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If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The Saeima¹ has adopted
and the President has proclaimed the following Law:

Law on Museums

Section 1. Terms used in this Law

The following terms are used in this Law:

1) **museum object** ó an object, which after research and treatment has been recognised an object with cultural and historical significance and is in the museum collections;

2) **museum-related object** ó an object, which conforms to the requirements of a museum object according to the cultural and historical significance thereof, but which is not included in the museum collections;

3) **museum collections** ó a historically developed, scientifically justified aggregate of museum objects consisting of core of the collections, auxiliary collections and exchange collections;

4) **museum collection** ó an aggregate of museum objects, which are bound by one characteristics or several characteristics and the historic, scientific or artistic value of which is an inseparable entirety;

5) **public museum** ó an accredited State, local government or autonomous museum;

6) **State museum** ó a public agency (institution) established by the Cabinet or a unit of such public agency (institution), in possession of which the museum collections are transferred and which fulfils the functions specified in this Law;

7) **local government museum** ó a public agency (institution) established by a local government or a unit of such public agency (institution), in possession of which the museum collections are transferred and which fulfils the functions specified in this Law;

8) **autonomous museum:**

a) a public agency (institution) established by a derived legal person governed by public law (except a local government) or a unit of such public agency (institution), in possession of which the museum collections are transferred and which fulfils the functions specified in this Law;

¹ The Parliament of the Republic of Latvia

b) a State or local government capital company or another legal person governed by private law, the participant or founder of which is a legal person governed by public law if it owns (possess) the museum collections and fulfils the functions specified in this Law; and

9) **private museum** ó an association (foundation) registered in the register of associations or foundations or a commercial company (business partnership, merchant) registered in the Commercial Register, as well as a unit thereof, which is the owner (possessor) of the museum collections and fulfils the functions specified in this Law.

Section 2. Purpose and Operation of this Law

(1) The purpose of this Law is to specify public relations in the field of museums in order to ensure the operation of museums and to promote the preservation of the cultural heritage of Latvia and the development possibilities of museums.

(2) This Law shall be applicable to public museums, as well as accredited private museums (hereinafter ó museums).

Section 3. Competence of the Ministry of Culture in the Field of Museums

The Ministry of Culture shall:

- 1) develop a national strategy and implement national policy in the field of museums;
- 2) co-ordinate international co-operation projects of State museums, as well as inform other museums regarding opportunities of international co-operation;
- 3) divide resources provided for in the State budget to the accredited museums for implementation of cultural and historical, fine art and other projects and programmes;
- 4) establish a Latvian Council of Museums and approve the by-law thereof;
- 5) establish and maintain a unified catalogue of the National Museum Holdings (hereinafter ó National Holdings); and
- 6) assess the conformity of a museum to the status of cultural institution of national significance.

Section 4. State Authority on Museums

The State Authority on Museums is a State direct administration institution under the supervision of the Minister for Culture, which implements the State cultural policy in public and private museums. Public museums shall be in functional supervision of the State Authority on Museums.

Section 5. Latvian Council of Museums and Composition Thereof

(1) The Latvian Council of Museums (hereinafter ó Council of Museums) is a consultative institution established in order to promote the co-operation of institutions and taking of decisions in issues, which are related to the national strategy in the field of museums, as well as to the operation of museums and establishment and preservation of the National Holdings.

(2) The Council of Museums shall consist of 15 members: eight representatives delegated by accredited museums of Riga and Riga District, four representatives delegated by accredited museums of counties of Latvia (one from each county), one representative delegated by the Latvian Association of Local and Regional Governments, one representative delegated by the Latvian Association of Museums and the Minister for Culture (or his or her delegated representative).

