

The Slovak Republic Law Digest

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387. Act, which changes and amends Act No.115/1998 Coll. on Museums and Galleries and on the Protection of Objects of Museum Value and on the amendment to Act No. 563/1991 on Accounting as subsequently amended.

387

ACT

From September 4, 2001

Which changes and amends Act No.115/1998 Coll. on Museums and Galleries and on the Protection of Objects of Museum Value and Gallery Value and on the amendment to Act No. 563/1991 Coll. on Accounting as subsequently amended

The National Council of the Slovak Republic has passed this Act:

Article I.

Act No. 115/1998 Coll. on Museums and Galleries and on the Protection of Objects of Museum Value and Gallery Value is being subsequently changed and amended:

1. In § 2 Section 2 at the end, the following sentence is added:” Collection items can be also real estate.”
2. In § 2 after Section 2 a new Section 3 will be inserted, which reads:
”(3) The museum collection and the gallery collection based on the specialized museum criteria defined as a systematically arranged set of collection items from a given specified field of the development of nature and society including their documentation”
The hitherto Section 3 is indicated as Section 4.
3. § 4 is amended by the Section 5, which reads:
”(5) Museum established or founded by an establishing body or by a founder pursuant to § 8 a), b) and c) can not acquire, by purchase, collection items which are movable archeological troves 1a) originating from illegal research and excavations and from criminal activities.”.
The footnote regarding reference 1a reads:
” 1a) § 23 of Act of the National Council of the Slovak Republic No.27/1987 Coll. on the State Care of Historical Momuments and Sites.”.
4. In § 5, Section 4 reads:
”(4) A museum and gallery may exclude a collection item from the museum and gallery collection based only on the following reasons:
a) destruction,
b) misappropriation,
c) permanent export (§ 16),

- d) exchange or
 - e) if the collection item does not fit into the character of the museum collection or gallery collection and devaluates it.”.
5. In § 5 after Section 4, the new Sections 5 and 6 are inserted and they read:
- ”(5) In the case of a collection item of a museum and gallery established by the establishing body pursuant to § 8 a) or in the case of a collection item in the ownership of the Slovak Republic, the reason can be applied pursuant to Section 4 e) only under such conditions when at the same time pursuant to particular legal regulation 2) its transfer to another museum and gallery established or founded by an establishing body or a founder pursuant to § 8 a), b) and c) is being carried out.
 - (6) In the case of a collection item of a museum and gallery established or founded by an establishing body or founder pursuant to § 8 b) and c) the reason pursuant to Section 4 e) can be applied only under such conditions when based on an agreement pursuant to particular legal regulation 2a) a transfer of its ownership or administration to another museum and gallery established or founded by an establishing body or founder pursuant to § 8 a), b) and c) is carried out.”.
- The hitherto Section 5 is indicated as Section 7.
6. In § 5, Section 7 reads:
- “(7) The proposal for the exclusion of a collection item from a museum collection or from a gallery collection is reviewed by the Commission for the Creation of Collections. A collection item can be excluded from a museum collection or from a gallery collection only under the agreement of an establishing body or founder of the museum and the gallery.”.
7. In § 6 Section 1 e) the words ” and to estimate value” are omitted and at the end the full stop is replaced by the comma.
8. In § 6, Section 1 is amended by Letters f) and g), which read:
- ”f) to execute a revision of collection items pursuant to section 3,
 - g) to provide data for the central records of collection items.”.
9. In § 6, Section 2 reads:
- ”(2) The classification of collection items is defined as their classifying into given classes based on cultural, historical, artistic and scientific value:
 - a) I. Class – collection items of a unique cultural, historical, artistic and scientific value, which must be specially indicated,
 - b) II. class – other collection items.”.
10. In § 6 after Section 2, new Sections 3 to 6 are inserted and they read:
- ”(3) A museum and gallery execute revision of museum collections and gallery collections through the physical comparison of the real condition of a collection item with its status listed in accounting and in the special records
 - a) in the form of an partial annual revision depending on the need of protection, whereas
 - 1. up to 15,000 collection items in the general revision must be carried out every two years,
 - 2. up to 30,000 collection items in the general revision must be carried out every three years,
 - 3. up to 50 000 collection items in the general revision must be carried out every four years,

4. over 50 000 collection items in the general revision must be carried out every seven years,
- b) extraordinarily, if
 1. the revision is ordered by the an establishing body or by a founder,
 2. it is necessary to find out the real condition, especially following any emergency event, the transfer of a museum collection and a gallery collection or subsequent replacement of an employee in charge.

(4) A museum and gallery are obliged to keep records of the execution of the revision of the museum collection and the gallery collection and keep these records for seven years after its execution.

(5) Collection item of a museum and gallery established or founded by an establishing body or by a founder pursuant to § 8 a), b) and c) or a collection item in the ownership of the Slovak Republic can be transferred exclusively to the ownership or administration of a museum or gallery established or founded by the institutional body or by the founder pursuant to § 8 a), b) and c); provisions of special regulations 2) are not affected by.

