

**DECISION No. 518 of 7<sup>th</sup> of April 2004**  
**On the approval of the Methodological norms on temporary or  
permanent exportation of movable cultural goods**

On the basis of article no. 107 of the Constitution of Romania, republished, and article III of the Governmental Decree no. 16/2003 on the amendment and completion of Law no. 182/2000 regarding the protection of the national movable cultural heritage.

The Government of Romania passes the present decision.

**Art. 1**

The present Decision approves the methodological norms regarding the temporary or permanent export of movable cultural goods, stipulated in the appendix here included.

**Art. 2**

When the present Decision comes into force, the Order of the Minister of Culture no. 2.033/1999 on the temporary export of the movable goods that belong to the national cultural heritage, published in the Official Journal of Romania part I, no. 641 of 29<sup>th</sup> December 1999, will be abrogated.

Prime Minister  
ADRIAN NASTASE

Countersigns:

The Minister of Culture and Religious Affairs,  
Răzvan Teodorescu  
Minister of State, Minister of Economy and Commerce,  
Dan Ioan Popescu  
Minister of State, Minister of Administration and Interior,  
Ioan Rus  
Minister-Delegate for the Public Administration,  
Gabriel Oprea  
Minister of Public Finance,  
Mihai Nicolae Tanasescu

## **Appendix**

Published in the Official Journal of Romania no. 370 from 28<sup>th</sup> of April 2004

### **Methodological norms of 7<sup>th</sup> of April 2004 on temporary or permanent export of movable cultural objects**

#### **Chapter I: General stipulations**

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

Transferring abroad movable cultural objects constitutes an operation of export, which can be temporary or permanent.

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

In the context of the present methodological norms, the following terms mean:

- a) movable cultural goods – movable objects created by man or by nature, that have archaeological, historical-documentary, artistic, ethnographic, scientific or technical signification or importance and that can only be exported on the basis of an export certificate;
- b) export – the operation of transferring abroad movable cultural objects;
- c) export certificate – the document attesting that one or more movable cultural objects can be exported; it can be used with this purpose in the relationship with the custom authorities, the police and the gendarmerie;
- d) movable cultural goods classified as “thesaurus”, further referred to as classified movable cultural goods – goods included, according to the laws in force, in the judicial category of “thesaurus” of the national cultural heritage as a result of the development and conclusion of the classifying procedures;
- e) movable cultural goods unclassified as “thesaurus”, further referred to as unclassified movable cultural objects – goods for which the classification wasn’t asked for or it was denied until the date of the handing-in of an application form for issuing an export certificate;
- f) expertise – operation starting as a result of the application for the issuing of an export certificate for unclassified movable goods and whose aim is to establish, according to the classification norms in force, the fact that the goods concerned are movable cultural goods susceptible to be classified or not;
- g) “wall-to-wall”- insurance contract – the contract by which a loaned cultural good is insured against all risks, over the whole period it is loaned until it is returned to the owning institution;
- h) show commissioner – the person assigned by the institution owning the cultural good, on the basis of a mandate contract, to act in the name of the mandate regarding the protection of the work of art until it is returned to the owning institution.

## **Chapter II: The procedure of issuing and usage of the export certificate**

### **Art. 3**

- (1) According to art. 37, paragraphs (2) and (3) from Law no. 182/2000 regarding the protection of the movable national cultural heritage, with the all the subsequent amendments and completions, temporary or permanent export of movable cultural goods, classified and unclassified, regardless of the bearer of the ownership right, is performed on the basis of the export certificate issued by the county offices or the Bucharest offices for culture, cults and national cultural heritage.
- (2) Classified movable cultural goods, owned by the state or the territorial-administrative entities can only be exported temporarily for organising expositions abroad, for laboratory investigations, restorations and expertise.
- (3) Classified cultural movable goods owned by natural or legal persons can only be exported temporarily. Permanent export of these goods can only be performed within an exchange of cultural goods, according to art. 40 paragraph (1) from Law no. 182/2000 with the all the subsequent amendments.
- (4) Unclassified movable cultural goods can be exported permanently or temporarily regardless of the owner only after experts authorised by the National Commission for Museums and Collections expertise them.

