by the National Commission of Museums and Collections, shall administer the movable cultural objects thus classified.

Article 35
(1) Public sale of the movable cultural objects, held in private property, or the mediation of the commercial exchange is only performed through authorised economic operators, in compliance with the present law.
(on January 11th 2007 Chapter V, article 35 paragraph (1) amended by article I, paragraph 25, of Law 488/2006)

(2) The economic operators stated at paragraph (1) are authorized by the Ministry of Culture and Religious Affairs with the endorsement of the National Commission for Museums and Collections in conformity with the norms regarding the movable cultural objects trade.

(on January 11th 2007 Chapter V, article 35 paragraph (2) amended by article I, paragraph 25, of Law 488/2006)

(3) Economic operators authorised to commercialise movable cultural objects shall display in a visible manner the norms concerning the commerce with movable cultural objects.

(4) The economic operators authorized to commercialise movable cultural objects shall write down in a register, correctly and completely, the name and the address of the bidder, the description and the price of each object. The information contained in the register is confidential.

(5) The economic operators authorized to commercialise movable cultural objects shall notify in writing the county offices for culture and national culture heritage about the existence of any items susceptible of being classified within 5 days after the offer.

(6) The economic operators authorized to commercialise movable cultural objects shall notify in writing the owner of the object about the possibility of initiating the classification procedure within 5 days.

(7) The economic operators authorized to commercialise movable cultural objects shall notify, in writing, the county and the Bucharest offices for culture and national culture heritage, where the headquarters is, about the sale, and, if the case may be, to send a copy of the printed catalogue in view of a public auction, no matter whether the concerned objects are or not classified in the movable national cultural heritage, within 3 days after the registration in their own register for the objects classified as thesaurus.

(on April 16th 2004 Chapter V, article 35, paragraph(7), amended by article 1, paragraph 8 of Law 105/2004)

Article 36

(1) Movable cultural objects belonging to private legal bodies or individuals, classified as thesaurus, may be subject to public sale only if the Romanian State, represented by the Ministry of Culture and Religious Affairs, exerts its pre-emption right, while also complying with the provisions of article 35, paragraph (7).

(2) The county offices for culture and national culture heritage shall forward to the Ministry of Culture and Religious Affairs, within 3 days after receiving the written communication of the authorized economic operators, the registration concerning the sale of a movable cultural object, classified as thesaurus.

(3) The deadline for the exertion of the pre-emption right of the state is maximum 30 days, starting with the date of the communication stipulated under paragraph (2), and the acquisition value is the one negotiated with the seller or the authorised economic operator or the one resulted from the public auction.

(4) The Ministry of Culture and Religious Affairs shall stipulate in the budget the necessary sums for the exertion of the pre-emption right.

(5) Not complying with the provisions of paragraph (1) makes the sale absolutely null.

Article 37

(1) Transferring abroad movable cultural objects constitutes an export operation, which can be temporary or permanent.
(2) Permanent or temporary export of classified or unclassified movable cultural objects can only be performed on the basis of an export certificate.
(3) The export certificate shall be issued by the county offices for culture and national culture heritage, in compliance with the present law.
(4) The temporary export of movable cultural objects classified as thesaurus can only be performed on the basis of the export certificate.
(5) Transferring abroad, in any way, movable cultural objects for which the temporary or permanent export certificate was not issued according to the law represents illegal export.

Article 38
(1) Classified movable cultural objects, held in public property, are only temporary exported and only for organising expositions abroad, for laboratory investigations, restoration or expertise purposes.
(2) Movable cultural objects classified as thesaurus, held in private property, can be exported only temporary.
(3) The temporary export of classified cultural objects, held in public property, is only for organizing expositions abroad, for laboratory investigations, restoration or expertise purposes.

(4) The export certificate shall be issued by the county offices for culture and national culture heritage, in compliance with the present law.
(5) The temporary export of movable cultural objects classified as thesaurus can only be performed on the basis of the export certificate.
(6) Transferring abroad, in any way, movable cultural objects for which the temporary or permanent export certificate was not issued according to the law represents illegal export.

Article 40
(1) The movable cultural objects classified as basic cultural items, owned by private legal or natural bodies, may be permanently exported only in the context of an exchange of cultural objects of similar cultural interest and significance that can be considered unique or rarities for the Romanian museum heritage.

Article 401
(1) By derogation from the provisions of article 38 paragraph (1), the movable cultural objects classified as basic cultural items, held in private property of the state, respectively of the counties, cities, towns or communes, may be permanently exported, only in the case of an exchange of cultural objects of similar cultural importance and significance and only in totally exceptional cases, where the historic, scientific or cultural interest prevails.
Article 41
(1) For the applications for temporary or permanent export of an unclassified movable cultural object, the delay stipulated at article 12, paragraph (2) and article 14, paragraph (1), cumulated, is 30 days.
(2) The National Commission for Museums and Collections must reach a decision within 30 days after the classification procedure is initiated.

Article 42
Donations of movable cultural objects to the specialised public institutions or to religious cults, in conformity with the law, are exempt of any taxes.

Article 43
(1) Private legal bodies and individuals owning classified movable cultural objects shall inform in writing the county offices for culture and national culture heritage within 5 days immediately after the transfer of property of such an object to another person, as well as immediately after establishing a real right over such an object.
(2) If a classified movable object was lost or stolen, the owner, the bearer of other rights, bearer of the administration right as well as any other type of owner of these object, are compelled to inform, in writing, within 24 hours after noticing it, the police departments.
(3) In the cases mentioned under paragraph (2), as well as in cases of total loss or damage of their classified movable cultural objects, bearers of other real rights, bearers of the administration right as well as any other type of owner have the obligation to inform in writing the county offices for culture and national culture heritage within 5 days after noticing it.
(4) After registering the communication stipulated under paragraph (3), the county offices for culture and national culture heritage will immediately notify, in writing, the police departments whose territorial jurisdiction covers their headquarters.

Article 44
(1) Forced heirs are exempt of stamp taxes for the classified movable objects that belong to the tracing assets.
(2) For the other heirs, they can waive, in exchange for the stamp taxes, such objects, which will become public property and they will be administered, according to the law, by specialised public institutions, endorsed by the National Commission of Museums and Collections.
(3) Donations or legacies of classified movable cultural objects to the state, the territorial-administrative entities or religious cults, are exempt of any tax.

Article 44¹
(1) The classified movable cultural objects, held in public property, that have been put out of service, may be enhanced by the public legal bodies that own them, only if they are freely transferred to the Ministry of Culture and Religious Affairs in order to be distributed to the specialised public institutions.
(2) It is forbidden to restructure, dismember or, if the case may be, fragment the objects stated at article (1) in order to put them out of service.

(on January 11th 2007 Chapter V, article 44 completed by article I, paragraph 29, of Law 488/2006)

(1) The classified movable cultural objects, held in public property, that have been put out of service, may be enhanced by the public legal bodies that own them, only if they are freely
transferred to the Ministry of Culture and Religious Affairs in order to be distributed to the specialised public institutions.