(6) A collection item of a museum and gallery established or founded by an establishing body or by a founder pursuant to § 8 a), b) and c) can not be pledged 3a) nor encumbered in any other way. A collection item of a museum and gallery established or founded pursuant to § 8 a), b) and c) is not effected by the execution of adjudication 3b) nor distress. 3c).

The hitherto Section 3 is indicated as Section 7.

The footnotes regarding references 3a, 3b and 3c read:

3a) § 151a up to 151g of the Civil Code.

3b) § 321 of the Civil Court Code as subsequently amended.

3c) § 114 of The Act of the National Council of the Slovak Republic No.233/1995 Coll. on court distress and distressing activity (The Distressing Code) and on the change and amendment of other acts as subsequently amended.”.

11. § 8 including heading reads:

“§ 8

Establishing and Founding of a Museum and Gallery

A Museum and gallery can be

- a) established pursuant to particular regulations 4) by the organ of the state administration,
- b) established or founded pursuant to particular regulations 4a) by a higher regional body,
- c) established or founded pursuant to particular regulations 4a) by a municipality,
- d) established or founded pursuant to particular regulations 4b) by other legal entities,
- e) established or founded pursuant to particular regulations 4b) by a natural body.”

The footnotes regarding references 4, 4a and 4b read:

”4) § 21 up to 23 of the Act of the National Council of the Slovak Republic No. 303/1995 Coll. on Budget Regulations as subsequently amended.

4a) For instance § 21 up to 23 of The Act of the National Council of the Slovak Republic No. 3030/1995 Coll., Act No. 213/1997 Coll. on Non-profit Organizations Providing Generally Beneficial Services.
4b) For instance § 19 of the Civil Code, Act No. 213/1997 Coll.”.

12. In § 9 including the heading after the words ”establishing body” in all forms words ”or founder” in the pertinent form is inserted.

13. In § 9 Section 1 b) the words ” the National Methodical Center” are replaced by the words ” the Slovak National Museum and the Slovak National Gallery”.

14. In § 9 Section 2 a) reads:

”a) in establishing a document, statute or in the founding document to define the role and scope of activity according to the specialized orientation and specialization of a museum and gallery.”.

15. In § 9 Section 2 b) at the end, the comma is being replaced by semi-colon and following words are added: ”application for registration is submitted by the establishing body or by the founder in two copies of the sample form presented in Appendix No. 1,”.

16. In § 9, Section 2 g) reads:

”g) to request from the Ministry the permission for the permanent export and exchange of a collection item according to § 16,”.

17. In § 9, section 2 is amended by Letters h) to k), which read:

:

”h) to request from the Ministry its standpoint on the way of disposing of collection items within 90 days of the closing of a museum and gallery,

i)to offer a collection item which was excluded pursuant to § 5 section 4 e) or a collection item of a closed museum and gallery to another museum and gallery registered pursuant to Letter b) ; provisions of particular regulations 3a) are not affected by,

j) to mark a building serving as the preservation and presentation of collection items with the international identification sign, 4c)

k) to notify immediately the Record of Museums and Galleries of every change of data.”.

18. § 9 is amended by the Section 3, which reads:

”(3) The establishing body or founder will require approval from the Ministry prior to the establishment or closing of a museum and gallery established or founded by an establishing body or a founder pursuant to § 8 a), b) and c). The approval of the Ministry does not replace the approval necessary pursuant to particular regulation. 4d)”.

Footnotes regarding references 4c and 4d read:

”4c) The decree of the Ministry of Foreign Affairs No.94/1958 Coll. on the Agreement for the Protection of Cultural Goods during Armed Conflict and its Relevant Protocol
4d) § 21 Section 7 of Act of the National Council of the Slovak Republic No. 303/1995 Coll.”.

19. In § 10, Letter a) reads:

”a) directs and coordinates the execution of the state administration in the field of museums and galleries, the protection of items with museum value and gallery value, defines the main directions of museum and gallery activity and creates the legal conditions for the maintaining and development of museums and galleries.”.

20. In § 10 Letter b) at the end, the comma is replaced by a semi-colon and the following words are added: ”the Ministry will only register into the Record of Museums and Galleries a museum and gallery fulfilling all the tasks pursuant to § 2 Section 4,”.

21. § 10 is amended by Letter e) which reads:

”e) states its opinion on the way of handling collection items from closed museums and galleries within 30 days of the delivery of the application for an opinion.”.

22. In § 11 Section 1 reads:

”(1) A museum and gallery from the territorial point of view are:

- a) national,
- b) regional,
- c) local.”.

23. In § 11 Section 2 a) and b) the words ”regional” and ”regional” are omitted.

24. § 11 is amended by Sections 3 to 6 which read:

“(3) The Slovak National Museum and the Slovak National Gallery are legal entities, whose establishing body is the Ministry. The Slovak National Museum and the Slovak National Gallery

- a) are the supreme collection creative, scientific-researching and cultural-educational institutions,
- b) are the central information, methodological, coordinating, statistical and educational centers for the field of museum activity and gallery activity,
- c) keep the central register of collection items of museums and galleries,
- d) state their opinion on applications of establishing bodies and founders for registration into the Record of Museums and Galleries,
- e) state their opinion on applications of owners for registration into the Record of Items of Museum Value and Gallery Value.