### **Section 1: The procedure of issuing the export certificate for the movable cultural goods owned by private bodies or individuals**

### **Art. 4**

- 1) In the case of the movable cultural goods owned by private bodies or individuals, the export certificate is issued on the basis of a written application handed in by the bearer of the ownership right or by its mandate by county offices or the Bucharest offices for culture, cults and national cultural heritage that covers its residence or headquarters.
- 2) The application form for issuing the export certificate is filled in according to the form included in appendix no. 3, the List of the cultural goods for which the export certificate is solicited must be attached to it and it must be filled according in according to appendix no. 3 A, and handed in at the county offices or the Bucharest offices for culture, cults and national cultural heritage that covers its residence or headquarters.
- 3) The applicants who hand in forms according to paragraph (2) must specify the following, otherwise the applications will be declared null:
  - a) whether one or more of the movable goods for which the export certificate is solicited is included in the national cultural heritage and registered by a county office or the Bucharest office for culture, cults and national cultural heritage.
  - b) whether the classification or the export certificate have already been requested to another county office or the Bucharest office for culture, cults and national cultural heritage for one or more of the movable cultural goods the application refers to, also indicating the result of the

previous request.

- 4) For the applications handed in according to paragraph (2) expertise reports drew up by experts licensed by the National Commission of Museums and Collections must be added; these documents must show that one or more of the goods these applications refer to have been expertised according to the criteria approved by the norms in force and they must mention whether the movable goods for which the export certificate is solicited have been classified.
- 5) For the applications handed in according to paragraph (2), two 9x12 cm photographs must be attached, showing the whole object and significant details for each object, except high frequency and circulation books, publications, stamps and postcards or other widely available goods that can be unequivocally identified through documentary evidence, trademarks or other details encompassed by the applications; only specialists and experts from the county offices or the Bucharest offices for culture, cults and national cultural heritage can establish the goods for which it is not necessary to attach photographs.

## **Art. 5**

- (1) Within 30 days after the application to issue the export certificate stipulated under art. 4 paragraph (2), the county offices or the Bucharest offices for culture, cults and national cultural heritage verify the accuracy of the data encompassed by the applications and take the following steps:
  1. for the classified movable goods:
    - a) issue the temporary export certificate for the movable cultural goods classified as thesaurus, endorsed by the National Commission of Museums and Collections, with the approval of the minister of culture and religious affairs;
    - b) issue the permanent export certificate for the movable cultural goods classified as thesaurus for the exchanges of cultural goods approved by order of the minister of culture and religious affairs and endorsed by the National Commission of Museums and Collections;
  2. for unclassified movable cultural goods:
    - a) proceed to expertise the goods for which the applications do not encompass expertise reports drew up by experts licensed by the National Commission of Museums and Collections and establish, according to the law, if these cultural goods are susceptible to be classified;
    - b) issue, for the cultural goods which are not susceptible to be classified, the export certificate;
    - c) initiate the classification procedure for the goods susceptible to be classified, in conformity with the law.
- (2) The permanent export certificate is drew up in 4 copies, in compliance with the form here enclosed in appendix no. 4, and the list of the cultural goods for which the permanent export certificate was issued will be attached, in conformity with the form included under appendix no. 4 A. The temporary export certificate is drew up in 4 copies, in compliance with the form here enclosed in appendix no. 6 and the list of the cultural goods for which the permanent export certificate was issued will be attached, in conformity with the

form included under appendix no. 4 A.

- (3) For plastic art and photographic works of art, decorative or religious works of art, ethnographic and craftsmen' works of art, as well as other works created by living authors, which can be temporarily or permanently exported without any restriction, export files or export certificates are not necessary.

## **SECTION 2: Issuing the export certificate for the movable cultural goods held in public property**

### **Art. 6**

- (1) In conformity with the stipulations of Law no. 182/2000, with all the subsequent amendments, and of Government Decree no. 44/2000 regarding certain measures of insuring movable goods temporarily exported, republished, the movable cultural goods held in public property can only be exported temporarily, in view of organizing expositions abroad, for laboratory investigations, restoration or expertise.
- (2) The bearers of administration right over a movable cultural object which is going to be temporarily exported will have to obtain the endorsement of the National Commission of Museums and Collections and the approval of the minister of culture and religious affaires, in order to have the export certificate issued, only after presenting the insurance contract for the respective goods, concluded in compliance with the law.
- (3) In order to obtain the approval and endorsement, as stipulated under paragraph (2), the bearer of the administration right will first apply for the preliminary endorsement regarding the temporary export.

