

ORDER no. 2053 of May 17th 2002 on the approval of the Norms on the Classification of Movable Cultural Goods

On the basis of the provisions of art 4 paragraph (1) letter i) and art 11 paragraph (5) of Government Decision no 28/2001 on the organization and functioning of the Ministry of Culture and Religious Affairs, with the subsequent modifications,

On the basis of the dispositions of art 77 paragraph (1) letter a) and paragraph (2) of Law no 182/2000 on the protection of the movable national cultural heritage,

The **minister of culture and religious affairs** passes the following order:

Art. 1

The Norms on the Classification of Movable Cultural Goods, stipulated in the appendix of the present order, are approved.

Art. 2

- (1) The present order comes into force the day it is published in the Romanian Official Journal, Part I.
- (2) When the present order comes into force, appendix no. 1 of the Order of the minister of culture and religious affairs no. 1284 of November 1996 on the approval of the Methodological Norms on the unique criteria for the classification of the cultural goods belonging to the national cultural heritage and the methodology for issuing the export certificates, as well as the Regulation concerning the development of commercial activities with cultural goods, published in the Romanian Official Journal, Part I, no. 322 of December 4th 1996 are abrogated.

Minister of culture and religious affairs
Razvan Theodorescu

NORMS on the Classification of Movable Cultural Goods

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NORMS of May 17th 2002 on the Classification of Movable Cultural Goods

CHAPTER I: Categories and scope

Art. 1

According to Law no. 182/2000 on the Protection of the Movable Cultural Heritage, the movable cultural heritage includes: archaeological and documentary-historic goods of exceptional or special value, artistic interest goods of exceptional or special value, ethnographic interest goods of exceptional or special value, scientific interest goods of exceptional or special value and technical interest goods of exceptional or special value.

Art. 2

(1) Archaeological and documentary-historic goods of exceptional or special value include:

- 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 resulting from the dismemberment of historical monuments;
- c) documentary and material testimonies relating to the political, economic, social, military, religious, scientific, artistic, sportive, etc history;
- d) manuscripts, incunabula, rare books, old books, books of bibliographic value;
- e) documents and printed works of special significance: archives documents, maps and other cartographic materials;
- f) objects of memoirs value;
- g) items and documents of numismatic, philatelic, heraldic value: coins, medals, decorations, badges, registered designs, stamps, flags and banners;
- h) epigraphic items;
- i) photographs, photographic negatives, cinematographic films, sound recordings;
- j) musical instruments;
- k) military uniforms and accessories;
- l) other items relating to this category.

(2) Artistic interest goods, of exceptional or special value include:

- 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) other items relating to this category.

(3) Ethnographic interest goods, of exceptional or special value include:

- 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) other items relating to this category.
- (4) Scientific interest goods, of exceptional or special value include:
- a) rare zoological, botanical, mineralogy and anatomy specimens and collections;
 - b) game trophies;
 - c) other items relating to this category.
- (5) Technical interest goods, of exceptional or special value include:
- a) unique technical creations;
 - b) rarities, irrespective of the 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;
 - g) other items relating to this category.

CHAPTER II: The criteria for classifying movable cultural goods

Art. 3

The movable cultural goods are classified in compliance with the dispositions of Law no. 182/2000 and of the present norms issued by the Ministry of Culture and Religious Affairs, with the endorsement of the National Commission for Museums and Collections.

Art. 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 goods belonging to the movable national heritage fall into:

- a) the movable national cultural heritage basic items, further referred to as basic items, consisting of cultural items of special value for Romania.
- b) the movable national cultural heritage thesaurus, further referred to as thesaurus, consisting of cultural items of exceptional value for humanity;

Art. 5

- (1) Classification shall be taken to mean the procedure of establishing the legal categories of the movable national cultural heritage, basic items and thesaurus to which the movable cultural objects belong, in compliance with art 4.
- (2) The classification of the movable cultural goods shall be done on the basis of an expertise report drafted by experts licensed by the National Commission for Museums and Collections.

Art. 6

- (1) The classification criterion is a qualitative and quantitative standard on whose basis the cultural significance or importance of the movable goods is established,

thus determining the legal category of the national cultural heritage these goods belong to.

- (2) In order to classify cultural goods as belonging to the basic cultural items category or to the thesaurus category, two types of classification criteria, general or specific, further on stipulated in the present norms, shall be taken into account.

