

**ORDER no. 2297 of the 17<sup>th</sup> of July 2006 on approving the Criteria for granting the prior endorsement for establishing museums and public collections**

In compliance with the stipulations of art.16 paragraph (1) and (2), of art.32 paragraph (2) letters c) and d), as well as of art.39 paragraph (1) of Law of Museums and Public Collections no.311/2003, with the subsequent amendments and completions,

On the basis of the stipulations of art.10, paragraph (4) of the Government Decision no.78/2005 on the organisation and functioning of the Ministry of Culture and Religious Affairs with the subsequent amendments and completions,

The minister of culture and religious affairs issues the following order:

**Art.1**

The criteria for granting the prior endorsement for establishing museums and public collections, stipulated in the Appendix included in the present order, are approved.

**Art.2**

The present order shall be published in the Romanian Official Journal, part I.

## **APPENDIX:**

Published in the Romanian Official Journal no.701 of the 16<sup>th</sup> of August 2006

### **Criteria of the 16<sup>th</sup> of July for granting the prior endorsement for establishing museums and public collections**

#### **CHAPTER I: General dispositions**

##### **Art.1**

The present criteria regulate the procedure for granting the prior endorsement for establishing museums and public collections, in compliance with the provisions of art.16, paragraph (1) and (2), of art.32, paragraph (2), letter c) and d) as well of art.39, paragraph (1) of Law of Museums and Public Collections no.311/2003, with the subsequent amendments and completions.

##### **Art.2**

The museums and public collections as well as their departments and subsidiaries are only established on the basis of the prior endorsement of the National Commission for Museums and Collections.

##### **Art.3**

The prior endorsement for establishing a museum or public collections must be required only by the owner or by the holder of the administration right over the movable culture objects that would constitute the cultural heritage of the respective museum or public collection.

#### **Chapter II: Criteria for granting the prior endorsement for establishing museums and public collections**

##### **Art.4**

The prior endorsement for establishing a museum or public collection shall be granted on the basis of the documentation certifying that the following criteria are complied with:

- a) the existence of a coherently and systematically acquired movable cultural heritage;
- b) the existence of an adequate place for a museum or a public collection and for organising specific activities, in compliance with the laws in force;
- c) the existence of an adequate organisational structure for the museum or public collections for which the prior endorsement is required;
- d) the proof that the natural or legal body that requires the prior endorsement has enough financial resources for supporting the activity of the museum or of the public collection for at least one year;

### **Chapter III: The necessary documentation for obtaining the prior endorsement for establishing museums and public collections**

#### **Art.5**

In order to obtain the prior endorsement for establishing museums and public collections, the natural or legal body shall submit to the specialised compartment of the Ministry of Culture and Religious Affairs, the following documentation:

- a) the application for the prior endorsement for establishing the museum or public collection;
- b) the motivation for establishing the museum or public collection, including its purpose, and objectives;
- c) the presentation of the target group/beneficiaries, of the impact upon the communities to which they address;
- d) the list of the cultural objects to be included in the museum or public collection heritage, their titles, authors, origins;
- e) the proof that there is a headquarters/place for the museum/public collection, together with its plans (mentioning how the place is divided into the administrative, visiting and storing circuit);
- f) the exposition plan and theme;
- g) the draft organisation and functioning regulation of the museum and public collection, the draft organisational structure and the function chart;
- h) the budgetary forecast for organising the museum or public collection;
- i) the schedule of the museum or public collection activity, also mentioning the time span;
- j) the budgetary forecast for the first year of the museum or public collection;
- k) the schedule of activities for the first year of the museum or public collection functioning;
- l) the documentation that certifies the organisational capacity of the applicant (national or international experience, collaborations and partnerships with the public authorities, with other governmental or nongovernmental organisations from Romania or abroad, as the case may be);
- m) the names of the partners and of the persons in charge with the project, together with their resumes;

## **Chapter IV: The procedure for granting the prior endorsement for establishing museums and public collections**

### **Art.6**

The specialised compartment of the Ministry of Culture and Religious Affairs shall verify the integrity and correctness of the documentation submitted in order to obtain the prior endorsement for establishing the museum and public collection and shall forward it for endorsement to the National Commission for Museums and Collections within 30 days after it was registered.

### **Art.7**

(1) If the documentation submitted is incomplete, the specialised compartment shall return the documentation to the applicant in order for him/her to complete it, within 10 days after it was submitted.

(2) The application stated at paragraph (1) shall be done in writing, with the express mention of the missing documents.

### **Art.8**

The specialised compartment of the Ministry of Culture and Religious Affairs shall communicate to the applicant the endorsement, within 15 days after it was issued by the National Commission for Museums and Collections.

## **Chapter V: The procedure for appeals**

### **Art. 9**

(1) If the endorsement of the National Commission for Museums and Collections is not favourable, the applicant may appeal within 30 days after it was communicated by the specialised compartment of the Ministry of Culture and Religious Affairs.

(2) The appeals shall be submitted to the specialised compartment of the Ministry of Culture and Religious Affairs.

### **Art.10**

The appeal shall be analysed and solved at the minister's level, within 20 days after it was submitted and the resolution shall be communicated to the solicitor, by the specialised compartment of the Ministry of Culture and Religious Affairs within 5 days after the appeal was solved.

## **Chapter VI: Final dispositions**

### **Art.11**

The specialised compartment of the Ministry of Culture and Religious Affairs shall institute the Register for recording the prior endorsements of the National Commission for Museums and Collections for establishing museums and public collections.

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