### **Art. 7**

- (1) In order to obtain the preliminary endorsement, the interested institutions will hand in a file, at least 60 days before the estimated date of exporting the movable cultural goods, at the specialised department of the Ministry of Culture and Religious Affaires; the file will enclose the following documents:
  - a) the address;
  - b) the letter of intent of the organizer or of the partner abroad and the thematic project of the exposition;
  - c) the opportunity notice regarding the investigations, restoration or expertise;
  - d) the list of the goods to be temporarily exported;
  - e) propositions for the insured values;
  - f) the name of the show commissioner or of the courier that escorts the goods and the arguments for this choice.
- (2) Within 30 days after the file is handed in, the National Commission of Museums and Collections will approve or deny the preliminary endorsement and the decision will be communicated to the concerned institution and to the General Inspectorate of the Romanian Police, through the specialised department of the

**Art. 8**

(1) Less than 30 days before the estimated date for exporting the movable cultural goods, the bearer of the administration right who obtained the preliminary endorsement stipulated under art. 7 paragraph (2) will add the following documents to the file already handed in at the specialised department of the Ministry of Culture and Religious Affaires:

- a) the lending contract or the service delivery contract for investigations, restoration or expertise, concluded in Romanian language and in another foreign language of international use, according to the frame-contract form included in appendix no. 1;
- b) the "wall to wall" insurance contract for the goods proposed to be temporarily exported;

*(at 17<sup>th</sup> of November 2004, Chapter II, Section 2. art. 8, paragraph (1), letter B amended by art. I, paragraph (1) of the Decision 1898/2004)*

- c) the registration lists of goods;
- d) the conservation lists of goods, signed by the restorer or the conservator;
- e) photographs with the goods: front view, side view, back view, significant details;
- f) the administration right bearer's declaration that the goods proposed for temporary export are not at issue;
- g) the mandate of the show commissioner or the courier escorting the goods, mentioning their obligations, in accordance with the form included in appendix no. 2;

(1<sup>1</sup>) The insurance contract stipulated under paragraph (1) letter b) is concluded with an insurance company chain based in Romania

(1<sup>2</sup>) As an exception to the stipulations of paragraph (1<sup>1</sup>), the insurance contract can be concluded with a company chain based abroad, at the proposal of the bearer of the administration right, only in thoroughly justified cases and with the approval of the Ministry of Culture and Religious Affaires.

(2) The documents stated under paragraph (1) letters a) and b) will be endorsed by the legal-contentious section of the public administration institutions or authorities to which the bearer of the administration right is subordinated.

(3) On the basis of the documents stipulated under paragraph (1), the National Commission of Museums and Collections endorses the temporary export of the respective goods, which will be approved by the minister of culture and religious affaires.

(4) The approval of the Minister of culture and religious affaires, issued according to paragraph (3), is communicated to the bearer of the administration right and to the county offices or the Bucharest offices for culture, cults and national cultural heritage, through the intermediary of the specialised department of the Ministry of Culture and Religious Affaires.

## **Art. 9**

- (1) After receiving the approval of the minister of culture and religious affairs regarding the temporary export of movable cultural goods, the bearer of the administration right will hand in the applications for issuing the export certificate, filled in as stated under art. 4 paragraph (2) - (5), and a copy of the insurance contract to the county offices or the Bucharest offices for culture, cults and national cultural heritage.
- (2) The export certificate will be issued by the county or Bucharest departments for culture, cults and national cultural heritage, only for the period the insurance contract covers.

## **Art. 10**

The period for which the export certificate was issued can be extended over 150 days, at the founded request of the bearer of the administration right if the stipulations of the present methodological norms concerning the insurance of the respective goods, endorsement and approval of the temporary export.