Art. 7

- (1) The general classification criteria are standards on whose basis the cultural significance or importance of the movable goods is evaluated and thus determined whether they are susceptible to be classified.
- (2) The general classification criteria are:
 1. ancientness - the criterion on whose basis specialists analyze whether a cultural item was created during a remote period, at least 50 years before the expertise, and value points are granted proportionally with the determined ancientness;
 2. frequency - the criterion on whose basis specialists analyze whether a cultural item belongs to a series of identical items or to a batch of items of the same typology and thus determine whether the respective goods are present on the Romanian territory; depending on the artistic significance, specialists establish whether they fall into a determined typology which includes works of relatively similar artistic thematic and realization means and whether these works are present in public or private collections or within the civil circuit;
 3. the conservation condition - the criterion on whose basis specialists analyze the conservation degree (initial integrity and characteristics) of a cultural item or whether it can be restored.
- (3) For each of the 3 criteria stated at paragraph (2), the maximum number of value points to be granted is 100.
- (4) For the items resulted from underground or underwater archaeological research, the maximum score shall be granted for the criterion ancientness.
- (5) For the items resulted from the dismemberment of historical monuments, the maximum score shall be granted for the criterion frequency.
- (6) The expertise according to the general classification criteria shall be done with the purpose of establishing whether the movable cultural goods are susceptible to be classified.
- (7) The expertise procedure according to the general criteria is the following:
 1. The value points shall be granted for each general criterion to make a total.
 2. If the final score is less than 150 value points, the expertised cultural item is not susceptible to be classified.
 3. If the final score is between 150 – 200 value points, the expertised cultural item is susceptible to be classified and an expert assigned by the National Commission for Museum and Collection shall proceed to expertise it, according to the field the cultural item in question belongs to.
 4. The assigned expert shall validate or invalidate the granted score according to the general criteria and shall expertise the item according to the specific classification criteria.

Art. 8

- (1) Specific classification criteria are standards specific to a certain field, on whose basis the archaeological, historical-documentary, artistic, ethnographic, scientific or technical importance or significance of the cultural goods is evaluated and through which their exceptional or special cultural value is determined and thus the legal category of the national cultural heritage the respective objects belong to is established.
- (2) The specific classification criteria are:
 1. The historical-documentary value – the criterion on whose basis it is analyzed whether the cultural good serves to knowing a historical event of major importance or significance, meaning that it is a historical testimony of the period when the historical event took place;
 2. Memorial value - the criterion on whose basis it is analyzed whether the cultural good belonged to an important Romanian or international historical, cultural, civilization personality or represents a direct and significant testimony concerning the life and activity of that personality;
 3. Authenticity - the criterion on whose basis it is analyzed whether the cultural good is a work obviously done by a known author or it was manufactured in a precisely determined factory belonging to a certain era, to a certain artistic style, to a certain culture or civilization;
 4. The author, workshop or school - the criterion on whose basis it is analyzed whether the cultural good belongs to an important author or it was manufactured in workshops, manufactory, or factory representative for a historical era, artistic style, culture or civilization;
 5. Formal quality - the criterion on whose basis it is analyzed whether a cultural good represents an important artistic achievement, a piece of special or exceptional plastic expression or an item remarkable for the technical execution features (the material support included), for its uniqueness or rarity, as well as for its creativity.
- (3) According to the specific classification criteria, the value points granted for each movable cultural item after the expertise depend on to which filed the movable cultural object belongs (archaeological and historical-documentary, artistic, ethnographic, scientific or technical), as seen in the chart below:

The filed to which the movable cultural object belongs according to the law	Maximum value points on the basis of the specific criteria				
	Archaeological and historical-documentary value	Memorial value	Authenticity	Author, workshop or school	Formal quality
1. Archaeological and historical-documentary goods	100	100	100	25	25
2. Artistic interest goods	25	25	100	100	100
3. Ethnographic interest goods	50	50	100	100	50
4. Scientific interest goods	100	25	100	25	100
5. Technical interest goods	25	25	100	100	100

- (4) According to the specific criteria, the expertise procedure is the following:
 1. There shall be granted value points for each specific criterion to make a total.

2. The sum of the value points granted as a result of the expertise on the basis of the specific criteria shall be added to the value points gathered as a result of the expertise on the basis of the general criteria and thus the final score of the value points is obtained.
3. If the final score is between 200 and 350 value points, the object in question shall be classified as basic item of the national cultural heritage legal category.
4. If the final score is more than 350 value points, the good in question shall be classified as thesaurus of the national cultural heritage legal category.
- (5) The purpose of the expertise, according to the specific classification criteria, is to establish the legal category of the national cultural heritage to which the respective movable cultural good belongs, in compliance with the law.