Section 6. Competence of the Council of Museums

The Council of Museums shall:

- 1) promote the development and co-operation of public and private museums;
- 2) provide the ministries and local governments with opinions regarding sections of draft State budget and local government budgets, which are related to the financing of museums, as well as regarding other issues related to the operation of museums;
- 3) provide consultations regarding the founding, reorganisation or liquidation of State and local government museums;
- 4) provide the State Authority on Museums with opinions regarding the conformity of museums to the requirements of accreditation;
- 5) provide the State Authority on Museums with opinions regarding withdrawal of museum objects from the National Holdings;
- 6) provide the State Authority on Museums with opinions regarding the establishment and preservation of the National Holdings;
- 7) submit proposals regarding candidates to positions of museum directors to the ministries and local governments;
- 8) submit to the State Authority on Museums proposals regarding preparation of museum specialists (personnel) and improvement of qualification thereof; and
- 9) submit to the Ministry of Culture an opinion regarding the conformity of a museum to the status of cultural institution of national significance.

Section 7. Concept, Tasks and Functions of Museum

(1) A museum is an educational and research institution available to the public, the task which is to collect, preserve and communicate natural, tangible and intangible cultural values in the society pursuant to the specificity of operation of the museum, as well as to promote usage thereof for education and development of the society.

(2) A museum shall have the following functions:

- 1) accumulation, documentation and preservation of tangible and intangible cultural and natural values;
- 2) research of museum collections and information related thereto; and
- 3) education of the society, communication of tangible and intangible cultural and natural values by organising permanent and temporary exhibitions, as well as using other ways of education and communication related to the operation of the museum.

Section 8. Procedures for Foundation, Reorganisation and Liquidation of Public Museums

(1) State museums and branches thereof shall be founded, reorganised and liquidated by the Cabinet upon the proposal of the Ministry of Culture or another ministry, in consulting with the Council of Museums.

(2) Local government museums and branches thereof shall be founded, reorganised and liquidated by the respective local government council (parish council), in consultation with the Council of Museums.

(3) Autonomous museums and branches thereof, which are a public agency (institution) established by a derived legal person governed by public law (except local governments) or a

unit of such public agency (institution), shall be founded, reorganised and liquidated by the owner.

(4) In cases of reorganisation and liquidation of museums referred to in Paragraphs one, two and three of this Section a museum has a duty to consult with the Council of Museums in issues related to subsequent actions involving objects of the respective museum, which are included in the National Holdings.

(5) If an accredited private museum or an accredited autonomous museum that is a State or local government capital company or another legal person governed by private law, participant or founder of which is a legal person governed by public law, and the museum has received State budget resources, is being liquidated, State museums and local government museums have the pre-emptive rights in acquisition of the objects of the museum liquidated.

Section 9. Accreditation and Registration of Museums

(1) A State museum, a local government museum and an autonomous museum, which is a public agency (institution) established by a derived legal person governed by public law (except local government) or a unit of such public agency (institution), has a duty to settle accreditation not later than within a time period of five years after founding of the museum. An autonomous museum that is a State or local government capital company or another legal person governed by private law, participant or founder of which is a legal person governed by public law, and a private museum shall apply for accreditation upon initiative thereof. Accreditation of museums shall take place in accordance with the regulations regarding accreditation of museums issued by the Cabinet.

(2) A museum may be accredited if it conforms to the following conditions:

1) there is a by-law, statutes, regulations or a contract of the museum approved by the founder;

2) an inventory of the museum collections has been performed;

3) there are premises, equipment and security systems guaranteeing the preservation of the museum collections;

4) availability of the museum collections to the society has been ensured; and

5) a strategy for operation and development of the museum has been drawn up.

(3) If a museum, which has a duty to accredit, is not accredited, it may re-apply for accreditation within a time period of one year. If the museum is not accredited also after repeated application, it shall be liquidated.

(4) The accredited museum shall lose the rights of an accredited museum if it does not conform to the conditions referred to in Paragraph two of this Section.

(5) The State Authority on Museums shall establish and maintain a register of museums. All public museums, accredited private museums, as well as ó upon agreement with owners of private museums ó private non-accredited museums shall be included in the register of museums.