## **SECTION 3: The use of the export certificate**

## **Art. 11**

- (1) The concerned persons or institutions: owners, mandates, transporters, delegates of legal bodies, will show the export certificate to the Customs offices from the country or at the frontier as part of the declaration procedure; the written declaration of the movable cultural goods to be exported is mandatory, according to the custom regulations in force.
- (2) In the relationship with the customs offices, the export certificates shown as stipulated under paragraph (1) testifies the fact that the good or the goods concerned follow the circulation procedures stated under art. 37-40 of Law no. 182/2000, with the subsequent amendments, and that they can be temporarily or permanently exported according to the stipulations of each separate document.

## **Art. 12**

When unclassified cultural objects temporarily exported are not brought back to Romania, as stipulated in the export certificate or within the delay stated under art. 10, the export is considered to be permanent and the custom authorities are entitled to enforce the legal dispositions.

## **Art. 13**

- (1) The movable cultural objects are usually identified according to the data presented in the export certificate or in the lists attached to the export certificates, the photographs attached to the export certificates and to the identifying stamp on their surface or on their components if this stamp does not damage them in any way.
- (2) By derogation from the provisions of paragraph (1), photographs are not necessary to be attached to the export certificate issued for high frequency and circulation books, publications, stamps and postcards or other widely available

goods that can be unequivocally identified through documentary evidence, trademarks or other details.

- (3) By derogation from provisions of paragraph (1), the small-size objects that cannot be stamped are put in sealed envelopes, stamped for identification, and are thus shown to the customs authorities, whereas large-size objects are exclusively identified on the basis of the data included in the export certificate, in the lists attached to the export certificates or on the basis of the attached photographs, whenever they are necessary.
- (4) For the cases stated under paragraphs (2) and (3), under the heading "Observations" of the export certificates or of the lists attached to the export certificates, the mentions "without photo" or "without stamp" will be added.

#### **Art. 14**

- (1) The export certificates and the lists attached to the export certificates will always be marked with the issuing county office or the Bucharest office for culture, cults and national cultural heritage stamp, the identifying stamp of the officer that drew up the documents and with the embossed seal of the issuing county office or the Bucharest office for culture, cults and national cultural heritage in the right hand corner of the export certificate or of any leaf of the attached list.
- (2) The cultural goods administered by the public institutions will be sealed with the stamp of specialised department of the Ministry of Culture and Religious Affaires.
- (3) The photographs attached to the export certificate will be stamped overleaf with the county office or the Bucharest office for culture, cults and national cultural heritage officer's identifying stamp that drew up the export certificate whereas the cultural goods administered by public institutions will be stamped with the specialised department of the Ministry of Culture and Religious Affaires stamp.
- (4) The pattern of the identifying stamp will be elaborated by the specialised department of the Ministry of Culture and Religious Affaires, endorsed by the National Commission of Museums and Collections, approved by the minister of culture and religious affaires and it will be communicated to the National Authority of Customs at least 30 days before its amendment.

### **CHAPTER III: Circulation policy of contemporary cultural goods**

#### **Art. 15**

- (1) In conformity with art. 81 of Law no 182/2000, with the subsequent amendments, the following cultural objects are not subject to classification and can be temporarily or permanently exported without any export certificate:
  - a) plastic art and photographic works, decorative or cult works of art, as well as any works of art created by living authors (plastic artists, free-lance artists, amateurs, artisans, pupils, students, children and others) as a result of independent activities or in the context of educational programs or artistic creation workshops and societies ethnographic works of living artisans;
- (2) The goods stated under paragraph (1). Letter a) can be permanently or



temporarily exported in conformity with art. 81 of Law no. 182/2000, with the subsequent amendments, without export certificate and the fact that those goods are works created by living authors will be certified directly at the custom authorities. The following documents prove that the goods stated under paragraph (1) letter a) can be temporarily or permanently exported without export certificate:

- a) the authentic creator's statement for the objects transferred without the intermediary of a tradesman;
  - b) the authentic creator's statement for the objects exported by himself / herself or by his / her mandates;
  - c) the certificate issued by economic agents authorised to commercialise cultural goods, in conformity with appendix no. 5;
  - d) the certificate issued by public or private legal bodies for the objects exported in view of organising expositions, promotional shows, cultural exchanges and others;
  - e) the certificate issued by public or private legal bodies for the objects created in the context of educational programs or artistic creation workshops and societies organised by the issuing body;
  - f) the certificate issued by artistic tour organisers for decorative objects, costumes, props and others, made after the projects or sketches of living authors, in conformity with appendix no. 5;
- (3) The documents stated under paragraph (2) will encompass the necessary data to identify the goods they refer to; these data will be shown individually or in the attached lists.
- (4) The goods stated under paragraph (1) letter b) can be exported in conformity with the stipulations of art. 81 of Law no. 182/2000, with the subsequent amendments, without export certificate.

## **Art. 16**

Appendixes 1-6 are part and parcel of the present methodological norms.

## Appendix no 1: LENDING CONTRACT

Concluded between:

I. Museum (or other institution) ..... , established in (full address), represented by Mr./Mrs. .... , Manager and Mr./Mrs. .... , chief accountant, acting as lending institution, further referred to as the museum,

and

II. (The foreign institution) ..... , established in (full address), represented by Mr./Mrs. .... , Manager (or other position), acting as borrowing institution, further referred to as the organiser.

### **Art. 1: The scope of the contract**

**1.1** The museum lends to the organisers the objects stated in appendix no .....

**1.2** The objects are land to be part of exposition ..... (full address), between ..... (first and last day of the exposition).

The exposition will be opened in ..... (city/state/province), ..... (full address), between ..... (first and last day of the exposition).

### **Art. 2: Length of loan**

**2.1** The length of the loan begins the moment the objects leave the museum ..... (city/state/province) and ends the moment they are returned to ..... (city/state/province). The length of loan includes the length of the exposition, of the transport from and to the museum, as well as the necessary length to pack, to unpack and to install the objects, starting with the departure date .... until the restitution of the objects to the museum.

### **Art. 3: Transport**

**3.1** The transport of the object (objects) will be performed by ..... (the means of transport) on the route .....

**3.2** The objects will arrive at ..... (city/state/province) before ..... (date) and will be returned to the museum no later then .....

**3.3** A specialist of the museum will escort the goods over the whole period of the transport.

**3.4** All transport expenditure will be charged to the organisers.

### **Art. 4: Insurance**

**4.1** The objects will be "wall-to-wall" insured for the whole loan period plus ..... (minimum 5 days) after they are returned ..... (the museum) against all risks, through the intermediary of ..... (the insurance company). The insurance policy will cover the whole loan period.

**4.2** The insurance value will be ..... (the list of objects will be attached to the

insurance policy)

**4.3** The organisers must send the original policy and the insurance certificate to the museum 5 (five) weeks before the object (objects) leave ..... , so that the museum can comply with the temporary export procedures in good time. Complying with the deadline is absolutely necessary in order to obtain the approval of the Ministry of Culture of Cults (The National Commission of Museums and Collections), which is vital for the temporary export procedures of the object (objects)

**4.4** If the object is stolen, lost or damaged – partially or totally – the insurance payment to compensate the museum does not have effect upon the ownership right of the museum over the object, because it can recover the stolen, lost or damaged – partially or totally – object wherever it might be and at any time. The museum must refund the insurance payment if the object is found, when it is returned to the museum.

**4.5** The organisers are liable to the museum for the whole value of the stolen, lost or damaged – partially or totally – object, if the museum, for reasons beyond its control, cannot cash the insurance policy.

**4.6** If the object is damaged, a commission representing both the museum and the organisers, will assess the loss. The amount of the compensation for the loss will cover the restoration expenses and the devaluation of the object.

## **Art. 5: Packing and Escort**

**5.1.** The objects will be packed by the museum and at ..... , at return, by the organisers.

**5.2.** A specialist of the museum will escort the objects on the way to the organiser and will supervise the unpacking and installation at .... . When the exposition ends at ..... , the museum specialist will supervise the objects being dismantled and packed again and will escort the objects back to ..... .