CHAPTER III: The cultural goods classification procedure

Art. 9

- (1) The movable cultural goods classification procedure shall be initiated ex officio or at request.
- (2) The movable cultural goods classification procedure shall be initiated ex officio in the following situations:
 - a) For the movable cultural goods held in property by the state or the territorial-administrative entities and administered by public institutions;
 - b) For the movable cultural goods held in property by religious cults;
 - c) For the movable cultural goods subject to public sale by auction or through the intermediary of an authorized agent;
 - d) For the movable cultural goods for which temporary or permanent export is solicited;
 - e) For the movable cultural goods accidentally discovered within systematic research;
 - f) For confiscated movable cultural goods;
 - g) For the movable cultural goods subject to illegal export attempts;
 - h) For the goods held in custody by public institutions, subject to restitution;
 - i) For the movable cultural goods held in public property by a company based on major or entirely state-owned capital, subject to privatization.

Art. 10

- (1) For the movable goods stated at art 9 paragraph (2) letters c) – g) and i), the classification procedure shall be initiated by the county or Bucharest offices for culture, cults and the national cultural heritage.
- (2) For the movable cultural goods stated at art 9 paragraph (2) letter a), the classification procedure shall be initiated by the public institutions that administer them.
- (3) For the movable cultural goods stated at art 9 paragraph (2) letter b), the classification procedure shall be initiated by the religious cults that own them.

- (4) For the movable cultural goods stated at art 9 paragraph (2) letter 6), the classification procedure shall be initiated by the public institutions that keep them in custody.

Art. 11

- (1) The movable cultural goods classification procedure shall be initiated at request at the solicitation of the private natural or legal bodies that own the respective object.
- (2) The owner's right to request the classification of a movable cultural object is imprescriptible.

Art. 12

The classification procedure must be finished within 3 months after initiating it.

Art. 13

- (1) The natural or legal bodies interested in classifying a movable cultural object shall require to a license expert or specialized institution in the field to expertise it according to the general classification criteria.
- (2) The classification procedure, ex officio or at request, shall only be initiated for the movable cultural objects for which the expertise according to the general classification criteria showed that they are susceptible to be classified, in conformity with the expertise report in which the classification as basic cultural item or thesaurus, as the case may be, is proposed.
- (3) In the case of the movable cultural goods that were not proposed to be classified, the conclusions of the expertise report including the identification data of the objects shall be communicated to the respective natural or legal bodies within 30 days after the expertise ended.
- (4) The natural or legal bodies may appeal against the expertise report concerning the movable cultural goods that were not proposed to be classified at the National Commission for Museums and Collections within 10 days after acknowledging the notification.
- (5) If the contender is not satisfied with the answer, he / she may appeal to the administrative contentious court, in compliance with the law.

Art. 14

- (1) In order to initiate the classification procedure for the objects stated at art. 9 paragraph (2) letters a) and h), the respective public institutions shall submit to the Directorate for Museums, Collections and Visual Arts within the Ministry of Culture and Religious Affairs, the following documents, as the case may be:
 - classification application, the inventory of the owned movable cultural objects, the expertise report drew up by licensed experts and the color photograph of the object / objects (9 x 12 cm), within 30 days after the present norms come into force, for the goods stated at art 9 paragraph (2) letter a);
 - the classification application for the goods held in custody, the inventory of the objects the expertise report drafted by licensed experts and the color photograph of the object / objects (9 x 12 cm), within 15 days after the