(4) The National Specialized Museum and the National Specialized Gallery are established by a central organ of the state administration usually as legal person or they are established or founded by another legal person. The National Specialized Museum and the National Specialized Gallery fulfill the coordinating and methodological roles in the field of their specialization.

(5) The regional museum with the complex museum documentation and the regional gallery with the complex gallery documentation are legal entities established by the regional administration. The establishing body designates the selected regional museum and regional gallery with coordinating, methodological, specialized advisory activities for other museums and galleries within the region and for owners of items of museum value and gallery value.

(6) The local museum and the local gallery can be established by a municipality.”.

25. § 12 to 14 are omitted.

The footnotes regarding references 5 and 6 are omitted.

26. In § 15 Section 1, the words " its owner can register" are replaced by the words " it can be registered".

27. In § 15 after Section 1, the new Section 2 is inserted, which reads:

"(2) The application for registration into the Record of Items of Museum Value and Gallery Value, a sample copy of which is presented in Appendix No.2, is submitted in two copies to the Ministry. If the application is not submitted by the owner of an item of museum value or gallery value the Ministry will require his agreement. The Ministry will execute the registration within 30 days of the delivery of the application."

The hitherto Sections 2 and 3 are indicated as Sections 3 and 4.

28. In § 15, Section 3 a) reads:

"a) to ask a selected regional museum and selected regional gallery for special and scientific evaluation of an item of museum value or gallery value,".

29. In § 15 Section 4 at the end, the full-stop is omitted and the following words are added: " and immediately report any change of data to the Record of Items of Museum Value and Gallery Value."

30. § 16 including the heading reads:

"The Export and Import of an Item of Museum and Gallery Value

§ 16

- (1) The export of a collection item 7) including its exchange 8) guaranteeing reciprocity is not allowed without the permission of the pertinent organ.
- (2) The customs organ will release a collection item for export regime only after the submission of permission for export .
- (3) The permission for permanent export of a collection item for the reason of exchange is granted by the Ministry.
- (4) The permission for the export of a collection item for other reasons except pursuant to Section 3 is granted exceptionally by the government of the Slovak Republic based on proposal of the Ministry.
- (5) A museum and gallery submit to the Ministry the application for permission for permanent export and exchange of a collection item following the prior agreement of the establishing body or founder issued in four copies of the form a sample copy of which is presented in Appendix No.3.
- (6) The Ministry will decide on the application (Section 5) within 30 days of its delivery. If the Ministry agrees with the exchange of the collection item, it will grant permission for export. In the case of permanent export of a collection item pursuant to Section 4, the Ministry will submit a proposal for the granting of permission of permanent export to the government of the Slovak Republic.
- (7) The permission for temporary export of a collection item 7) is issued by the establishing body or by the founder. The temporary export of a collection item is the export of a collection item of a duration within three years for presentational, scientific-researching and restoration purposes.

- (8) A museum and gallery submit the application for permission of the temporary export of a collection item to the establishing body or to the founder in four copies of the form a sample copy of which is presented in Appendix No. 4.

The establishing body or the founder will decide on the application within 15 days of its delivery. If the establishing body or the founder agrees with the temporary export, he will issue permission for the temporary export of a collection item and will send a copy to the Ministry prior to the export of a collection item.

- (9) A museum or gallery are obliged to obtain insurance or provide other guarantees necessary to prevent a collection item from destruction, damage or theft and to guarantee the return import of identical collection item.
- (10) A museum or gallery are obliged to immediately compare the identity of exported and imported collection items and within 15 days after their return import to inform in writing the establishing body or the founder and the Ministry of the status of the imported collection items. If during the temporary export, the collection item was damaged, destroyed, lost or stolen, the museum and gallery will immediately report this fact to the establishing body or to the founder and to the Ministry.”.

The footnote regarding reference 8a reads:

”8a) § 788 to 828 of the Civil code.”.

31. In § 16, § 16a up to 16c are inserted and they read:

“§ 16a

- (1) The permanent export of an item of museum value or gallery value, 7) which is not deposited in the museum or in the gallery and belongs to categories listed in Appendix No. 5 besides the items pursuant to particular regulation, 8b) is not permitted without the agreement of the pertinent organ.
- (2) The customs organ will release an item of museum value or gallery value, which is not deposited in the museum or gallery into the export regime pursuant to Section 1 only after the submission of permission for the permanent export.
- (3) Permission for the permanent export of an item of museum value or gallery value, which is not deposited in the museum or gallery, is granted by the Ministry.
- (4) The owner or applicant entrusted by the owner, submits to the Ministry the application for permission of the permanent export of an item of museum value or gallery value, which is not deposited in the museum or gallery, in three copies of the form, sample copy of which is presented in Appendix no. 6. The owner or the applicant entrusted by the owner is obliged on the request of the Ministry to arrange for the inspection of an item of museum value or gallery value or to submit the expert report. The Ministry will decide on the application within 60 days of its delivery.
- (5) If an item is not of museum value or gallery value, the Ministry will confirm in the application, that the item is not affected by the special regime of legal protection related to foreign countries, and the customs organ will release such item into the regime of the permanent export without export permission.
- (6) If an item is of museum value or gallery value and the Ministry agrees with its permanent export, the Ministry will grant permission for the permanent export.
- (7) The applicant bears all the costs related to the granting of permission for the permanent export including the expert documents.
- (8) If the ministry does not agree with the permanent export of an item of museum value or gallery value, which is not deposited in the museum or gallery, the permission for the permanent export will not be granted. In such case