**5.3.** The organisers will be charged for all the travel expenditure of the specialist assigned by the museum (transport, accommodation, per diem allowance, transport and health insurance, consular fees).

## **Art. 6: Conservation and Security**

**6.1.** The objects will be displayed during the whole exposition in conformity with the standard museum norms regarding the climatic conditions (relative humidity of the air and temperature) and lightening.

**6.2.** The objects will be accompanied by conservation files, drawn up by the museum's conservator.

**6.3.** The organisers will ensure the security of the objects over the whole period of the loan, the storage space and the exposition halls will be equipped with security, fire prevention and climate monitoring systems

**6.4.** Any fire or accident likely to damage the borrowed objects will be immediately made known to the museum who will establish together with the organisers the measures to be taken.

## **Art. 7**

**7.1.** The museum authorises the organisers to reproduce the borrowed objects for promotional and educational purposes only during the exposition. The copyright are waived only during the exposition. Any reproduction will bear the following notice:

Museum ..... ..

**7.2.** The organisers will offer to the museum a number of ..... .. copies of the exposition catalogue and ..... .. copies of any type of printed reproduction, free of charge.

**7.3.** If the organiser will make films, video tapes or other publicity audio-visual and multimedia materials that include the borrowed objects, a copy of each material will be offered to the museum, free of charge.

**7.4.** When the exposition is closed, the museum will receive a full copy of the press file of the exposition with all published chronicles, articles or studies.

## **Art. 8: Invitations (if the case is)**

The museum manager will be invited at the official opening by the organisers. The travel expenses (transport, accommodation, par diem allowance, transport and health insurance, consular fees) will be charged to the organisers.

## **Art. 9: Contract**

**9.1.** The museum and the organisers will discuss any aspect which is not stipulated in this contract, any time it is necessary.

**9.2.** Any dispute which may arise between the parties during the execution of this contract and concerning the borrowed objects will be settled according to the Romanian legislation, by a competent Romanian court law, but only after all the reconciliation ways have been considered.

**9.3.** Any claim coming from the museum will be forwarded within 5 (five) days after the object was returned to ..... ..

**9.4.** The present contract will be drafted in Romanian language and in ..... .., in 4 (four) copies, and both versions have the same legal status. Each party will keep a copy of each version.

**9.5.** The present contract enters into effect once it is signed and sealed by both parties, on each page.

**9.6.** The contract is valid only if the original copy of the insurance policy is attached to it; the insurance policy is considered to be part and parcel of the present contract.

## **Art. 10: Force Majeure**

**10.1.** The force majeure exonerates the parties of the liability of partially or totally not complying with the obligations stipulated in the present contract. Force majeure is a case of fortuitous, unforeseen and unavoidable event and arising after the coming into force of this contract which prevent the total or partial carrying out of the

obligations resulting from it.

**10.2.** The party asserting force majeure is compelled to make it known to the other party, in writing, within 5 (five) days after it occurred, and the proof will be conveyed within 15 (fifteen) days after it occurred.

**10.3.** The reference day is the date of the sending postal stamp. The proof will be certified by the Chamber of Commerce and Industry or by other competent authority.

**10.4.** The party asserting force majeure is compelled to notify the other party when the cause ceases within 15 (fifteen) days after it ceased.

**10.5.** If the above circumstances last longer than 6 (six) months, each party can refuse any fulfilment of his obligations under the present contract, and in such cases neither of the parties shall be liable to the other party to pay compensation for any possible damages, but they are compelled to accomplish their duties until that date.

## **Art. 11: Contract cancellation**

**11.1.** The present contract rightfully terminates, without the intervention of an arbitration court being necessary, in the following cases:

- when either of the parties does not comply with the essential obligations of this contract;
- when either of the parties is found insolvable;
- when judicial interdiction was imposed on either of the parties;
- when either of the parties transfers its rights and obligations without the approval of the other party;
- when either of the parties infringes upon its obligations again, after being forewarned by the other party that a new infringement upon the obligations leads to cancellation of the contract;
- in maximum ..... days after any of the parties was notified that it infringed upon its obligations, that it does not comply or it wrongly complies with the respective stipulation.