(2) It is forbidden to restructure, dismember or, if the case may be, fragment the objects stated at article (1) in order to put them out of service.

(on January 11th 2007 Chapter V, article 44 completed by article I, paragraph 29, of Law 488/2006)

Chapter VI: The General Legal Status of the Movable Archaeological Objects accidentally discovered or through archaeological research

(on April 16th 2004 Chapter VI, article 1, paragraph 9, of Law 105/2004)

Article 45

(1) Archaeological, epigraphic, numismatic, paleontologic or geologic objects, discovered in the context of systematic research for archaeological or geologic purposes or within the rescue or preventive archaeological research, as well as those accidentally discovered, as consequence of any kind of works, performed on state-owned areas, according to art 136 paragraph (3) of the Romanian Constitution, republished, represent public property, in conformity with the legal stipulations.

(on January 11th 2007 Chapter VI, article 45 paragraph (1) amended by article I, paragraph 30, of Law 488/2006)

(2) After they are discovered, the objects mentioned at paragraph (1) are submitted to the classification procedure, in conformity with the present law, and are administered by the institution financing or coordinating the research; if the National Commission for Museums and Collections notices that the respective institution does not comply with the corresponding conditions of conservations and security, it will transfer the responsibility to the county offices for culture and national culture heritage or to other specialised public institutions satisfying the appropriate conditions and whose territorial jurisdiction covers the place where the objects were discovered. The county office for culture and national culture heritage will decide on the institution that will administer the respective archaeological objects.

Article 46

(1) Systematic archaeological research, as well as preventive or rescue ones, conducted by legal bodies, are authorised, coordinated and controlled by the National Commission for Archaeology and by the Ministry of Culture and Religious Affairs, in compliance with the legislation in the field of the protection of the archaeological heritage.

(on January 11th 2007 Chapter VI, article 46 paragraph (1) amended by article I, paragraph 31, of Law 488/2006)

(2) Unauthorised legal bodies or individuals are not entitled to perform excavations and research activities or any other type of interventions that can damage those sites.

Article 47

(1) Archaeological research performed on private sites, belonging to private bodies and individuals or to religious cults can only be conducted with the owner’s approval, and, if the case may be, the head of the cult.

(2) If the owner of the site does not approve with the archaeological research, these can be authorised by the competent law court, at the request of the public authorities or institutions to which the initiator of the archaeological research is subordinated.
(3) The owner of the site is entitled to solicit the negotiation of a deadline for the completion of the works or to receive compensatory payments, prior to the works, from the public authorities or from the public institutions to which the initiator of the archaeological research is subordinated, for damaging the soil, the plantations or the buildings as well as for other prejudices resulting from the research works.

(4) The amount of the compensatory payments is commonly agreed with the owner or, in cases of discords, by the competent law courts.

(5) Compensatory payments will be charged to the public institutions the initiator of the archaeological research is subordinated to.

(6) It is compulsory to discharge the archaeological certificate for a site, regardless of its property legal status before any works likely to damage the site, begin.

(7) The beneficiary of the project will provide the researchers with the financial resources for issuing the certificate mentioned under paragraph (6), regarding the sites where archaeological objects can be found, identified through prior investigations.

Article 48

(1) Natural entities having accidentally discovered objects from the category mentioned at article 45, paragraph (1) must deliver them, within 72 hours after the discovery, to the mayor of the territorial-administrative entity that covers the discovery site.

(2) The mayor must inform the decentralised public office of the Ministry of Culture and Religious Affairs about the objects discovered, within 72 hours, and must take protection and conservation measures.

(3) The mayor must hand over the objects thus discovered, within 10 days, to the county office for culture and national culture heritage.

(4) The authors of the haphazard discovery, who handed over the objects discovered in compliance with the provisions stipulated under paragraph (1), are entitled to a pecuniary reward equivalent with 30% of the value of the object, calculated at the moment the reward is granted; if the archaeological discovery is of exceptional value, a supplementary bonus of up to 15% of the value of the object may be granted.

(5) The value of the objects thus discovered is established by licensed experts of the county offices for culture and national culture heritage or, if the case may be, by other licensed experts.

(6) The reward and the bonus, established in conformity with paragraphs (4) and (5), will be charged to the main credit accountant budget or to the local budgets, depending on the administrator of the cultural institutions to which the objects discovered are entrusted and they will be paid within 18 months after the object is handed over.

(7) If the discoverer doesn’t receive the reward in the delay stipulated under paragraph (6), he/she may appeal to the competent law court, the appeal being exempt from the stamp tax.
Chapter VII: Financing specific activities for the protection of the movable cultural heritage
(on January 11th 2007 Chapter VII, amended by article I, paragraph 34, of Law 488/2006)

Article 49

(1) The Ministry of Culture and Religious Affairs, the Ministry of Education and Research, local and central public administration authorities, the Romanian Academy and other public institutions are responsible of financing the discovery, collecting, research, expertise, classification, inventory, storing, conservation, preparation, restoration, protection and enhancement activities related to classified movable cultural objects regardless of the owner, the bearer of other real rights and the bearer of the administration right, from their own incomes and budgetary allotments.
(on January 11th 2007 Chapter VII, article 49 paragraph (1) amended by article I, paragraph 35 of Law 488/2006)

(2) Budgetary allotments intended for the activities mentioned at paragraph (1), will be directed for these purposes to the budgets of the Ministry of Culture and Religious Affairs, the Ministry of Education, the local and central public administration authorities as well as the budgets of other public institutions.

(3) The acquisition of movable cultural objects for specialised public institutions, depending on their subordination, can be covered by the resources directed for this purpose to the local and central public administration authorities.

Article 50

(1) The extra budgetary incomes may have the following sources:
   a) donations or legacies from legal bodies and individuals natives or foreigners;
   b) the 5% quota collected by the local public administration authority deduced from the selling price of the commercialised reproductions made after the movable cultural objects held in public property;
   c) the 5% quota collected by the local public administration authority deduced from the price obtained from selling cultural objects in auction, antiquity shops, consignments, pawnshops;
   d) the fees collected by the county offices for culture and national culture heritage for solicited expertises.

(2) The quota stipulated under paragraph (1) letters b) and c) is added to the selling price of the respective objects.

Chapter VIII: Specialised institutions and organisms

Article 51

(1) The discovery, collecting, research, expertise, classification, inventory, storing, conservation, preparation, restoration, protection and enhancement of the movable cultural objects are conducted by competent specialised institutions and organisms and by legal bodies and individuals, in compliance with this law.

(2) The natural bodies that do not possess the expert license issued by the Ministry of Culture and Religious Affairs, but possess the technical expert license issued by other authorities of the central public administration, may perform expertises, in compliance with the present law, only on the basis of the prior accreditation issued by the National Commission of Museums and Collections.
(on January 11th 2007 Chapter VIII, article 51 amended by article I, paragraph 36 of Law 488/2006)

Article 52

(1) The National Commission for Museums and Collections represents the consulting scientific and certifying organism in this field of the Ministry of Culture and Religious Affairs and is managed by a president appointed by the Minister of Culture and Religious Affairs; he/she must be a well-known specialist in the field.