- a) The Ministry may, with the agreement of the owner, register the item into the Record of Items of Museum Value and Gallery Value, if the item has not already been registered ,
 - b) The Ministry may propose , that the item be claimed as a cultural monument pursuant to particular regulation 8c) or
 - c) The museum or gallery registered in the Record of Museums and Galleries may propose to the owner the purchase of an item.
- (9) If an item of museum value or gallery value will not become a collection item or will not be in the process of being claimed as a cultural monument, after repeated application within 12 months after not granting of permission for the permanent export, the Ministry will grant permission for its permanent export.
- (10) The owner of an item of museum value or gallery value, which is not deposited in the museum or gallery is obliged during its temporary export to fill out in two copies a report of the temporary export form, a sample copy of which is presented in Appendix No. 7. He will send one copy of the report to the Ministry within 5 days prior to the temporary export. He is obliged to submit the second copy during the temporary export and return import to the customs organ. The temporary export of an item of museum value and gallery value is defined for purposes of this Act as export with a duration not exceeding three years. The owner of an item of museum value or gallery value, which is not deposited in the museum or in the gallery after the return import is obliged to inform the Ministry in writing of its return. After the return import, the Ministry is entitled to inspect the identity of the temporary exported item of museum value or gallery value, which is not deposited in the museum or gallery, according to the data presented in the report.

§ 16b

- (1) The non returning of an item of museum value or gallery value to the territory of the Slovak Republic after the expiration of the deadline of legal temporary export pursuant to § 16 Section 7 and § 16a Section 10 is considered a violation of duties pursuant to § 16 Section 1 and § 16a Section 1.
- (2) The permission for export pursuant to § 16 Section 3 and 4 and § 16a Section 3 is in force for 12 months from the day of granting.
- (3) The organ, which grants the permission for export, is obliged to take steps against the forgery and misuse of permission and to prevent the exchange of data identifying exported items of museum value or gallery value.
- (4) Submission of permission for export pursuant § 16 Section 3, 4 and 7 and § 16a, Section 3 does not replace duties pursuant to particular regulation. 9)

§ 16c

The collection item and the item showing characteristics of an item of museum value or gallery value, which is protected pursuant to the legal code of another country, can not be imported to the territory of the Slovak Republic

- a) without permission of the pertinent organ of the country, from the territory of which it is suppose to be imported, if reciprocity is not guaranteed, 9a)
- b) if it is obvious, that it is an item, which was illegally imported from the country of its origin, from the third country, or
- c) if it is obvious, that it is a stolen item.”.

The footnotes related to references 8b, 8c, 9 and 9a read:

”8b) Act of the Slovak National Council No. 27/1987 Coll. as amended by Act No. 183/2000 Coll.

Act No. 183/2000 Coll. on Libraries, on the amendment to the Act of the Slovak National Council No. 27/1987 on the State Care of Historical Documents and on the change and amendment to Act No. 68/1997 Coll. on "Matica Slovenska".

8c) § 3 of Act of the Slovak National Council No. 27/1987 Coll.

9) For instance § 28 and 29 of Act of the Slovak National Council No. 287/1994 Coll., Act of the Slovak National Council No. 180/1996 Coll. as subsequently amended, the Decree of the Ministry of Finance of the Slovak Republic No. 167/1997 Coll. on Form, Content and Pertinent Matters of Customs Declaration and the Way of Keeping Customs Statistics as subsequently amended, the Decree of the Ministry of Economy of the Slovak Republic No. 15/1998 Coll. on Conditions for Granting Official Permission for the Import and Export of Goods and Services as subsequently amended.

9a) The Decree of the Ministry of Foreign Affairs No. 15/1980 Coll."

32. In § 17 after Section 1, the new Section 2 is inserted, which reads:

"(2) The collection item or the item showing characteristics of an item of museum value or gallery value protected pursuant to the legal regulations of another country, which was illegally imported from abroad, can be returned, if the country, from which territory the item was illegally imported, will require its return."

The hitherto Section 2 is indicated as Section 3.

33. § 18 is omitted.

The footnote regarding reference 10 is omitted.

34. § 20 including the heading reads:

“§ 20

Fines

(1) The Ministry or the regional administration may, within the scope of their activities, pursuant to this Act impose a fine

- a) up to 20, 000 SKK for the violation of obligations pursuant to § 9 Section 2 a), b), f), j), and k) and § 15 Section 4,
- b) up to 50 000 SKK for the violation of obligations pursuant to § 5 Section 3 a), § 9 Section 2 c), and § 9 Section 3,
- c) up to 300,000 SKK for the violation of obligations pursuant to § 5 Sections 4, 5 and 6, § 6 Section 1, 4, 5 and 6 and § 9 Section 2 h) and i),
- d) up to 3,000, 000 SKK for the violation of obligations pursuant to § 16 Section 1, § 16a Section 1 and § 16c.