- restitution request was registered, submitted in authentic copy, for the goods stated at art 9 paragraph (2) letter h);
- (2) In order to initiate the classification procedure for the objects stated at art. 9 paragraph (2) letters b) – g) and i), the interested legal or natural bodies shall submit to the county or Bucharest offices for culture, cults and national cultural heritage, a file including the following documents, as the case may be:
- classification request;
 - the expertise report drafted by licensed experts, in compliance with the law;
 - the standard file of the object / objects;
 - the color photograph of the object / objects (9 x 12 cm);
 - the notification concerning the sale offer or the sale intermediation of a cultural object susceptible to be classified, drafted in compliance with the law by the economic operators authorized to commercialize cultural objects, for the goods stated at art 9 paragraph (2) letter d);
 - the reception and handing over report for the movable cultural objects accidentally discovered, drafted by the mayor of the locality whose jurisdiction covers the area where the discovery took place, for the goods stated at art 9 paragraph (2) letter e);
 - certified legal copy of the document that proves that the object in question was confiscated, for the goods stated at art 9 paragraph (2) letters f) and g).
- (3) The file shall be submitted no later than:
- a) 5 days after the offer for public auction, for the goods stated at art 9 paragraph (2) letter c);
 - b) 5 days after submitting the temporary or permanent export certificate request, for the goods stated at art 9 paragraph (2) letter d);
 - c) 10 days after the discovery of the respective object, for the goods stated at art 9 paragraph (2) letter e);
 - d) 15 days after the respective objects became state property, for the goods stated at art 9 paragraph (2) letters f) and g);
 - e) 5 days after the restitution request was submitted, for the goods stated at art 9 paragraph (2) letter h);
- (4) In order to initiate the classification procedure for the objects stated at art 11 paragraph (1), the concerned persons shall submit to the Directorate for Museums, Collections and Visual Arts within the Ministry of Culture and Religious Affairs the following documents: classification application, the inventory of the owned movable cultural objects, the standard file of the object / objects, the expertise report drafted by licensed experts and the color photograph of the object / objects (9 x 12 cm).
- (5) The classification application shall be drafted according to the model provided in appendix no. 1 of the present norms.
- (6) The standard file of the object shall be drafted according to the model provided in appendix no. 2 of the present norms.
- (7) The expertise report shall be drafted according to the model provided in appendix no. 6 of the present norms.

Art. 15

If the expertise of an object for which the temporary or permanent export is requested established that this object is not susceptible to be classified, the county or Bucharest offices for culture, cults and the national cultural heritage shall issue the export certificate in compliance with the legal dispositions in force.

Art. 16

- (1) Within 5 days after submitting the documents for initiating the classification procedure, the county or Bucharest offices for culture, cults and the national cultural heritage shall forward to the Directorate for Museums, Collections and Visual Arts within the Ministry of Culture and Religious Affairs the respective documents.
- (2) Within 5 days after forwarding the documentations stated at paragraph (1), the county or Bucharest offices for culture, cults and the national cultural heritage shall notify the owner of the respective object about the initiation of the classification procedure, by sending him / her the form provided in appendix 3 of the present norms.
- (3) During the ex officio classification procedure for a movable cultural object, the protection status of the respective object is the one stipulated for the goods classified as thesaurus, in compliance with the law.
- (4) The owners and bearers of other real rights over the movable cultural objects for which the classification procedure was initiated must allow the licensed experts to examine the respective goods.

Art. 17

- (1) The file including the necessary documents for classification shall be analyzed by the National Commission of Museums and Collections within 7 days after it was submitted to the Directorate for Museums, Collections and Visual Arts within the Ministry of Culture and Religious Affairs.
- (2) Incomplete files or those that contain erroneous data do not fall under the scope of the provisions of paragraph (1) and the Directorate for Museums, Collections and Visual Arts within the Ministry of Culture and Religious Affairs shall return them to the applicant within 3 days after it was submitted. The applicant is compelled to submit the file as requested in the present norms within 5 days after receiving it.
- (3) Within 5 days after submitting the files for classification, the National Commission of Museums and Collections, it shall assign an expert to expertise the respective objects.
- (4) The expert, assigned in compliance with paragraph (3), shall submit to the National Commission of Museums and Collections, the expertise report within 45 days after he / she was assigned.

Art. 8

- (1) If, in order to draft the expertise report, laboratory analyses are necessary, the respective goods are taken over by the county or Bucharest offices for culture, cults and the national cultural heritage with the approval of the owners of the

respective objects, on the basis of a report drafted according to the model provided in appendix no. 4 of the present norms.

- (2) The laboratory analyses performed as stipulated in paragraph (1) shall be finished 30 days after the report and the results are submitted to the National Commission for Museums and Collections.