(2) The National Commission for Museums and Collections is formed of 21 specialists appointed by the order of the minister of culture and religious affairs for 4 years:
   a) the president of the commission – 6 members;
   b) specialised public institutions and collectors of movable cultural objects – 7 members;
   c) the religious affairs, The Romanian Academy and the high education public institutions – 7 members.

(3) The National Commission for Museums and Collections pursues its activity according to the organisation and functioning regulation elaborated by the members of the commission and approved by the order of the minister of culture and religious affairs.

(4) The National Commission for Museums and Collections consists of sub-commissions for the fields mentioned at article 3. The secretary of the commission and the secretaries of the sub-commissions are selected among the members of the concerned department of the Ministry of Culture and Religious Affairs. The sub-commissions pursue their activity in conformity with the regulations of the National Commission for Museums and Collections stipulated at paragraph (3). The presidents of the sub commissions are vice-presidents of the National Commission for Museums and Collections.

(5) The National Commission for Museums and Collections may appoint as honourable members specialists from Romania or from abroad, internationally recognised scientists in the field of the protection of the movable cultural national heritage and museums, appointed by the president and validated with the simple majority vote of the commission.

(6) The Ministry of Culture and Religious Affairs finances the National Commission for Museums and Collections. The members of the National Commission for Museums and Collections are entitled to a monthly indemnity, for the months it gathers, meaning 20% from a state secretary salary; also, the expenses incurred for participating at the Commission works, are refunded.

(on January 11th 2007 Chapter VIII, article 52 amended by article I, paragraph 37 of Law 488/2006)

Article 521

Article 521

(1) 8 local commissions for museums and collections shall be established, as decentralised scientific branches of the National Commission for Museums and Collections.

(2) The attributions, number and competence territory, the organisation and functioning of the local commissions for museums and collections are established in the Organisation and Functioning Regulation of the National Commission for Museums and Collections.

(3) The local commissions for museums and collections have each 7 members and their presidents are members of the National Commission for Museums and Collections.

(4) The scope of the local commissions for museums and collections is approved by order of the minister of culture and religious affairs, published in the Romanian Official Journal, Part I.
(5) The monthly grant/subsidy for each member of a local commission for museums and collections, for the months the commission works, represents 20% of the salary of a state secretary; also, the expenses incurred for participating to the works of the Commission are refunded.  
(on January 11th 2007 Chapter VIII, article 52 completed by article I paragraph 38 of Law 488/2006)

(1) 8 local commissions for museums and collections shall be established, as decentralised scientific branches of the National Commission for Museums and Collections.  
(2) The attributions, number and competence territory, the organisation and functioning of the local commissions for museums and collections are established in the Organisation and Functioning Regulation of the National Commission for Museums and Collections.  
(3) The local commissions for museums and collections have each 7 members and their presidents are members of the National Commission for Museums and Collections.  
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(5) The monthly grant/subsidy of each member of a local commission for museums and collections, for the months the commission works, represents 20% of the salary of a state secretary; also, the expenses incurred for participating to the works of the Commission are refunded.  
(on January 11th 2007 Chapter VIII, article 52 completed by article I paragraph 38 of Law 488/2006)

Article 53  
The National Commission for Museums and Collections have the following attributions:  

a) To evaluate the expertise reports and decide on the classification of movable cultural objects, those in libraries included;  
(on April 16th 2004 Chapter VIII, article 53, letter A, amended by article 1, paragraph 15, of Law 105/2004)

b) To receive contestations from legal entities and natural persons about the procedure of classification of movable cultural objects and suggest solutions;  
c) To certify the classification norms of movable cultural objects and the norms regarding the trade with movable cultural objects;  
d) To certify the norms regulating the realisation of mouldings, facsimiles, copies and posthumous editions, made after original engraving plates, for classified movable cultural objects;  
e) To certify the norms of conservation and restoration of classified movable cultural objects and to establish the restoration priorities.  
(on April 5th 2003 Chapter VIII, article 53, letter E, amended by article 1, paragraph 16 of Emergency Ordinance 16/2003)

f) To certify the norms licensing experts, the norms licensing specialists, the norms licensing restorators and conservators as well as the norms licensing conservation and restoration laboratories and workshops;  
(on April 16th 2004 Chapter VIII, article 53, letter F, amended by article 1, paragraph 15, of Law 105/2004)

g) To certify the functioning of the laboratories and workshops in charge with restoration works;  
h) To certify the temporary export of classified movable cultural objects;  
i) To certify the methodological norms regarding temporary and permanent export of movable cultural objects;  
j) To certify the functioning of the economic operators organising auctions or commercialising of movable cultural objects;
k) To certify the functioning and organisation regulations of public museums and collections;

l) To license experts, specialists, conservators and restorators;

(on April 16th 2004 Chapter VIII, article 53, letter L, amended by article 1, paragraph 15, of Law 105/2004)

m) To license specialists that can reach, according to the law, the information contained in the registers of the economic operators authorised to commercialise movable cultural objects;

n) Any other attributions that fall under their competence, according to the law.

Article 54

(1) Within counties and the city of Bucharest, there are county offices for culture and national culture heritage and public decentralised offices of the Ministry of Culture and Religious Affairs.

(2) Within 30 days after the present law comes into force by Government decision, initiated by the Ministry of Culture and Religious Affairs, the county inspectorates for culture, merging with the county offices for culture and national culture heritage, become county offices for culture and national culture heritage.

Article 55

The county offices for culture and national culture heritage have the following attributions as far as the protection of the movable cultural heritage is concerned:

a) To prepare data basis regarding the registration of classified movable objects they locally cover;

b) To register the classification application for the movable cultural objects owned by unspecialised institutions, religious cults, other legal bodies as well as individuals;

c) To expertise the objects and elaborate the documentation stipulated by the present law in view of classifying movable cultural objects;

d) To forward to the National Commission for Museums and Collections the classification proposals;

e) To register the notifications of transfer of property from one owner to another, in case of classified movable cultural objects;

f) To periodically control the security and conservation state of the classified movable cultural objects, offering specialized consulting to the owners or bearers of other real rights that asked for it;

g) To make a list of the restoration priorities for the movable cultural objects classified as thesaurus, that are in the administration of unspecialised institutions, religious cults, other legal bodies than the specialised institutions, as well as individuals.

h) To verify whether the economic operators authorised to commercialise movable cultural objects comply with the obligations they have in conformity with the present law and the norms issued when applying it;

i) To approve, according to this law, the permanent export of movable cultural objects, issuing, on the basis of an expertise report, the export certificate drew up in conformity with the methodological norms regarding the temporary or permanent export of movable cultural objects;

j) To administer, as extra budgetary funds, the revenues raised according to the provisions of article 50, paragraph (1) letters A and D, as well as the allotments form the state budget meant to finance the activities stipulated under article 49, paragraph (1);
k) To collaborate and establish, together with the appointed structures of the Ministry of Defence or the Ministry of the Interior, the measures for the protection of movable cultural objects, in cases of armed conflict and natural calamities;

l) Any other attributions that fall under their competence, according to the law.