(2) The value of the fine depends mainly on the seriousness, method, duration and consequences of the illegal action and the degree of guilt."

35. In § 21 Section 1, after the word "when", the words "the Ministry or" are inserted.

36. In § 23, Letters b) and c) are omitted.

The marking of the Letter a) is canceled at the same time.

37. Appendixes No. 1 to 7 reads:

**Appendix No. 1
to Act No. 115/1998 Coll.
as amended by Act No. 387/2001 Coll.**

THE MINISTRY OF CULTURE
OF THE SLOVAK REPUBLIC

THE RECORD OF MUSEUMS
AND GALLERIES

The Department of the Cultural Heritage

Namestie SNP 33
813 31 Bratislava
Tel. No.: 07/59391411-3, Fax No.:59391412
Application No.:.....

Date of Receipt of Appl.:.....

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Registration No.:
Amendment of Change No.:.....

Application for Museum/Gallery Registration 1)
Notification of Changes of Data Presented in Application 1)

NAME OF MUSEUM/GALLERY

Full Address (including ZIP Code):

Business Identification Number: 2)
Telephone No. (including Area Code):
Fax No. (including Area Code):
E-mail:
www:
Economic Form of Museum/Gallery: 2)
Statutory Organ (name, position): 2)
Responsible Employee: 3)

The following information relating to the legal person, which the museum or gallery is part of, is filled out by the museum or gallery without legal subjectivity:

The Full Name of the Organization:
Address(including the ZIP Code):

Business Identification Number:
Telephone, Fax No. (including Area Code):
E-mail, www:
The Economic Form of the Legal Person:
The Statutory Organ (full name, position):

THE ESTABLISHING BODY/FOUNDER OF THE MUSEUM/GALLERY;
The Full Name:

Address(including the ZIP Code):

The Business Identification Number:
Telephone, Fax No.:

E-mail, www:

The Statutory Organ(full name, position):

THE DATA ON THE MUSEUM/GALLERY

The Year of Establishment/Founding:

The Basic Documentation (please, attach in the Appendix) – what kind, issued when and by whom (establishing letter, founding letter, statute a so on.):

The Type of Museum/Gallery from the Territorial Point of View: 1)

- a) national,
- b) regional,
- c) local.

The Type of Museum/Gallery from the point of view of special orientation and specialization: 1)

- a) museum with complex museum/gallery documentation,
- b) gallery with complex museum/gallery documentation,
- c) specialized museum with museum documentation in selected fields and scientific branches,
- d) specialized gallery with gallery documentation in selected fields.

The Special Orientation and Specialization of Museum/Gallery:

Components and Branches of Museum/Gallery: 4)

Number of Expositions:

Number of Collection Items as of

Ways of Protection of Collection Items: 4)

In on Compiled by:.....
Tel./Fax No.:

Signature of Statutory Organ and Stamp of
The Establishing Body/Founder of Museum/Gallery:

Clause of Registration (filled out by the organ providing registration)

The registration was executed by the Ministry of Culture of the Slovak Republic pursuant to § 10 of Act No. 115/1998 Coll. as amended by Act No. 387/2001 Coll.

The Registration Number:

The Date of Registration:

Signature of Responsible Employee :

Stamp of the Ministry of Culture
of the Slovak Republic:

-
- 1) Indicate the appropriate item.
 - 2) Filled out by museum and gallery with legal subjectivity.
 - 3) Filled out by museum and gallery without legal subjectivity.
 - 4) Include in the Appendix if needed.

**Appendix No. 2
to Act No. 115/1998 Coll.
as amended by Act No. 387/2201 Coll.**

THE MINISTRY OF CULTURE
OR THE SLOVAK REPUBLIC

THE RECORD OF ITEMS OF MUSEUM
VALUE AND GALLERY VALUE

The Department of Cultural Heritage

Namestie SNP 33

813 31 BRATISLAVA
Tel. No.: 07/59391411-3, Fax No.: 59391412

Application Number:.....

Date of Receipt of Application:.....

Registration Number:

--

Amendment of Change No.:

The application for the registration of an item of museum value and gallery value into the Record of Items of Museum Value and Gallery Value 1)
Report of changes of data presented in application 1)

INFORMATION ABOUT THE OWNER/CUSTODIAN 1) THE ITEM OF MUSEUM VALUE AND GALLERY VALUE

Full Name of Organization
or First Name and Surname:

Residence or Address of Permanent Residence (including ZIP Code):

Business Identification Number or Birth Identification Number:
Telephone No., Fax No. (including Area Code):

INFORMATION ABOUT AN ITEM OF MUSEUM VALUE AND GALLERY VALUE

Name and Description:

Number of Pieces in the Set:

(In the case of a set, it is necessary to give the number of pieces and its list containing the name and description, field identification, site, date and place of deposit in the Appendix.)