Art. 19

- (1) The competent organism entitled to decide on the classification proposals is the National Commission for Museums and Collections.
- (2) The National Commission for Museums and Collections shall analyze the classification file comprising the necessary documents, evaluate and validate or invalidate the expertise report there included, as well as the expertise report drafted by the assigned expert and shall decide the classification or rejection of the classification of the respective movable cultural good.
- (3) The classification decisions or, as the case may be, the rejections of the classification applications shall be adopted by the vote of half and one of the members present at the sitting. In case of tie, the vote of the president is decisive.
- (4) The decisions regarding the classification of the movable cultural goods shall be drafted by the secretary of the National Commission for Museums and Collections, signed by its president and submitted, through the commission's secretary, to the minister of culture and religious affairs, together with the draft approval order of the classification decision.
- (5) Within 10 days after the classification order was issued, a copy of it, together with the classification certificate and standard file of the object, drafted by the Directorate for Museums, Collections and Visual Arts shall be sent to the owner or bearer of other real rights; the form for the classification certificate is provided in appendix no. 5 of the present norms.
- (6) The institutions that receive the documents stated at paragraph (5) shall proceed as follows:
 - a) The specialized public institutions must perform the amendments required in their internal analytical and synoptic register.
 - b) The county or Bucharest offices for culture, cults and the national cultural heritage shall inform the entitled owners or bearers of real rights about the amendments they have to operate, within 3 days after receiving them and shall introduce the information included in the data base concerning the registry of the movable cultural goods situated within their competence territory.
- (7) The decisions concerning the rejection of the classification of the movable cultural goods shall be communicated, through the secretary of the National Commission for Museums and Collections, to the natural or legal bodies that initiated the classification procedure, within 7 days after the decision was adopted.
- (8) The natural or legal bodies that are notified as stipulated in paragraph (7) shall proceed as follows:
 - a) the specialized public institutions must perform the amendments required in their internal register.

- b) the county or Bucharest offices for culture, cults and the national cultural heritage shall inform the owners or bearers of real rights about the amendment they have to operate, within 3 days after receiving them, shall write down the information concerning the procedure thus finished in their own records and shall issue export certificates, as the case may be.

Art. 20

- (1) The owner or the bearers of other real rights may appeal against the decision for rejecting the classification request for a movable cultural object within 10 days after it was communicated; the appeal shall be submitted to the Directorate for Museums, Collections and Visual Arts within the Ministry of Culture and Religious Affairs.
- (2) The result of the appeal shall be communicated to the respective person within 20 days after it was submitted.
- (3) If the contender is not satisfied with the answer, he / she may appeal to the administrative – contentious court, in compliance with the law.

Art. 21

The owners or the bearers of other real rights over the movable cultural goods for which the classification request was rejected may initiate another classification procedure 3 years at least after the rejection decision was adopted; if new justifying elements appear, this delay may be shortened by decision of the National Commission for Museums and Collections.

Art. 22

As a consequence of the approval of the classification request, the movable cultural goods shall be included in one of the two inventories: basic items or, as the case may be, thesaurus.

CHAPTER IV: The cultural goods declassification procedure

Art. 23

The term declassification shall be taken to mean the procedure of removing a classified movable cultural good from the legal categories of the national cultural heritage and radiating it from the inventory of basic cultural items or, as the case may be, thesaurus of the national cultural heritage.

Art. 24

- (1) Movable cultural goods can be declassified at the request of the bearers of ownership rights or ex officio, in the following cases:
 - a) the expertise is invalid;
 - b) the objects were destroyed;
 - c) the objects were severely damaged and cannot be restored.
- (2) The ascertainment of the cases stated at paragraph (1) shall be done only after the written intimation from the natural or legal interested persons was submitted to

the Directorate for Museums, Collections and Visual Arts within the Ministry of Culture and Religious Affairs.

- (3) The ascertainment of the cases stated at paragraph (1) letter a) shall be done by experts licensed in compliance with the law or by specialists accredited by international organisms in the field, especially assigned to this purpose by order of the minister of culture and religious affairs.
- (4) The ascertainment of the cases stated at paragraph (1) letters b) and c) shall be done by a conservator or restorator licensed in compliance with the law, especially assigned to this purpose by the National Commission for Museums and Collections.
- (5) With a view to ascertaining the cases stated at paragraph (1) letter a), the expert or specialist assigned to this purpose shall draft an expertise report that must be sent to the National Commission for Museums and Collections within 5 days after being assigned; the expertise report shall be drafted in compliance with the specific classification criteria stipulated at art. 8 paragraph (2).
- (6) With a view to ascertaining the cases stated at paragraph (1) letter b) and c), the conservator or restorator assigned to this purpose shall draft an ascertainment paper and the assigned expert shall draft an expertise report, according to the classification specific criteria stipulated at art 8 paragraph (2); the ascertainment paper and the expertise report shall be sent to the National Commission for Museums and Collections within 5 days after being assigned.