Section 10. Rights and Obligations of Museums

(1) A museum has the right:

1) to bring the museum collections or separate objects temporarily out of the State after receipt of the permission of the State Authority on Museums;

2) to provide paid services, carry out publishing and use the obtained resources for the development of operation of the museum, supplementing and preservation of the museum collections, restoration, improvement of professional knowledge of employees, their material stimulation and provision of research work;

3) to implement copyright in relation to the museum collections in possession thereof in accordance with the Copyright Law;

4) to receive funds from the State budget for implementation of cultural and historical, fine arts and other nationally significant projects and programmes;

5) to enter into civil legal transactions in order to promote the preservation, supplementing, research of the museum collections, as well as other transactions, which are necessary for ensuring of operation of the museum; and

6) to receive methodological support of the State Authority on Museums.

(2) Museums shall have an obligation:

1) to ensure the availability of the museum collections to visitors and researchers; and

2) to provide an annual report on activities to the State Authority on Museums and information, which is necessary for examination of issues in the competence thereof ó to the Council of Museums.

(3) State museums and local government museums shall not alienate or withdraw museum objects and collections from the museum collections without a permission of the State Authority on Museums.

(4) The rights and obligations of museums shall be determined in the by-law, statutes, regulations or contract of the respective museum.

(5) A museum may perform scientific activities and register in the register of scientific institutions in accordance with the procedures specified in the Law On Scientific Activity.

Section 11. Management of Museums

(1) Directors of State museums, taking into account the proposals of the Council of Museums, shall be hired and dismissed by the minister who supervises the respective State museum.

(2) Directors and managers of local government museums shall be hired by the respective local government, taking into account the proposals of the Council of Museums.

(3) Directors and managers of autonomous museums shall be hired by the founder of the respective museum.

Section 12. National Museum

(1) A national museum shall be such museum:

1) the collections of which territorially, chronologically and thematically comprise the whole State and are the most important and complete in the profile thereof;

2) the research work of which ensures a comprehensive research of the museum collections and researches in scientific disciplines;

3) the permanent and temporary exhibitions of which and other types of communication related to the operation of the museum ensure availability of the museum collections and comprehensive usage thereof for education and development of the society; and

4) which performs activities confirming that the museum is the leading institution in the field of museums.

(2) A museum may submit an application for obtaining the status of a national museum to the Ministry of Culture, in which conformity thereof to the status of a cultural institution of national significance is justified.

(3) The Cabinet shall take a decision regarding granting of the status of national museum upon the proposal of the Ministry of Culture.

Section 13. National Holdings

(1) The National Holdings shall be national treasure, and it shall be under national protection.

(2) The National Holdings shall be formed by:

1) the core of the collections of accredited State museums and accredited local government museums;

2) the core of the collections of accredited autonomous museums and accredited private museums (with a consent of the Council of Museums); and

3) the museum-related objects of a private collection or individual museum-related objects (upon a proposal of the owner and with the consent of the Council of Museums).

(3) Objects and collections of the National Holdings shall be included in a joint catalogue ó a data base that includes basic information regarding objects of the museum collections.

(4) Institutions and private persons, who possess or own objects of the National Holdings, shall ensure preservation and possibilities of usage thereof.

(5) The State shall grant budget resources for the maintenance, preservation and restoration of objects and collections of the National Holdings.

(6) The following provisions shall be observed in relation to the objects and collections of the National Holdings:

1) it is prohibited to alienate individual objects or collections included in the National Holdings;

2) in alienating any collection or object included in the National Holdings, at first it shall be offered to another accredited museum with the intermediation and permission of the State Authority on Museums; and

3) it is prohibited to pledge objects or collections included in the National Holdings, and recovery proceedings may not be applied to them upon the request of a creditor.

(7) An object may be withdrawn from the National Holdings if:

1) the object has significant damage, due to which it cannot be restored;

2) the object has been lost or naturally disintegrated;

3) the object has been acquired illegally; or

4) the object has lost the museum-related value thereof.