Field identification of item/set of items: 2)

1. anthropological,
2. archaeological,
3. archive material, written documents and prints,
4. botanical,
5. entomological,
6. ethnographical,
7. philatelic,
8. photographs, films, negatives, slides, video-recordings and other video and audio media,
9. geological,
10. historical,
11. musical instruments and accessories, music machines, sheet-music,
12. books, incunabula and maps,
13. military objects

**Appendix No.3
to Act No. 115/1998 Coll.
as amended by Act No. 387/2001 Coll.**

**THE APPLICATION FOR PERMISSION FOR THE PERMANENT EXPORT/EXCHANGE 1) OF A COLLECTION
ITEM**

Application No.: _____ Date of Receipt of Application: _____

A. APPLICANT – MUSEUM OR GALLERY, WHICH OWNS/HAS IN CUSTODY 1) THE COLLECTION ITEM

Name of Museum/Gallery, which Applying for Permanent Export/Exchange:1)

Address of Museum/Gallery (including ZIP Code): _____

Telephone No., Fax No. (including Area Code): _____

Statutory Organ (name, position): _____

Business Identification Number: _____

Name, Description, Photo of Collection Item/Set of collection Items, 1) to be exported: 2) _____

Accession Number of Collection Item: _____

Filing Number or Inventory Number of Collection Item: _____

Present Physical Condition of Collection Item: _____

Reason of Exchange/Permanent Export: _____

Name, Description and Photo of Item, for which exchange will be executed: 3), 2) _____

Country of Export and Address of New Deposit of Collection Item: _____

Name of Organization or First Name and Surname and Address of New Owner/Custodian 1) of Collection Item: _____

Number of pages of Appendix:.....

In..... On Signature of Statutory Organ
Of Museum/Gallery Applying for
Permanent Export/Exchange: 1)
Stamp:

**B. OPINION OF ESTABLISHING BODY/FOUNDER 1) ON THE PERMANENT EXPORT/EXCHANGE 1) OF A
COLLECTION ITEM**

Name and Address of Establishing Body/Founder 1) (including ZIP Code): _____

Business Identification Number: _____

Statutory Organ of Establishing Body/Founder 1) (name, position): _____

Agrees/does not agree 1)

With permanent export/exchange 1) of collection item/set of collection items. 1)

Number of pages in Appendix:.....
In On.....

Signature of Statutory Organ
of Establishing Body/
Founder: 1)
Stamp:

C. OPINION OF THE MINISTRY OF CULTURE OF THE SLOVAK REPUBLIC ON THE PERMANENT EXPORT OF A COLLECTION ITEM PURSUANT TO § 16 SECTION 4. 4)

The Ministry of Culture of the Slovak Republic recommends/does not recommend 1) to the government of the Slovak Republic the permanent export of collection item/set of collection items 1) in pieces according to attached list.

Number of pages of Appendix:.....

In On

Signature of Statutory Organ:
Stamp of the Ministry of Culture
Of the Slovak Republic:

D. PERMISSION FOR THE PERMANENT EXPORT OF A COLLECTION ITEM FOR EXCHANGE PURPOSES 3)

The Ministry of Culture of the Slovak Republic agrees with exchange of collection item/set of collection items 1), 3) in.....pieces according to the attached list and issues permission for export.

Number of Pages of Appendix:.....

This Permission is Valid for One Year from the Day of Issue.

In On.....

Signature of Statutory Organ:
Stamp of the Ministry of Culture
Of the Slovak Republic:

E. CERTIFICATION OF CUSTOMS ORGAN

upon permanent export
of collection item

upon import of item for which exchange is
being carried out:

-
- 1) Cross out inappropriate item.
 - 2) If necessary, present in Appendix. Each page of Appendix must be signed by statutory organ of applicant.
 - 3) Fill out in the case of exchange.
 - 4) Fill out in the case of permanent export pursuant to § 16 Section 4.

**Appendix No. 4
to Act No. 115/1998 Coll.
as amended by Act No. 387/2001 Coll.**

APPLICATION FOR PERMISSION FOR THE TEMPORARY EXPORT OF A COLLECTION ITEM

Application No.:

Date of Receipt:

A. TO BE FILLED OUT BY APPLICANT – MUSEUM OR GALLERY, WHICH APPLIES FOR TEMPORARY EXPORT

Name and Address of Museum or Gallery (including ZIP Code):

Tel. No., Fax No. (including Area Code):

Statutory Organ (name, position):

Business Identification Number:

Name and Description of Collection Item:

Number of Pieces of Collection Items: 1)

Filing Number or Inventory number of Collection Item:

Present Physical Condition of Collection Item:

Insurance Value of Collection Item:

Insurance or Other Guaranties:

Purpose of Temporary Export: 2)

- a) presentation or exposition (name and organizer of presentation, exposition).....
.....
- b) restoration.....
.....
- c) scientific and research.....
.....