Art. 25

- (1) The declassification procedure shall be initiated ex officio by:
 - a) the county or Bucharest offices for culture, cults and the national cultural heritage, for the movable cultural goods held in private property by natural bodies, legal bodies or for the public property goods administered by non-specialized public institutions, if these goods are in the registries of the county or Bucharest offices for culture, cults and the national cultural heritage, and if during the monitoring activities performed in compliance with the provisions of art 22 paragraph (1) of Law no 182/2000, it was ascertained that they were severely damaged or destroyed and they cannot be restored;
 - b) the specialized public institutions, for the movable cultural goods they administer, if one of the prerequisites stipulated at art 19 paragraph (1) of Law no. 182/2000 is met.
- (2) With a view to initiating the declassification procedure for the goods stated at paragraph (1) letter a), the county or Bucharest offices for culture, cults and the national cultural heritage shall submit the declassification application and the photocopy of the standard file of the object / objects to the Directorate for Museums, Collections and Visual Arts within the Ministry of Culture and Religious Affairs within 10 days after they acknowledged or should have acknowledged the declassification procedure initiation.
- (3) With a view to initiating the declassification procedure for the goods stated at paragraph (1) letter b), the public specialized institutions shall submit the declassification application and the photocopy of the standard file of the object / objects to the Directorate for Museums, Collections and Visual Arts within the

Ministry of Culture and Religious Affairs no later than 10 days after they acknowledged or should have acknowledged the declassification procedure initiation.

Art. 26

- (1) The declassification procedure shall be initiated at the request of private natural and legal bodies owning the respective movable cultural goods.
- (2) In order to initiate the declassification procedure stipulated at art (1), the applicants shall submit the declassification request and the photocopy of the standard file of the object to the county or Bucharest offices for culture, cults and the national cultural heritage where the classified movable cultural object is registered within 10 days after they acknowledged or should have acknowledged the declassification procedure initiation.
- (3) The county or Bucharest offices for culture, cults and the national cultural heritage shall send to the Directorate for Museums, Collections and Visual Arts within the Ministry of Culture and Religious Affairs the documents stipulated at paragraph (2) no later than 5 days after being submitted.

Art. 27

The declassification request shall be drafted according to the model included in appendix 1 of the present norms.

Art. 28

The documents submitted to the Directorate for Museums, Collections and Visual Arts within the Ministry of Culture and Religious Affairs which are incomplete or contain erroneous data shall be returned to the natural or legal body that submitted them within 5 days after being submitted.

Art. 29

- (1) The documents submitted to the Directorate for Museums, Collections and Visual Arts within the Ministry of Culture and Religious Affairs shall be analyzed by the National Commission for Museums and Collections within 5 days after being submitted.
- (2) Within 5 days after submitting the documents to the National Commission for Museums and Collections, the conservators or restorators and the experts or specialists, as the case may be, shall be assigned in compliance with the provisions of art 24 paragraphs (3) and (4).

Art. 30

- (1) The National Commission for Museums and Collections shall analyze, in order to declassify the objects, the documents stipulated at art 25 paragraphs (2) and (3) and at art 26 paragraph (2), as well as the documents that were taken into account at the classification of the respective object, as well as the expertise report and the ascertainment paper, as the case may be, of the conservators or restorators and the experts or specialists stipulated at art 24, paragraphs (5) and (6).

- (2) The declassification decisions or, as the case may be, declassification rejections shall be adopted by the vote of the majority and one of the members present at the sitting. In case of tie, the vote of the president is decisive.
- (3) The decisions concerning the declassification of the movable cultural goods shall be drafted by the secretary of the National Commission for Museums and Collections, signed by its president and sent, by the secretary of the commission, to the minister of culture and religious affairs, together with the draft of the approval order for the declassification procedure.
- (4) The declassification order shall be sent in writing to the owner or bearer of other real rights by the Directorate for Museums, Collections and Visual Arts within the Ministry of Culture and Religious Affairs no later than 10 days after being issued.
- (5) The declassification order is registered in the Movable National Cultural Heritage Registry where the respective object is recorded and it is radiated from the basic items or, respectively thesaurus category.
- (6) The decisions concerning the declassification rejection shall be drafted by the secretary of the National Commission for Museums and Collections, signed by its president and sent, within 10 days after being adopted, to the natural or legal body that initiated the declassification procedure.
- (7) The specialized public institutions that receive the declassification order must perform the necessary modifications in their analytical and synoptic register.

Art. 31

- (1) The concerned bodies may appeal against the decision concerning the declassification rejection within 10 days after it was communicated.
- (2) The National Commission for Museums and Collections shall communicate the answer to the appeal within 20 days after being registered.
- (3) If the contender is not satisfied by the answer, he / she may appeal to the contentious – administrative court, in compliance with the law.