Article 55
The Ministry of Culture and Religious Affairs provides finances for publishing the museum Magazine, as well as other specialised publications in the field of movable national cultural heritage.

(on April 16th 2004 Chapter VIII, article 55, completed by article 1, paragraph 16, of Law 105/2004)

Article 56
(1) Within 150 days after the present law comes into force, the National Laboratory for Research in the Filed of Conservation and Restoration of Movable National Cultural Heritage is established; this institution is subordinated to the Ministry of Culture and Religious Affairs.

(on January 19th 2001 Chapter VIII, article 56, paragraph (1), amended by article 9, paragraph 1, of Emergency Ordinance 9/2001)

(2) Within 150 days after the present law comes into force, the Ministry of Culture and Religious Affairs shall initiate the Government Decision regarding the organisation and the functioning of the National Laboratory for Research in the Filed of Conservation and Restoration of Movable National Cultural Heritage.

(on January 19th 2001 Chapter VIII, article 56, paragraph (2), amended by article 9, paragraph 1, of Emergency Ordinance 9/2001)

(3) The National Laboratory for Research in the Filed of Conservation and Restoration of Movable National Cultural Heritage has the following main attributions:

a) To investigate, using specific analysis means, the constituent materials of the movable cultural goods, according to their composition, processing technology and provenience;

b) To test the materials necessary for the conservation and restoration of the movable cultural objects, as well as for fighting against biological agents;

c) To cooperate with the specialists in the field to expertise the classified cultural objects or those that are being classified;

d) To train specialists in the field of investigation, conservation and restoration of movable cultural objects;

e) To cooperate with specialised institutions from Romania and abroad.

Article 57
(1) The Institute for Cultural Memory is subordinated to the Ministry of Culture and Religious Affairs, public institution that administer the data basis of movable cultural objects.

(2) The functioning regulation for the Institute for Cultural Memory is approved by order the Minister of Culture and Religious Affairs.

Article 58
The Institute for Cultural Memory has the following main attributions:
a) To centralise and register on a national basis the datasheets recording the classified movable cultural objects sent by the specialised institutions and the county offices for culture and national culture heritage;

b) To administer the data basis regarding the digital registry and the circulation of the movable cultural objects, as well as the National Archaeological Repository;

(On January 11th 2007 Chapter VIII, article 58, letter b) amended by article 1, paragraph 39, of Law 488/2006)

c) To stock the inventories regarding the classified the movable cultural objects and the documents underlying the classification procedures;

d) To enquire and enhance, also by publishing, the information in the data base regarding the movable cultural objects and in the National Archaeological Repository and to provide specialised assistance, on a contractual basis, regarding the documentary-scientific capitalisation of the information, with the approval of the owners and with the endorsement of the National Commission of Museums and Collections;

(On January 11th 2007 Chapter VIII, article 58, letter d) amended by article 1, paragraph 39, of Law 488/2006)

Chapter VIII1: Returning movable cultural objects illegally removed from the territory of a member state of European Union

(On July 2nd 2004 Chapter VIII1, amended by article 1, paragraph 4, of Law 314/2004)

Article 581

The present chapter regulates the restitution by the Romanian state of the cultural objects, illegally removed from the territory of a member state of European Union, starting with the January 1st 1993.

Article 582

(1) For the purposes of this chapter, “cultural object” shall be taken to mean any good classified as:

a) thesaurus or basic cultural item; classified in one of these legal categories before or after the object was illegally removed from Romania;

b) thesaurus of a member state of the European Union in conformity with the legislation of the respective state, classified in this category before or after the object was illegally removed from the territory of a member state of the European Union;

c) public collections included in the heritage and inventory of museums, archives and libraries from Romania or from one of the member states of the European Union;
d) heritage and inventory of the religious cults and of the ecclesiastic institutions from Romania or from one of the member states of the European Union;

e) one of the categories included in the appendix of the present law.

(2) For the purpose of the present chapter, the term "public collections" shall be taken to mean the collections owned by the member states of the European Union; these institutions were defined as "public" in conformity with the legislation of the respective state of the European Union because they are significantly financed or owned by the respective state or owned by the local or regional authorities.

(on January 11th 2007 Chapter VIII[1], article 58[2], amended by article I, paragraph 42, of Law 488/2006)

**Article 58**

(1) For the purposes of this chapter, “illegally removed from the territory of a member state of the European Union” shall be taken to mean:

a. The removal of a cultural object from the territory of a member state of the European Union, infringing the laws regarding the protection of cultural objects of that state;

b. if a cultural object is not returned after the temporary legal export expires or any other infringement of these temporary export.

(2) For the purpose of the present chapter, the structure "possessor of a cultural object that was illegally removed from the territory of a member state of the European Union" shall be taken to mean the legal or natural body that owns, physically, on his/her name, the respective cultural object.

(3) For the purpose of the present chapter, the structure "holder of a cultural object that was illegally removed from the territory of a member state of the European Union" shall be taken to mean the legal or natural body, physically, in possession of the respective cultural object, in another legal or natural body's name, other than the rightful owner of the respective object.

(on January 11th 2007 Chapter VIII[1], article 58[3], amended by article I, paragraph 43, of Law 488/2006)

**Article 58**

(1) If as a result of a criminal pursuit conducted according to the law there are signs discovered that a cultural object found on the territory of the Public Prosecutor's Office attached to the High Court of Cassation and Justice was illegally removed from the territory of a member state of the European Union, the Romanian State shall notify the state concerned, in compliance with Law no. 302/2004 regarding international legal cooperation on criminal pursuit, with the subsequent amendments and completions.

(at January 11th 2007 Chapter VIII[1], article 54[4], paragraph (1), amended by article 1, paragraph 44, of Law 488/2006)

(2) Organs of penal pursuit proceed to transferring the cultural object to specialised institutions to be conserved.

**Article 58**

(1) Any member state of the European Union can require to the Public Prosecutor's Office attached to the High Court of Cassation and Justice, in compliance with Law no. 302/2004, with the subsequent amendments and completions, to enquire as where the cultural object is and who the owner is. The application must provide data concerning the description of the cultural object subject to the request, as well as data regarding its actual or presumable location.
If, according to paragraph (1), the cultural object is discovered, the Public Prosecutor's Office attached to the High Court of Cassation and Justice notifies this discovery to the member state of European Union, owner of the object, and the prosecutor appeals to the competent instance in order to decree the measures on transferring the cultural object in question to a specialised institution, with a view to conserving it, in conformity with Law no. 302/2004, with the subsequent amendments and completions.