**11.2.** The party that calls upon the cancellation of the contract will notify to the other party the cause of the cancellation within minimum ..... days before the actual cancellation.

**11.3.** The cancellation will not affect the obligations already due between the parties.

**11.4.** The stipulations of this article do not waive the liability of the party guilty of the cancellation of this contract.

## **Art. 12: Arbitration**

**12.1.** Any dispute which may arise between the parties during the execution of this contract will be referred to an arbitration court.

**12.2.** The expenditure incurred for the authentication of the present contract will be charged to ..... ..

**12.3.** The present contract was made on ..... in ..... copies.

or and on behalf of the Museum

.....

(Signature)

For and on behalf of the Organiser

.....

(Signature)

Note:

The notes between brackets are meant to help.

## Appendix no. 2: MANDATE

Mr/Mrs ..... is assigned courier of the exposition ..... solicited by.....  
.....to be organised at ..... between..... and.....

The courier's travel will take place between .... and.....

The courier is authorised to act on behalf of the owner as far as the protection of the work of art is concerned until it is officially handed to the borrowing museum.

He/She must be physically present during each and every stage of the transport. Any legal restriction that would hinder the courier (certain areas of the airport) must be communicated to the owner.

The courier has the following responsibilities:

- supervises the shipment, handling and installation of the work of art and makes sure the best conservation and security conditions are provided;
- knows the route and the destination;
- must know the conservation file of the work of art, signs it and forwards it to be countersigned by the authorised representative of the borrowing museum. A copy of this file must be handed to the owner;
- immediately notifies by telephone or fax (the museum management or, if the case is, the Romanian Embassy from the respective country) about any kind of problem that might damage the work of art or the lending contract.

Manager

.....

Courier

.....

### Appendix 3: Application for issuing the export certificate

ROMANIA

THE MINISTRY OF CULTURE AND RELIGIOUS AFFAIRES

#### I. The applicant's identification data

1. The applicant 's code (the identification personal number or fiscal code): \_ \_ \_ \_ \_  
\_ \_ \_ \_ \_

2.1. Name: ..... Surname: .....

or

2.2. Name of the institution:

3. Address/Head office, if the case is: City: ..... County: .....  
.....

Avenue	No.	Zip code	I.D.	Sc.	Floor	Apartment	District
--------	-----	----------	------	-----	-------	-----------	----------

4. \_

Status: ☐ owner ☐ owner's mandate ☐ administrator of public  
property goods

#### II. Data regarding the export procedure for which the export certificate is solicited

1. \_

☐ permanent export ☐ temporary export, the date when the objects  
are brought

back to Romania .....

2. Does / Do the object/objects/one of the objects the present application refers to  
belong to the national cultural heritage?

☐ No ☐ Yes If yes, please specify under the heading  
"Observations"

from section III, paragraph 1.6. of the application or  
under heading 1.6. of the list attached to the  
referential documents (the classification order, the  
classification certificate).

3. Have you applied for the classification of the object/objects/some of the objects the  
present application refers to?



☐ No                      ☐ Yes  
"Observations" from

If yes, please specify under the heading

section III, paragraph 1.6. of the application or under  
heading 1.6. of the list attached to which institution  
you applied, the date and the result.

**III.** The data regarding the object/objects the export certificate is solicited

**1.** Description of the cultural object

(To be filled in if the export of a single object or single edition/batch of identical items  
is solicited)

**1.1.** The name of the cultural object .....

**1.2.** Author/authors, workshop, trademark, school, purpose .....  
.....

**1.3.** Title or theme (if the case is) .....

**1.4.** Material, technique, size (prop size, too) and other identification parameters  
.....

**1.5.** Dating, creation year .....

**1.6.** Observations (the referential documents, antecedents, conservation state,  
quantity, others - signatures, inscriptions, trademarks, etc.) .....  
.....

**2.** Description of the collection/batch of different objects ( the list attached to the  
application to be filled in) .....

Date

.....

Signature/applicant's stamp

.....