CHAPTER V: The procedure for shifting a movable cultural object from one legal category of the national cultural heritage to another

Art. 32

- (1) Shifting a movable cultural object from one legal category of the national cultural heritage to another must be done in compliance with the procedures stipulated for classification.
- (2) Shifting a movable cultural object from one legal category of the national cultural heritage to another must be done ex officio or at request.

Art. 33

The National Commission for Museums and Collections shall initiate ex officio the procedure for shifting a movable cultural object from one legal category of the national cultural heritage to another, as follows:

- a) after resolving the appeals concerning the classification orders;
- b) after resolving the declassification requests;

- c) after resolving the appeals concerning the declassification orders.

Art. 34

- (1) The procedure for shifting a movable cultural object from one legal category of the national cultural heritage to another shall be initiated at the request of the private natural or legal bodies owning the classified movable cultural object.
- (2) With a view to initiating the shifting procedure stipulated at paragraph (1), the solicitors shall submit to the county or Bucharest offices for culture, cults and the national cultural heritage where the classified movable cultural object is registered, the application for shifting it, together with the justifying expertise report.
- (3) The shifting application shall be drafted according to the model included in appendix no. 1 of the present norms.
- (4) The shifting procedure shall be initiated, performed and finished according to the classification procedure stipulated in the present norms.

Art. 35

- (1) The owner or the bearer of the administration right may appeal against the classification or declassification order, as well as against the order for shifting a movable cultural object from one legal category of the national cultural heritage to another, to the Ministry of Culture and Religious Affairs, within 30 days after it is communicated.
- (2) The Ministry of Culture and Religious Affairs must resolve the appeal within 30 days after registering it.
- (3) If the contender is not satisfied by the answer to the appeal to the Ministry of Culture and Religious Affairs, he / she may appeal to the administrative contentious court, in compliance with the law.

APPENDIX no. 1: APPLICATION

Section I: APPLICANT'S IDENTIFICATION DATA

- 1. Applicant's code (Personal Identification Number or Fiscal Code, as the case may be): -----
- 2.1 Last Name:..... First name:
- Or
- 2.2. Name of the company:
- 3. Address / Headquarters, as the case may be: Locality: County: Street., no.

- 4. quality:
Owner Mandate of an owner Administrator of public property goods public authority

Section II: DATA CONCERNING THE SOLICITED PROCEDURE

1. We solicit the classification

(Please specify under the heading "Observations" at section III, point 1.6 of the application or column 1.6 of the attached list, if there have been other requests for classifying the respective object / objects).

2. We solicit the initiation

(Please specify under the heading "Observations" at section III, point 1.6 of the application of column 1.6 of the attached list, the documents concerning the classification of the object / objects, respectively the order of the minister of culture and religious affairs and the classification certificate, and attach a copy of them, at request).

3. We solicit to shift from one legal category of the national cultural heritage to another, respectively:

3.1. From Basic items to Thesaurus

3.2. From Thesaurus to Basic items

(Please specify under the heading "Observations" at section III, point 1.6 of the application or column 1.6 of the attached list, the documents concerning the classification of the object / objects, respectively the order of the minister of culture and religious affairs and the classification certificate, and attach a copy of them, at request).

Section III: DATA REGARDING THE GOOD / GOODS THE APPLICATION REFERS TO

1. Description of the cultural good	
1.1. Name of the cultural good	.....
1.2. Author(s), workshop, trademark, school, ascription (as the case may be)	.....
1.3. Title or theme (if the case is)	.....
1.4. Material, technique, size (and size of the prop) and other identification parameters (as the case may be)	..... ..... .....
1.5. Dating, fabrication year (as the case may be)	.....
1.6. Observation (reference documents, antecedents, conservation condition, quantity, special data - signatures, inscriptions, trademarks and others.)	..... ..... .....
2. The Description of the collection / batch of different goods (Please fill in the list attached to the application)	.....

Date:

Applicant's signature and stamp (if the case may be)

APPENDIX no. 2: STANDARD FILE

No.	Name of the cultural item	Author(s), workshop, trade, school, ascription (as the case may be)	Title or theme (if the case may be)	Material, technique, size (the size of the prop) and other identification parameters (as the case may be)	Dating, fabrication year (as the case may be)	Observations (reference documents, antecedents, conservation condition, quantity, special data - signatures, inscriptions, trademarks and others)
(0)	(1.1)	(1.2)	(1.3.)	(1.4.)	(1.5.)	(1.6.)