(on January 11th 2007 Chapter VIII, article 58, amended by article 1, paragraph 45, of Law 488/2006)

Article 58

(1) The member state of the European Union, rightfully owning the cultural object discovered is entitled to verify whether the respective object is a cultural good, within 2 month after the notification stipulated under article 58 is conveyed and, if the case may be, at article 58 paragraph (2).

(2) The conservation measures stipulated at article 58 paragraph (2) cease if the member state of the European Union concerned does not appeal for the restitution within a year after it was notified about where the object is and about the identity of the owner in compliance with the provisions of the present chapter.

(3) The competent Romanian authorities shall adopt all the necessary measures to prevent any tentative to elude the procedure of returning a cultural object that was illegally removed from the territory of a member state of the European Union.

(4) The Romanian competent authorities shall act as mediator between the possessor or, as the case may be, the holder of the cultural object that was illegally removed from the territory of member state of the European Union and the solicitant state, with a view to returning the respective cultural object, without infringing thus upon the right of the solicitor state to appeal in justice, with the purpose of having the cultural returned.

(5) The Romanian competent authorities shall inform the solicitant state about initiating the procedure for returning, in security conditions, the respective cultural object.

(on January 11th 2007 Chapter VIII, article 58, completed by article 1, paragraph 46, of Law 488/2006)

(3) The competent Romanian authorities shall adopt all the necessary measures to prevent any tentative to elude the procedure of returning a cultural object that was illegally removed from the territory of a member state of the European Union.

(4) The Romanian competent authorities shall act as mediator between the possessor or, as the case may be, the holder of the cultural object that was illegally removed from the territory of member state of the European Union and the solicitant state, with a view to returning the respective cultural object, without infringing thus upon the right of the solicitor state to appeal in justice, with the purpose of having the cultural returned.

(5) The Romanian competent authorities shall inform the solicitant state about initiating the procedure for returning, in security conditions, the respective cultural object.

(on January 11th 2007 Chapter VIII, article 58, completed by article 1, paragraph 46, of Law 488/2006)

Article 58

(1) The concerned state of the European Union shall appeal for the restitution of the cultural object that was illegally removed from the territory of a member state of the European Union at the Court of Appeal

(2) The following documents must be attached to the restitution appeal stipulated at article (1):

a) the description of the object subject to the restitution appeal;
b) declaration according to which the object subject to the restitution appeal is a cultural item;
c) declaration of the competent authorities of the claimant member state of the European Union; according to which the cultural object was illegally removed from its territory.

(3) If at the date when the restitution appeal is entered, the removal of the respective object from the claimant member state of the European Union is no longer an illicit act, the appeal is overruled as being inadmissible.

(4) The Romanian Government, through the Ministry of Culture and Religious Affairs, shall send to the European Commission, once in 3 years, a report on the appeals initiated for returning the cultural objects that were illegally removed from the territory of a member state of the European Union.

(on January 11th 2007 Chapter VIII, article 587, completed by article 1, paragraph 47, of Law 488/2006)

(4) The Romanian Government, through the Ministry of Culture and Religious Affairs, shall send to the European Commission, once in 3 years, a report on the appeals initiated for returning the cultural objects that were illegally removed from the territory of a member state of the European Union.

(on January 11th 2007 Chapter VIII, article 587, completed by article 1, paragraph 47, of Law 488/2006)

Article 588
(1) The restitution appeal stipulated at article 587 paragraph (1) is prescribed within a year after the claimant member state of the European Union acknowledged the place where the cultural object is and the identity of the owner, but no later than 30 years after the cultural good was illegally removed from the territory of the claimant member state of the European Union.

(2) In the case of the cultural objects belonging to public collections stipulated at article 582 letter c), as well as for the ecclesiastic objects which, in the member states of the European Union, are subject to special protection, in conformity with the Romanian laws, the restitution appeal is prescribed within 75 years, except for the member states of the European Union where the appeal is imprescriptible or in the case of bilateral agreements between Romania and the member states of the European Union, which establish a higher delay than 75 years.

Article 589
(1) The Appeal Court from Bucharest decides on the restitution of the cultural object if the item subject to the restitution appeal is proved to be a cultural good, according to the stipulations of article 582 and to have been illegally removed from the territory of a member state of the European Union, as stipulated under article 583.

(2) In conformity with the stipulations of article (1), the court decides to grant an equitable indemnity payment to the owner of the cultural object, as well as to the specialised institution that performed the conservation operations stated under article 584, paragraph (2) or art 585, paragraph (2). Granting the indemnity payments stated at paragraph (2) can be approved solely if he / she made the best efforts when acquiring the respective cultural good.

(3) The pronouncement of the Appeal Court for the restitution of the cultural object and granting the indemnity payments stated at paragraph (2) may be disputed at the High Court
of Cassation and Justice within 15 days after it was passed. High Court of Cassation and Justice will judge the appeal as soon as possible.

(4) If the appeal stated under paragraph (3), the High Court of Cassation and Justice, annulling the sentence, will retrial the litigation.

(5) The claimant member state of the European Union has the responsibility to pay the indemnity sums stated under paragraph (2); the payment is to be done the moment the object subject to the restitution operation is remitted and must cover:
   a) the expenses incurred by the good faith owner for the purchase and conservation of the cultural good;
   b) the expenses incurred by the specialised institution for the conservation of the cultural object;

(6) The expenses resulting from executing the final decision of the court on the restitution of the cultural object are charged to the claimant member state of the European Union.

(7) The right of the claimant member state of the European Union to come into the possession of the cultural object subject to restitution is to be prescribed within 3 years after the final decision of the court disposing of the restitution of the respective object is past, remains definitive and irrevocable if, in the meanwhile the claimant member state doesn’t pay the compensations stipulated under paragraph (2).

**Article 5810**
The claimant state of the European Union is entitled to appeal against the person that illegally removed the cultural object from its territory if the cultural object was returned in conformity with the stipulations of article 589, paragraph (1), as well as when the respective state paid the compensations stated under article 589, paragraph (2).

**Article 5811**
The exercise of the right to appeal for the restitution does not infringe upon the right of the claimant member state of the European Union and if the case may be, to the owner of the cultural object that was illegally removed from the territory of a member state of the European Union, to take other legal steps, civil or criminal, according to the national legislation of the respective state.

*(on April 5th 2003 Chapter VIII, completed by article 1, paragraph 17 of Emergency Ordinance 16/2003)*

**Chapter VIII2: The restitution of movable cultural objects illegally removed from the Romanian territory**

**Article 5812**
(1) The Ministry of Culture and Religious Affairs in entitled, in conformity with this law, to inquire in order to discover where the object is, as well as to identify the owner of a certain cultural object that was illegally removed from the Romanian territory. The application must include the description of the cultural object, as well as information regarding the presumable location of the cultural object in question.

*(on January 11th 2007 Chapter VIII2, article 5812, paragraph (1) amended by article 1, paragraph 48, of Law 488/2006)*
(1) The Ministry of Culture and Religious Affairs shall take measures for returning to the claimant state the cultural object that was illegally removed from its territory, as well as for having the claimant state pay the compensation granted by the judicial court to the rightful possessor or holder, as well as to the specialised institution for the expenses incurred for preserving the cultural object.

