

## **ORDINANCE no. 44 of January 30<sup>th</sup> 2000<sup>1</sup> on certain measures for insuring the temporarily exported movable cultural goods - Codified**

### **Art. 1**

Temporary export of the movable cultural goods belonging to the national cultural heritage held in public property, with a view to their restoration or participation to exhibitions and other similar events, is done in compliance with the provisions of the present ordinance and other normative acts in the field.

### **Art. 2**

- (1) The public institution entitled to administer a movable good belonging to the national cultural heritage, which is about to be temporarily exported, must obtain the endorsement of the National Commission of Museums and Collections and the approval of the minister of culture and religious affairs in order to have the temporary export certificate issued.
- (2) The temporary export certificate shall be issued after the insurance contract for the respective goods, concluded according to the law, is submitted.

### **Art. 3**

- (1) In exceptional cases and only for movable goods classified as Thesaurus, the National Commission for Museums and Collections shall endorse the temporary export without requiring that an insurance contract for the respective goods, as stipulated in paragraph (2), is concluded.
- (2) In the situations mentioned at article (1), the Ministry of Culture and Religious Affairs shall obtain a governmental guarantee certificate from the state on whose territory the Romanian movable cultural goods will be exported.

### **Art. 4**

- (1) If the temporary export is done within a cultural exchange, the Ministry of Culture and Religious Affairs is authorised, on behalf of the Government, with the endorsement of the Ministry of Public Finances, to issue a governmental guarantee certificate for the foreign movable cultural goods temporarily hosted on the Romanian territory.
- (2) The governmental guarantee certificate does not exonerate the liability of the persons guilty of destroying or damaging the movable cultural goods during the temporary export.
- (3) In the situations mentioned at the paragraph (1), the Romanian organiser of the cultural event shall submit to the Ministry of Culture and Religious Affairs, for approval, the agreement concluded with the foreign party.

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<sup>1</sup> Codified on the basis of article II of Law no. 143/2001, published in the Romanian Official Journal, part I, no. 171 of April 4<sup>th</sup> 2001.

Government Ordinance no. 44/2000 was published in the Romanian Official Journal, part I, no. 41 of January 31<sup>st</sup> 2000 and approved and amended by Law no. 143/2001.

- (4) The governmental guarantee certificate shall be granted on a reciprocity basis, at the request of the foreign party, if the Romanian movable cultural goods benefit of the same treatment on the territory of the foreign state, as well.

**Art. 5**

In order to achieve the objectives mentioned at articles 3 and 4, the Office for Governmental Insurances shall be established within the Ministry of Culture and Religious Affairs, directly subordinated to the minister, according to the approved function chart.

**Art. 6**

The governmental guarantee certificate shall be issued according to the methodological norms, approved by Government Decision, at the proposal of the Ministry of Culture and Religious Affairs within 90 days after the present ordinance comes into force.

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