Country and Place of Temporary Export of Collection Item:

Name of Organization or First Name and Surname and Address of Recipient of Collection Item:

Period of Temporary Export From Till

In On

Signature of Statutory Organ
of Museum/Gallery
Applying for Temporary
Export:
Stamp:

**B. TO BE FILLED OUT BY ESTABLISHING BODY OR FOUNDER
PERMISSION FOR TEMPORARY EXPORT OF COLLECTION ITEM**

Body/Founder 2) (including ZIP Code): Name and Address of Establishing

Tel. No., Fax No. (including Area Code):

Business Identification Number:

Statutory Organ (name, position):

Issues permission for permanent export
Of collection item (name and Number)

...../
collection items inpieces according to the list 1) consisting ofpages presented in Appendix 2)
into (country).....for a period from.....till.....

In On..... Signature of Statutory Organ
Of Establishing Body/Founder 2)
Stamp:

C. CERTIFICATION OF CUSTOMS ORGAN

_____ upon permanent export upon import of item, for which exchange is
of collection item being carried out:

- _____
- 1) In the case of multiple numbers of collection items, attach list presenting filing or inventory numbers in the Appendix.
Each page must be signed by the statutory organ of the applicant.
 - 2) Cross out inappropriate item.

Appendix No. 5
to Act No. 115/1998 Coll.
as amended by Act No. 387/2001 Coll.

**CLASSIFICATION OF ITEMS OF MUSEUM AND GALLERY VALUE WHICH ARE NOT DEPOSITED IN A
MUSEUM OR GALLERY AND WHICH ARE AFFECTED BY THE INDIVIDUAL REGIME OF LEGAL
PROTECTION REGARDING FOREIGN COUNTRIES**

1. Archeological items older than 50 years, which are products of
 - a) excavations and troves in the ground or under water,
9705 00 00
 - b) archeological sites,
9706 00 00
 - c) archeological collections.
2. Items, which are an integral part of artistic, historical or religious monuments, which had been disassembled and whose age exceeds 50 years.
9705 00 00
9706 00 00
3. Pictures and paintings, exclusively handmade, created by any technique or made of any material. 1)
9701
4. Mosaics, other than those, which are presented in categories 1 and 2, and drawings, exclusively handmade, created by any technique and made of any material. 1)
6914
9701
5. Originals cuts, engravings, graphics, silkscreen printings and lithographic prints with pertinent process-blocks and originals of posters. 1)
Chapter 49
9702 00 00
8442 50 99
6. Originals of sculptures or sculptural groups (ornamental sculpture) and copies created by the same method as original 1) other than those, which are presented in category 1.
9703 00 00
7. Photographs and films and their negatives. 1)
3704
3705
3706
4911 91 80
8. Incunabula and manuscripts including maps and musical scores, separately or within collections. 1)
9702 00 00
9706 00 00
4901 10 00
4901 99 00
4904 00 00
4905 91 00
4905 99 00
4906 00 00
9. Books older than 50 years, separately or within collections. 1)
9705 00 00
9706 00 00
10. Printed maps older than 50 years.
9706 00 00
11. Archives and any of their parts of any kind and in any medium older than 50 years.
3704
3705
3706
4901
4906

- 9705 00 00
9706 00 00
12. a) Collections 2) and samples from zoological, botanical, mineralogical, or anatomical collections,
9705 00 00
b) collections 2) of historical, petrifactological, ethnographic or numismatic importance.
9705 00 00
13. Means of transportation older than 50 years.
9705 00 00
Chapters 86-99
14. Any other antique items not included in categories 1 to 13
a) older than 50 to 100 years:
toys, games,
Chapter 55
glass products,
silversmith and goldsmith items,
furniture,
Chapter 94
optical, photographic or cinematographic cameras,
Chapter 94
musical instruments,
Chapter 92
Wall clocks and watches and their parts,
Chapter 91
wooden items,
Chapter 44
pottery products,
Chapter 69
tapestries,
Chapter 5805 00 00
carpets,
Chapter 57
wallpaper,
4814
weapons,
Chapter 93
b) older than 50 years.
9706 00 00

-
- 1) Older than 50 years and not belonging to their creators.
2) As defined by the European Court in its verdict in case 252/84: "Specimens of collectors pursuant to item No. 97.05 on Common Customs Tariff of Rates are defined as items, which present certain features necessary for inclusion into collection, it means items, which are relatively rare, and which are not used regularly for their original purpose, and which are objects of special transactions beyond regular business with similarly useful items and which are of great value.

**Appendix No. 6
to Act No. 115/1998 Coll.
as amended by Act No. 387/2001 Coll.**

APPLICATION FOR PERMISSION OF THE PERMANENT EXPORT OF AN ITEM OF MUSEUM VALUE AND GALLERY VALUE, WHICH IS NOT DEPOSITED IN A MUSEUM OR GALLERY

Application No.: Date of Receipt of Appl.:
Date of Delivery of Specialized Certification:

A. OWNER/CUSTODIAN 1) OF ITEM OF MUSEUM VALUE AND GALLERY VALUE

First Name and Surname of Natural Person or Name of Legal Entity:

Permanent Residence of Natural Person or Residence of Legal Entity (including ZIP Code):

Tel. No., Fax No. (including Area Code):

Birth Identification Number and Passport Number of Natural Person or Business Identification Number of Legal Entity:

Represented by Applicant 2)

First Name and Surname of Natural Person or Name of Legal Entity:

Permanent Residence of Natural Person or Residence of Legal Entity (including ZIP Code):

Tel. No., Fax No. (including Area Code):

Birth Identification Number and Passport Number of Natural Person or Business Identification Number of Legal Entity:

B. ITEM OF MUSEUM VALUE AND GALLERY VALUE

DESCRIPTION OF ITEM

Name, Identification and Type:

Site of Origin:

Date and Style Classification:

Author, Producer:

Technique and Material:

Parameters and Weight:

Identification Marks (signature, inscription, trademark, hallmark, and their location):

Physical Condition (completeness, originality, material and technical condition, reconstruction, restoration, conservation, specialized treatment):

Accessories (description, number):

Photos (min. 9 x 13 cm, in the case of three dimensional items two photos – front and back , in the case of cabinet type of furniture additional photo of opened cabinet)

I honorably swear, that the presented item of museum value and gallery value, which I want to permanently export abroad, is my property/ is property of

..... 1) which I acquired/acquired custody of 1) legally, and that all information in this application is truthful. By this I request permission for permanent export.

Number of Pages in Appendix: 3)

In On..... Signature of Owner/Custodian 1)

Of Item of Museum Value
And Gallery Value or Applicant:
Stamp:

C. The Ministry of Culture of the Slovak Republic hereby certifies, that the item contained in the application is not affected by the special regime of legal protection related to foreign countries, and can be released into the export regime without export permission. 4)

In On

Signature of Employee in Charge:
Stamp of the Ministry of Culture
Of the Slovak Republic:

C. PERMISSION FOR THE PERMANENT EXPORT OF AN ITEM OF MUSEUM VALUE OR GALLERY VALUE

The Ministry of Culture of the Slovak Republic grants permission for the permanent export of the item of museum value or gallery value (name, identification and type).....

.....
contained in application No. Dated

Number of Pages of Appendix:

In Bratislava On..... Signature of Employee in Charge:

Stamp of the Ministry of Culture
Of the Slovak Republic:

This permission is valid for a period of one year from the day of granting.

Damaged or amended forms are not valid.

Customs organs decide on matters of export and customs fees.

D. CERTIFICATION OF CUSTOMS ORGAN

upon the permanent export:

- 1) Cross out inappropriate item.
- 2) To be filled out in the case, that the application is not submitted by owner/custodian 1) of item. The authorization for representation must be attached in the Appendix.
- 3) The information may be presented in the Appendix if necessary. Each page of Appendix must be signed by owner/custodian or by the applicant.
- 4) To be filled out in the case of an item of no museum value or no gallery value.

**Appendix No. 7
to Act No. 115/1998 Coll.
as amended by Act No. 387/2001 Coll.**

**NOTICE OF THE TEMPORARY EXPORT OF AN ITEM OF MUSEUM VALUE OR GALLERY VALUE NOT
DEPOSITED IN A MUSEUM OR GALLERY**

Owner/Custodian or Exporter 1) of Item of Museum Value or Gallery Value:

Name of Legal Entity or First Name and Surname of Natural Person:

Residence of Legal Entity or Address of Permanent Residence of Natural Person:

Business Identification Number of Legal Entity or Birth Identification Number of Natural Person:
Tel. No., Fax No. (including Area Code):

Gives Notice of Temporary Export of

- a) item of museum value and gallery value 1) (name and description of item):
or
- b) items of museum value and gallery value 1) inpieces according to list 2) with pages presented in the Appendix.

Purpose of Temporary Export: 1)

- a) presentation or exhibition
- b) restoration,
- c) scientific and research,
- d) other (specify)

Period of Temporary Export from to

In On Signature:

Stamp:

CERTIFICATION OF CUSTOMS ORGAN

upon temporary export:

upon return import:

- 1) Check appropriate item.
- 2) In the case of a collection of items, attach list of items presenting name and description in the Appendix. Each page of the list must be signed by owner/custodian/exporter.”.

Article II.

Act No. 563/1991 Coll. on accounting as amended by Act of the National Council of the Slovak Republic No. 272/1996 Coll., Act No. 173/1998 Coll. and Act No. 336/1999 Coll. is amended as follows:

In § 29 Section 3 after the first sentence, the new second sentence is inserted and it reads:
” Inventory of museum collection items and gallery collection items 7a) and library fund 7b) is executed in terms established for revision by particular regulation. 7c)”.

The footnotes regarding references 7a, 7b and 7c read:
“ 7a) § 2 Section 2 of Act No. 115/1998 Coll. on Museums and Galleries and on the Protection of Items of Museum Value and Gallery Value.
7b) § 14 of Act No. 183/2000 Coll. on Libraries, on amendment to Act of the Slovak National Council No. 27/1987 Coll. on the State Care of Historical Monuments and Sites and on the change and amendment to Act No. 68/1997 Coll. on Matica slovenska.
7c) § 6 Section 3 of Act No. 115/1998 Coll. as amended by Act No. 387/2001 Coll.
§ 13 Section 3 of Act No. 183/2000 Coll.”.

Article III.

This Act takes effect on 1st of October 2001.

Jozef Migaš

Mikuláš Dzurinda