(2) The Ministry of Culture and Religious Affairs shall take measures for bringing back to Romania the cultural objects that were illegally removed from the Romanian territory, as well as having the Romanian state partly pay the compensation granted by the judicial court to the rightful possessor or holder, as well as to the specialised institution for the expenses incurred for preserving the cultural object.

Article 5814

The Ministry of Culture and Religious Affairs is entitled to recourse appeal against the person responsible for having illegally removed the cultural object from the Romanian territory, if the cultural object was recovered, and the Romanian state was forced to pay the compensation to the possessor or holder and, as the case may be, to the specialised institution for the expenses incurred for the material preservation of the cultural object.

The Ministry of Culture and Religious Affairs is entitled to against the person responsible for having illegally removed the cultural object from the Romanian territory, if the cultural object was recovered, and the Romanian state was forced to pay the compensation to the possessor or holder and, as the case may be, to the specialised institution for the expenses incurred for the material preservation of the cultural object.

Article 5815

The Ministry of Culture and Religious Affairs shall notify the competent authorities of the member states of the European Union about recovering the cultural objects that were illegally removed from the Romanian territory.

(on January 11th 2007 Chapter VIII2, article 5812, completed by article 1 paragraph 50 of Law 488/2006)

The Ministry of Culture and Religious Affairs shall notify the competent authorities of the member states of the European Union about recovering the cultural objects that were illegally removed from the Romanian territory.

(on January 11th 2007 Chapter VIII2, article 5812, completed by article 1 paragraph 50 of Law 488/2006)
Chapter IX: Offences and infractions

Section I: Offences

Article 59

Infringements upon the stipulations of the present law imply material, disciplinary, civil, contravention or penal liability.

Article 60

(1) The following perpetrations fall under the category of offences if they are committed so that, according to the Criminal Law, they do not constitute infractions:

a) not complying with the terms and conditions stipulated at article 43, paragraph (1) (private legal bodies and individuals);

b) not complying with the terms stipulated at article 43, paragraph (2) regarding the notification of loss, theft, total or partial damage done to classified movable cultural objects (private legal bodies and individuals);

c) not complying with the obligation of displaying in a visible way the norms regarding the trade with movable cultural objects stated at article 35, paragraph (3) (authorised economic operators);

f) not complying with the obligation of delivering movable cultural objects accidentally discovered in conformity with the stipulations under article 48, paragraph (1) (natural entities);

f) not complying with the obligations stipulated at article 22, paragraph (1), letters a), c) – f) (owners, bearers of other real rights, bearers of administration rights, other types of owners of movable cultural objects);

g) not complying with the obligation stipulated at article 34, paragraph (2) (trading companies where the State is the major or sole stockholder);

h) the establishment and functioning of specialised economic operators, specialised in commercialising movable cultural items without being authorised by the Ministry of Culture and Religious Affairs, in compliance with article 35, paragraph (1);

(On January 11th 2007 Chapter IX, Section 1 article 60, paragraph (1) letter H amended by article 1, paragraph 51, of Law 488/2006)

i) not complying with the obligation of drawing up the register stipulated at article 35, paragraph (4) (specialised economic operators, commercialising movable cultural objects);

j) not complying with the terms and conditions stipulated under article 35, paragraph (7) regarding the sale of movable cultural objects classified as thesaurus (specialised economic operators, commercialising movable cultural objects);

k) the execution of copies, mouldings, posthumous editions and facsimiles made after classified movable cultural objects without complying the stipulations of article 25, paragraph (1) (legal or natural entities);

l) the execution of reproductions through photographic, video or digital means after classified movable cultural objects without the written agreement of the bearer of the administration right or of the owner of the reproduced object according to article 26, paragraph (3) (legal or natural entities);
m) using inadequate techniques of reproduction likely to damage the integrity or quality of the classified moveable cultural objects according to article 26, paragraph (4) (legal or natural entities);

n) not complying with the obligations stipulated at article 22, paragraph (2), letter b) (bearers of the administration right and owners of movable cultural objects);

o) restoring movable cultural objects classified as thesaurus without the approval of the National Commission for Museums and Collections or outside authorized laboratories or workshops, according to article 28;

p) performing any works that can damage the archaeological site before obtaining the discharge of the archaeological certificate according to article 47, paragraph (6);

r) hindering the research activities for discharging the archaeological site according to article 47, paragraph (4);

(2) For the offences stipulated under paragraph (1), letters a) and b) the fines are from 2,000 lei to 10,000 lei.
   (on January 11th 2007 Chapter IX, Section 1 article 60, paragraph (2) amended by article 1, paragraph 52, of Law 488/2006)

(3) For the offences stipulated under paragraph (1), letters c) - f) the fines are from 4,000 lei to 20,000 lei.
   (on January 11th 2007 Chapter IX, Section 1 article 60, paragraph (3) amended by article 1, paragraph 52, of Law 488/2006)

(4) For the offences stipulated under paragraph (1), letters g) - r) the fines are from 6,000 lei to 24,000 lei.
   (on January 11th 2007 Chapter IX, Section 1 article 60, paragraph (4) amended by article 1, paragraph 52, of Law 488/2006)

(5) Legal bodies are liable to the same fines.

(6) The mentioned fines are to be updating by Government decision.

Article 61
Copies, mouldings, posthumous editions, facsimiles and the reproduction through photographic, video or digital means or through other means whose execution infringes upon the stipulations of article 25 or article 26, paragraph (3) are to be confiscated by the official examiner and are to be transferred to the administration of specialised public institutions with the approval of the National Commission for Museums and Collections.

Article 62
The specialists of the county offices for culture and national culture heritage are in charge with examining the offences and enforcing the sanctions stipulated under article 60 and they shall be assisted by the police.

Article 63
(1) A complaint against the report on the offence and against the sanctions enforced may be submitted within 15 days.

(2) The complaint against the report on the offence and against the sanctions enforced shall be dealt with by the law court covering the aria where the offence was committed.

Article 64
(1) The stipulations of the present law regarding the offences shall be completed with the stipulations of the Government Decree no 2/2001 concerning the legal status of offences
(at 5th of April 2003 Chapter IX, section I, article 64, paragraph (1), amended article 1, paragraph 19 of Emergency Ordinance 16/2003)
(2) The fees shall be directed to the state budget.

Section II: Infractions

Article 65
(1) The execution of copies, mouldings, posthumous editions and facsimiles made after classified movable cultural objects without the written approval of the bearer of the administration right or the owner according to article 26, paragraph (1) or (2) is considered to be infraction and the perpetrators shall be punished with prison from one year to 3 years or with fine.
(on January 11th 2007 Chapter IX, Section 2 article 65, paragraph (1) amended by article 1, paragraph 53, of Law 488/2006)
(2) The copies, mouldings, posthumous editions and facsimiles, executed as stipulated under paragraph (1) shall be confiscated and transferred to the administration of specialised public institutions with the approval of the National Commission for Museums and Collections.