**Appendix 3<sup>A</sup>: The list of the cultural objects for which the export certificate is solicited**

ROMANIA

THE MINISTRY OF CULTURE AND RELIGIOUS AFFAIRES

No	The name of the cultural object	Author/ authors, workshop, trademark, school, ascription	Title or theme	Material technique, size (prop size) and other identifications parameters	Dating, production date	Observations (the referential documents, antecedents, conservation state, quantity, others - signatures, inscriptions, trademarks, etc.)
(1)	(1.1)	(1.2)	(1.3)	(1.4)	(1.5)	(1.6)

Date .....

Signature/ applicant's stamp

.....

APPENDIX NO. 4: PERMANENT EXPORT CERTIFICATE

ROMANIA

THE MINISTRY OF CULTURE AND RELIGIOUS AFFAIRES

THE COUNTY OFFICE FOR CULTURE, CULTS AND NATIONAL HERITAGE

PERMANENT EXPORT CERTIFICATE No. .... of .....

According to the stipulations under art. 37 of Law no 182/2000 regarding the protection of the movable national cultural heritage, with the subsequent amendments, the following permanent certificated will be issued for the cultural objects identifiable by:

**1.** the data in the appendix list (mandatory for collections and batches of different objects): ..... ..

**2.** the following data (for a single object of an edition or batch of identical objects):  
..... ..

**2.1.** the field they belong to (see art. 3 of Law no 182/2000, with the subsequent amendments) .... ..;

**2.2.** name of the cultural object .....;

**2.3.** author/ authors, workshop, trademark, school, ascription .....;

**2.4.** title or theme .....;

**2.5.** material technique, size and other identifications parameters .....;

**2.6.** dating .....;

**2.7.** observations .....

**3.1.** The present certificate must accompany the object / objects it refers to as it is compulsory to show it at the custom offices from the country or at the frontier as well as to other competent authorities.

**3.2.** The present certificate does not guarantee the value and the authenticity of the object / objects it refers to, nor legitimacy of the bearer of the ownership right over the respective object / objects.

Manager,

.....

**APPENDIX No 4<sup>A</sup> : The list of the cultural objects for which the temporary / permanent export certificate no. .... of ..... was issued**

ROMANIA

THE MINISTRY OF CULTURE AND RELIGIOUS AFFAIRES

THE COUNTY OFFICE FOR CULTURE, CULTS AND NATIONAL HERITAGE

No	The field it belongs to (as stipulated under art. 3 of Law no. 182/2000)	The name of the cultural object	Author/ authors, workshop, trademark, school, ascription	Title or theme	Material technique, size (prop size) and other identifications parameters	Dating, production date	Observations
(1)	(1.1)	(1.2)	(1.3)	(1.4)	(1.5)	(1.6)	(1.7)

Manager,

.....

## APPENDIX no. 5: Certificate

.....  
(The name of the private or legal entity)

Registration number .....

Address .....

Phone ..... , fax .....

The present certificate attests that the movable cultural objects listed in the table below were created by living artisans and according to the stipulations under art. 81 of Law no. 182/2000 concerning the movable national cultural heritage with the subsequent amendments are not classifiable and can be exported without an export certificate.

No.	The name of the cultural object	Author	Observations

.....  
(Authorised person – name, surname, signature, stamp)

## **APPENDIX No. 6: TEMPORARY EXPORT CERTIFICATE**

ROMANIA

THE MINISTRY OF CULTURE AND RELIGIOUS AFFAIRES

THE COUNTY OFFICE FOR CULTURE, CULTS AND NATIONAL HERITAGE

.....

TEMPORARY EXPORT CERTIFICATE No. .... of .....

According to the stipulations under art. 37 of Law no 182/2000 regarding the protection of the movable national cultural heritage, with the subsequent amendments, the following temporary certificated will be issued for the cultural objects identifiable by:

Data about the exporter – natural body:

Name ....., surname ....., residing at ..... (city/ state/ province) , avenue ..... no. ...., zip code ..... , I.D. ....

Data about the exporter – legal body:

Name .....,

Address: avenue ....., no. ...., zip code ....., registration number .....

The country where the object / objects will be exported .....

The stipulated date when the objects will be returned to Romania:

Day ..... Month ..... Year .....

Manager,

.....

Published in the Official Journal no. 370 of 28<sup>th</sup> of April 2004.