Date:

Applicant's signature and stamp (if the case may be)

APPENDIX no. 3:

ROMANIA

MINISTER OF CULTURE AND RELIGIOUS AFFAIRS

THE OFFICE FOR CULTURE, CULTS AND THE NATIONAL CULTURAL HERITAGE
NOTIFICATION

To (applicant's first and last name and address / name of the company and headquarters)

1. Concerning your application no. / , we inform you that, as a consequence of the expertise, the procedure for classifying the cultural good identified through the data below in the national cultural heritage, was initiated:

1.1. The field it belongs to (as defined in art.3 of Law 182/2000)	.....
1.2. Name of the cultural item	.....
1.3. Author(s), workshop, trademark, school, ascription	.....
1.4. Title or theme	.....
1.5. Material, technique, size (the size of the prop) and other identification parameters	...............
1.6. Dating, fabrication year	.....
1.7. Observations	..........

2. In conformity with the stipulations of art 17 of Law no. 182/2000, during the classifying procedure, the cultural good concerned is subject to the protection status stipulated for the objects classified as movable national cultural heritage Thesaurus and therefore, you must comply with the obligations stated in this normative act concerning the protection measures for the respective object.

Manager,

Drafted,

APPENDIX no. 4:

ROMANIA
MINISTER OF CULTURE AND RELIGIOUS AFFAIRS
THE OFFICE FOR CULTURE, CULTS AND THE NATIONAL
CULTURAL HERITAGE

REPORT

Concluded between 1) as 2) who handed over and 3)
.....acting as representative of the Office for Culture and
National Cultural Heritage who received 4)
During the handing over – reception process, the following were ascertained: 5)
.....
.....

The movable cultural object described above was handed over by the owner to the
..... Office for Culture and National Cultural Heritage for the
laboratory analyses in order to be classified.

The Office for Culture and National Cultural Heritage is bound
to return the cultural object in the condition it was when taking it over no later than
6).....

Date

Handed over
Owner's signature

Received
signature and stamp of the representative of the.....
Office for Culture and National Cultural Heritage

- 1) First and last name and personal identification number of the person who hands over;
- 2) The status of the person who hands over (owner, administrator, mandate...);
- 3) First and last name and personal identification number of the Office for Culture and National Cultural Heritage representative;
- 4) Name of the movable cultural object and its main characteristics;
- 5) Ascertainments regarding the conservation condition, integrity;
- 6) No later than 30 days after concluding the report;

APPENDIX no. 5: CLASSIFICATION CERTIFICATE

ROMANIA
MINISTRY OF CULTURE AND RELIGIOUS AFFAIRS

DIRECTORATE FOR MUSEUMS, COLLECTIONS AND VISUAL ARTS

No. of

1. On the basis of the provisions of art 14 paragraph (2) of Law no. 182/2000 on the protection of the natural cultural heritage, the present classification certificate for the cultural object identified through the data bellow is issued.

1.1. The field it belongs to (as defined in art.3 of Law 182/2000)	.....
1.2. Name of the cultural item	.....
1.3. Author(s), workshop, trademark, school, ascription	.....
1.4. Title or theme	.....
1.5. Material, technique, size (the size of the prop) and other identification parameters	...............
1.6. Dating, fabrication year	.....
1.7. Observations	.....

2.1. The present certificate certifies that the object in question belongs to the national cultural heritage of Romania and is classified by Order no. / of the minister of culture and religious affairs in the legal category

2.2. The present certificate does not guarantee the lawfulness of the ownership title of the owner over the object / objects it refers to.

3. Issuance date _____

Manager,

Drafted,

APPENDIX no. 6: EXPERTISE REPORT

MINISTRY OF CULTURE AND RELIGIOUS AFFAIRS¹
 THE OFFICE FOR CULTURE, CULTS AND THE NATIONAL CULTURAL HERITAGE

A) Data about the expert;

1. First and last name;
2. Number, type and date when the expert license was issued;
3. Work place, employment status.

B) Data about the owner of the expertised cultural good

1. First and last name or the Name of the company / institution;
2. Address;
3. Personal identification number or fiscal code.

C) Data about the cultural object

¹ if the expertise is done by another expert but the one of the county offices, the form shall bear his / her heading.

1. The criteria used during the classification procedure;
2. The arguments for the score granted for each criterion;
3. The final expertise result;

D) Conclusion

1. Proposal to classify the object as basic item or thesaurus;
2. Proposal not to classify the object;

Licensed expert's signature and stamp

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UNESCO Cultural Heritage Laws Database
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