Article 66
Counterfeiting classified movable objects for commercial purposes or with any other purposes represents infraction and shall be punished with prison from one year up to 5 years.

Article 67
(1) Degrading, destroying or damaging a classified movable object, as well as impeding any conservation measures intended to restore such a good are considered to be infractions and shall be punished with prison for 2 to 7 years.
(2) Any tentative shall also be punished.

Article 68
Degrading, destroying or damaging a classified movable objects on the defendant’s fault represents infraction and shall be punished with prison for one month to one year or fined 1.500 RON to 7.500 RON.
(at 5th of April 2003 Chapter IX, section II, article 68), amended article 1, paragraph 21 of Emergency Ordinance 16/2003)

Article 69
(1) Removing an object from the territory of a state without an export certificate represents illegal export and shall be punished with prison for 2 year to 7 years.
(2) Movable cultural objects subject to illegal export shall be confiscated and transferred to specialised public institutions, with the approval of the National Commission for Museums and Collections.
(3) If the perpetration stated at paragraph (1) resulted in the total loss of a classified movable cultural object, the perpetrator(s) shall be punished with prison for 3 to 10 years.
(4) Any tentative shall be punished.
Article 70
Any permanent export of classified movable objects, regardless of bearer of the property right shall be punished with prison for 3 to 10, and the objects shall be confiscated and transferred to specialised public institutions, with the approval of the National Commission for Museums and Collections.
(at 5th of April 2003 Chapter IX, section II, article (70) amended by article 1, paragraph 22 of the Emergency Ordinance 16/2003)

Article 701
(1) Bringing into Romanian’s state territory, as well as holding, commercialising, organising shows or any operation regarding the circulation of movable cultural objects or goods resulted from the dismemberment of immovable cultural items, which are part of the cultural heritage of a foreign state, according to the legal dispositions of that state, and that were illegally exported, shall be punished with prison from 3 to 10 years.
(2) The objects stated at paragraph (1) are confiscated and shall be transferred to specialised institutions, in order to be conserved and returned to the state whose national cultural heritage they belong to.
(3) In the case of the infraction stated at paragraph (1), the criminal pursue is done by the prosecutor.
(4) Any tentative shall be punished.
(at 5th of April 2003 Chapter IX, Section 2, article 70, completed by article 1, paragraph 23 of Emergency Ordinance 16/2003)

Article 71
Supplying confidential data regarding the national movable cultural heritage to other natural or legal entities than the ones mentioned in article 15, paragraph (4) and (5) represents infractions and shall be punished with prison from 6 months to one year or with fine.
(on January 11th 2007 Chapter IX, Section 2 article 71 amended by article 1, paragraph 56, of Law 488/2006)

Article 72
Shifting one movable cultural object from one heritage judicial category to another, as well as declassifying a movable cultural object without complying with the procedures stipulated at article 19 and 20, represents infraction and will be punished with prison from 6 months to one year or with fine.
(on January 11th 2007 Chapter IX, Section 2 article 72 amended by article 1, paragraph 57, of Law 488/2006)

Article 73
(1) Any detection or excavation in archaeological sites performed by unauthorised natural or legal entities according to article 49 represent infraction and shall be punished with prison from 2 to 7 years and seizure of the detectors.
(on January 11th 2007 Chapter IX, Section 2 article 73 art (1) amended by article 1, paragraph 58, of Law 488/2006)
(2) Any tentative shall be punished.

Article 74
Any works of conservation or restoration of classified movable cultural objects made by natural persons, without any authorisation or freelance practice licence, as stipulated at article 27, paragraphs (2) and (3), represent infraction and shall be punished with prison from 6 months to one year or with fine.
(on January 11th 2007 Chapter IX, Section 2 article 74 amended by article 1, paragraph 59, of Law 488/2006)

Article 75
Laboratories or workshops executing works of restoration and conservation of classified movable cultural objects, functioning without authorisation, as stipulated at article 27, paragraph (4), represents infraction and shall be punished with prison from 6 months to one year or with fine.
(on January 11th 2007 Chapter IX, Section 2 article 75 amended by article 1, paragraph 60, of Law 488/2006)

Article 76
Melting or modifying in any way classified movable cultural objects owned by any title by the National Bank of Romania, State’s Mint or by other banks represents infraction and shall be punished with prison from one to 5 years.
(on January 11th 2007 Chapter IX, Section 2 article 76 amended by article 1, paragraph 61, of Law 488/2006)

Chapter X: Final and transitory provisions
Article 77
(1) Within 90 days after the publication of the present law in the Romanian Official Journal, part I, the Ministry of Culture and Religious affairs shall issue, with the approval of the National Commission for Museums and Collections:
a) norms for classifying movable cultural objects;
b) norms for the conservation and restoration of the classified movable cultural objects;
b1) norms for the conservation and restoration of the classified movable cultural objects included in public collections;
(at 16th of April 2004 Chapter X, article 77, paragraph (1), letter B, completed by article 1, paragraph 19, of Law 105/2004)
c) norms for licensing experts;
c1) norms for licensing specialists;
(at 16th of April 2004 Chapter X, article 77, paragraph (1), letter C, completed by article 1, paragraph 19, of Law 105/2004)
d) norms for licensing conservators and restorators;
e) norms regarding the authorisation of laboratories and workshops of conservation and restoration;
f) methodological norms regarding the permanent or temporary export of movable cultural objects;

g) norms regarding commerce with movable cultural objects.

(2) The norms stated at paragraph (1), letter a) – f) shall be approved by the order of the Minister of Culture and Religious Affairs and shall be published in the Romanian Official Journal, part I.

(3) The norms stated at paragraph (1) letter g) shall be approved by the Government decision.

Article 78
Within 3 months after this law comes into force, the Ministry of Culture and Religious Affairs shall establish the following registers:

c) The Experts’ Register, in which all the persons licensed as experts will be registered for the fields stated at article 3;

d) The Specialists’ Register, in which all the persons licensed as specialists will be registered for fields stated at article 3;

e) Conservators and restorations’ Register;

f) The Register for destroyed, stolen, missing or illegally exported cultural objects.

(at 16th of April 2004 Chapter X, article 78, amended by article 1, paragraph 20, of Law 105/2004)

Article 79
(1) Within 3 months after this law comes into force, the specialised public institutions are compelled to present to the National Commission for Museums and Collections suggestions regarding the classification into thesaurus of the movable cultural objects owned.

(2) Within 6 months after this law comes into force, the religious cults, as well as the unspecialised public institutions are compelled to lay down to the county offices for culture and national heritage covering their headquarters, the inventory of movable cultural objects held in their property, in order to proceed to their classification.

(3) The finalising deadline of the classification procedure is 6 months for the movable cultural objects stated under paragraphs (1) and (2) and for which the classification request comes within the first 9 months after the present law comes into force.