(8) If a museum does not ensure the preservation of a collection or an object included in the National Holdings in accordance with Cabinet regulations regarding the National Holdings, which results in significant damages to the collection or the object, a State or a local government museum may propose to the owner alienation and withdrawal of the object or the collection from the collections of the respective museum with the mediation of the State Authority on Museums. State or local government museums have pre-emptive rights for acquisition of the respective object or collection.

(9) The State Authority on Museums shall issue a permit for withdrawal of an object from the National Holdings upon the proposal of the museum where the respective object is located or upon the proposal of the owner of the object, taking into account the opinion of the Council of Museums.

(10) The Cabinet shall determine the procedures for the establishment, supplementing, registration, preservation of the National Holdings, actions involving objects and collections therein, as well as the procedures, by which an object may be alienated and withdrawn from the National Holdings or temporarily brought out of the State.

[25 October 2007]

Section 14. Financing of State Museums and Local Government Museums

(1) State museums shall be financed from the State budget, local government museums shall be financed by the respective local government in providing resources for:

- 1) the maintenance and restoration of the buildings of the museum;
- 2) rental of premises, payments for public utility services, tax payments and payments for land lease;
- 3) supplementing (procurement, expeditions), preservation, physical security (security, insurance and fire safety equipment), as well as research and usage of the museum collections;
- 4) equipment for the maintenance of the microclimate, conservation and restoration of museum objects;
- 5) employment of the museum staff;
- 6) international co-operation; and
- 7) education of society and the popularisation of cultural and historical values by organising permanent and temporary exhibitions, as well as using other ways of education and popularisation related to the operation of the museum.

(2) State museums and local government museums may also receive additional financial resources from other sources as donations and gifts, as well as earn income from paid services and other revenue thereof. Resources, which are obtained from paid services and other revenue thereof, shall be transferred to the basic budget account of the museum, and they shall be used only for the development of operation of the museum.

(3) If State museums and local government museums receive a donation or a gift with or without a specified objective, they shall open an account of the special budget.

Section 15. International Co-operation

(1) Museums are entitled to co-operate independently with museums in other states, to join international museum organisations and to participate in the activities thereof.

(2) Museums may receive a State guaranteed insurance for the organisation of international exhibitions in accordance with the procedures specified by the Cabinet.

Transitional Provisions

1. Until coming into force of the respective Cabinet regulations, but not longer than until 30 June 2006 the following Cabinet regulations shall be applicable insofar as they comply with this Law:

1) Cabinet Regulation No. 265 of 21 July 1998, By-law of the State Council of Museums (*Latvijas Republikas Saeimas and Ministru Kabineta Zi ot js*, 1998, No. 18);

2) Cabinet Regulation No. 311 of 18 August 1998, Regulations regarding the National Museums Collection (*Latvijas Republikas Saeimas and Ministru Kabineta Zi ot js*, 1998, No. 18);

3) Cabinet Regulation No. 420 of 27 October 1998, Procedures, by which the Ministry of Culture Grants Resources Specifically Provided for in the State Budget for Implementation of Specific Cultural and Historical, Fine Art and Other Nationally Significant Projects and Programmes (*Latvijas Republikas Saeimas and Ministru Kabineta Zi ot js*, 1998, No. 22); and

4) Cabinet Regulation No. 196 of 30 March 2004, Regulations regarding Accreditation of Museums (*Latvijas Republikas Saeimas and Ministru Kabineta Zi ot js*, 2004, No. 11).

2. Autonomous museums, which are a public agency (institution) established by a derived legal person governed by public law (except local governments) or a unit of such public agency (institution), shall have an obligation to settle accreditation within a time period of three years from the day of coming into force of this Law.

3. Museum accreditation certificates issued prior to the coming into force of this Law shall remain in force until the end of the accreditation term.

4. Section 13, Paragraph two, Clause 2 of this Law shall come into force on 1 July 2006.

5. With the coming into force of this Law the Museum Law (*Latvijas Republikas Saeimas and Ministru Kabineta Zi ot js*, 1997, No. 16) is repealed.

This Law has been adopted by the *Saeima* on 15 December 2005.

President

V. V e-Freiberga

R ga, 3 January 2005