Article 80
(1) Movable cultural objects entrusted to public institutions after the 31st of December 1947 shall be resituated to the natural or legal entities that deposited them, in conformity with the common right, at their written request, with the approval National Commission for Museums and Collections.

(2) The movable cultural objects taken over before September 6th 1940 by the authorities of the state cannot be claimed; the movable cultural objects illegally taken over by the authorities of the state after September 6th 1940 can be claimed by the rightful owners and shall be resituated on the basis of a final court’s decision. The legal actions for claiming are legal stamp tax-free. The institutions holding archives regarding movable cultural objects are compelled to allow access to documents regarding the source and take them over.

(3) Classified movable cultural objects, subject to restitution in conformity with the stipulations at paragraph (2) can be transferred to their rightful owners only after these have guaranteed in writing that they upload and respect the stipulations of the present law.

(at 2nd of July 2004 Chapter X, article 80, amended by article 1, paragraph 8, of Law 314/2004)
Article 81
(1) Plastic and photographic works of art, decorative or cult works of art, ethnographic works of art, the works of art of folklore artisan, as well as other works of art created by living authors cannot be subject to classification.

(2) The cultural objects stated at paragraph (1) can be freely permanently or temporarily exported.

Article 82
Within 6 months after the present law comes into force, the declarations of natural persons, as well as the alphabetical or domain card indexes, completed as a result of complying with the provisions of Law no 63/1974, regarding the protection of the national cultural heritage of the Socialist Republic of Romania, published in the Romanian Official Journal, part I, no 137 of November 2nd 1974, abrogated by Decree no 90/1990, regarding the establishment and organisation of the Commission for Museums and Collections, published in the Romanian Official Journal, part I, no 20 of February 6th 1990, now kept by the county offices for culture and national heritage and by the Institute for Cultural Memory, are inventoried, sealed and delivered to the National Archives.

Article 83
Within 90 days after the present law comes into force, the General Inspectorate of the Romanian Police and the Ministry of Administration and Interior organise specialised structures for preventing, discovering and following up perpetrations against objects belonging to the movable national cultural heritage.

Article 84
Within 90 days after the present law comes into force, the Ministry of Public Finances, with the approval of the Ministry of Culture and Religious Affairs will create, within the General Direction of Customs, specialised structures for preventing and fighting illegal traffic of movable cultural objects.

Article 85
The Ministry of Culture and Religious Affairs, the Ministry of Administration and Interior and the Ministry of National Defence will ensure, through a program of coordinated actions, the protection and integrity of classified movable cultural objects, found in specialised and unspecialised institutions, in cult institutions, as well as in private collections, against all rides that result from natural calamities, public riots or armed conflicts.

Article 86
(1) The present law comes into force 90 days after its publication in the Romanian Official Journal, part I.

part I, no 105 of May 30th 1995, with all the amendments and completions, as well as any contrary stipulations are abrogated.

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The Senate adopted this law in the session of 26th of September 2000, in compliance with the stipulations of article 74, paragraph (1) of the Romanian Constitution.

Senate’s President
Mircea Ionescu-Quintus

This law was adopted by The Deputy’s Chamber during the session of the 3rd of October 2000 in compliance with the stipulations of article 74, paragraph (1) of Romania’s Constitution.

For President of Deputy’s Chamber
Vasile Lupu

Published in the Official Gazette of Romania no 530 of October 27th 2000.

APPENDIX: CATEGORIES OF CULTURAL OBJECTS subject to returning, respectively recovery, as stipulated in chapters VIII1 and VIII2

1. The archaeological objects older than 100 years, resulting from:
   a) archaeological discoveries and excavations, on land or under water;
   b) archaeological sites;
   c) archaeological collections;
      a) archaeological discoveries and excavations, on land or under water;
      b) archaeological sites;
      c) archaeological collections;

2. Elements resulted from dismembered artistic, historic or religious monuments, older than 100 years.

3. Paintings and pictures integrally done by hand, in any technique and any type of support.

4. Mosaics, other than those stated in point 1 or 2, and drawings fully done by hand, in any technique and on any type of support.

5. Original engravings, stamps, serigraphy, lithography, together with their matrixes and first printed copies.

6. Original productions of statuary art or sculptures and copies executed using the same procedure as the original one, other than those included at point 1.

7. Photographs, films and their negatives.

8. Incunabula and manuscripts, maps and sheet music, as individual copies or in collections.

9. Books older than 100 years, as separate copies or in collections.

10. Printed maps older than 200 years.

11. Any type of archives and components, in any technique, with elements older than 50 years.

12. a) Collections and specimens resulted from zoological, botanical, mineralogical or anatomic collections.
    b) Collections of historical, paleontologic, ethnographic or numismatic interest.

13. Transportation means older than 75 years.
14. Any other movable cultural object not included in the categories stated at points 1-13, older than 50 years.

*) For the purpose of the present law, the collocation "county / Bucharest offices / departments for culture and the national cultural heritage" and "county offices / departments for culture, cults and the national cultural heritage" shall be replaced with the collocation decentralised public offices of the Ministry of Culture and Religious Affairs.

*) For the purpose of the present law, the collocation "National Laboratory for Research in the Conservation and Restoration Field" shall be replaced with the collocation "National Institute for Research in the Conservation and Restoration Field" (on January 11th 2007 completed by article I paragraph 63 of Law 488/2006)

*) For the purpose of the present law, the collocation "county / Bucharest offices / departments for culture and the national cultural heritage" and "county offices / departments for culture, cults and the national cultural heritage" shall be replaced with the collocation decentralised public offices of the Ministry of Culture and Religious Affairs.

*) For the purpose of the present law, the collocation "National Laboratory for Research in the Conservation and Restoration Field" shall be replaced with the collocation "National Institute for Research in the Conservation and Restoration Field" (on January 11th 2007 completed by article I paragraph 63 of Law 488/2006)

1. Archaeological objects older than 100 years, resulting from
2. Elements resulted from dismembered artistic, historic or religious monuments, older than 100 years.
3. Paintings and pictures integrally done by hand, in any technique and any type of support.
4. Mosaics, other than those stated in point 1 or 2, and drawings fully done by hand, in any technique and on any type of support.
5. Original engravings, stamps, serigraphy, lithography, together with their matrixes and first printed copies.
6. Original productions of statuary art or sculptures and copies executed using the same procedure as the original one, other than those included at point 1.
7. Photographs, films and their negatives.
8. Incunabula and manuscripts, maps and sheet music, as individual copies or in collections.
9. Books older than 100 years, as separate copies or in collections.
10. Printed maps older than 200 years.
11. Any type of archives and components, in any technique, with elements older than 50 years.
12. _
   a) Collections and specimens resulted from zoological, botanical, mineralogical or anatomic collections.
   b) Collections of historical, paleontologic, ethnographic or numismatic interest.
13. Transportation means older than 75 years.
14. Any other movable cultural object not included in the categories stated at points 1-13, older than 50 years.