

REPUBLIC OF LITHUANIA
LAW
ON ARTISTIC CREATORS AND THEIR ORGANISATIONS

15 August 1996 No I-1494
Vilnius

(As last amended on 28 September 2004 No IX-2454)

CHAPTER ONE
GENERAL PROVISIONS

Article 1. Purpose of the Law

This Law shall establish the grounds and procedure for granting and revoking the status of artistic creator and organisation of artistic creators.

Article 2. Main definitions

1. **Artistic creator** means a natural person, granted the status of artistic creator, who creates artistic works, as well as performs, interprets them artistically and thus adds a new artistic value to them.

2. **Organisation of artistic creators** means an association, granted the status of organisation of artistic creators, which unites artistic creators according to the art fields or combinations of such fields. Its goals are to carry out artistic programmes, to protect creative, professional, social rights, copyright and related rights of artistic creators, to represent artistic creators in accordance with the procedure laid down by laws.

3. **Artistic work** means an original result of artistic creation, regardless of a mode and form of expression.

4. **Artistic creation** means activity resulting in artistic works or adding a new artistic value to artistic works by performing, interpreting them artistically.

5. **Art assessment professional** means a person with a higher university education and qualification of assessor of an appropriate art field (art critic, art philosopher, specialist in aesthetics), who has published studies, articles, reviews on contemporary art issues in Lithuanian or foreign publications.

CHAPTER TWO
FOUNDATIONS AND PROCEDURE FOR GRANTING AND REVOKING
THE STATUS OF ARTISTIC CREATOR AND
ORGANISATION OF ARTISTIC CREATORS

Article 3. Grounds and conditions of granting the status of artistic creator and organisation of artistic creators

1. The status of artistic creator shall be granted to a person who creates professional (high mastery) art, if artistic creation of such person conforms to at least one of the following grounds for granting the status of artistic creator:

1) his artistic creation has been positively evaluated by art assessment professionals in their monographs, studies, articles or reviews-recommendations and thus recognised as professional;

2) his artistic creation is depicted in encyclopaedias or included in study programmes of general education, vocational training, college and higher education, approved by the Minister of Education and Science;

3) his artistic creation has been honoured with a national cultural and art prize of Lithuania, an art prize of the Government of the Republic of Lithuania, an international art prize or a laureate's diploma of a professional art competition;

4) his artistic works have been acquired by national museums or galleries of Lithuania or foreign states;

5) the degree of doctor, habilitated doctor has been awarded to the person for artistic creation conforming to the grounds for recognition referred to in subparagraphs 1-4 of paragraph 1 of this Article, or for articles, reviews on artistic creation, published in art publications of Lithuania or foreign states, as well as for research activities in an appropriate art field;

6) an academic title of professor and (or) docent has been conferred on the person – lecturer of art studies of higher education establishments for artistic creation and academic activities.

2. The status of organisation of artistic creators shall be granted to an association, if it conforms to all the grounds for granting the status of organisation of artistic creators:

1) not less than 25 artistic creators have founded an association;

2) all association members are artistic creators;

- 3) the association promotes professional (high mastery) artistic creation, its diversity and dissemination;
- 4) the association creates conditions for artistic creation, creative activities and professional development of its members;
- 5) the association arranges for accessibility of artistic works to the public.

Article 4. Statutes of an Organisation of Artistic Creators

Apart from the mandatory information provided for in the Civil Code and the Law on Associations, statutes of an organisation of artistic creators must indicate that artistic creation of new members admitted to the organisation should meet the requirements laid down in paragraph 1 of Article 3 of this Law.

Article 5. Manner of granting the status of artistic creator

1. The status of artistic creator shall be granted in the following manner:

- 1) on the decision of an organisation of artistic creators, when admitting to this organisation a person whose artistic creation conforms to at least one of the grounds for granting the status of artistic creator, laid down in paragraph 1 of Article 3 of this Law;
- 2) in accordance with the procedure laid down in Article 7 of this Law, if a person does not belong to an organization of artistic creators.

2. The Minister of Culture shall approve the granting of the status of artistic creator.

Article 6. Council for Granting the Status of Artistic Creator and the Status of Organisation of Artistic Creators

1. The Ministry of Culture shall set up the Council for Granting the Status of Artistic Creator and the Status of Organisation of Artistic Creators (hereinafter referred to “the Council”). The Council, carrying out expert and consultant functions, shall grant the status of artistic creator and the status of organisation of artistic creators.

2. The Council shall consist of 15 members. The term of office of the Council shall be two years. Organisations of artistic creators shall each nominate to the Ministry of Culture one candidate for Council members. The Minister of Culture shall appoint 12 Council members, representing different art fields, from among these candidates and the remaining 3 Council members – from art assessment professionals and competent specialists of other fields.

3. The Council Statutes, composition and the rules on payment for services rendered by its members shall be approved by the Minister of Culture.

4. The Council shall check once a year whether or not the statutes and activities of organisations of artistic creators meet the requirements of this Law. Rules on examining organisations of artistic creators shall be approved by the Minister of Culture.

5. When the Council carries out a check, an organisation of artistic creators must present to it a copy of its statutes, a list of its members and a report on its activities, drawn up in compliance with Article 10 of the Law on Association.

Article 7. Procedure for Granting the Status of Artistic Creator and the Status of Organisation of Artistic Creators

1. Applications of persons concerning the granting of the status of artistic creator or the status of organisation of artistic creators shall, with the exception of the cases referred to in paragraph 6 of this Article, be considered and decisions shall be taken by the Council in accordance with the procedure laid down by the rules on granting the status of artistic creator or the status of organisation of artistic creators. The Minister of Culture shall approve these rules.

2. A natural person who seeks the status of artistic creator must, together with an application, submit to the Council the following documents:

- 1) a copy of the document confirming his identity;
- 2) a list of the main artistic works and bibliography;
- 3) copies of the documents which confirm the awarding of prizes, conferring of a title of competition laureate, a scientific degree, an academic title;
- 4) copies of the documents confirming that the artistic works created by him are included study and training programmes, that they have been acquired by museums;
- 5) copies of the documents confirming that his artistic creation conforms to the grounds for granting the status of artistic creator, laid down in paragraph 1 of Article 3 of this Law.

3. An association seeking the status of organisation of artistic creators must, together with an application, submit to the Council the following documents:

- 1) a copy of the statutes of an association;
- 2) a copy of the memorandum of association;
- 3) a copy of the certificate of registration of a legal person;

4) a list of the association members and copies of the decisions of the Council or organisation of artistic creators, approved by the Minister of Culture, proving that its members have been granted the status of artistic creators;

5) a report on the association activities since its start, prepared in compliance with Article 10 of the Law on Associations.

4. The Council, having considered the applications and established that the natural person's artistic creation, the statutes of the association, the memorandum of association, the composition of the members and the activities meet the requirements of this Law, shall take a decision to grant the status of artistic creator or the status of organisation of artistic creators. Having established that the natural person's artistic creation, the statutes of the association, the memorandum of association, the composition of the members and the activities do not meet the requirements of this Law, the Council shall take a decision to refuse to grant the status of artistic creator or the status of organisation of artistic creators.

5. The Minister of Culture shall approve a decision of the Council to grant or to refuse to grant the status of artistic creator or the status of organisation of artistic creators within 14 working days from the day of receipt of such decision. This fact shall be communicated in writing to the interested persons within 5 days from the date of approval of the Council decision.

6. In the cases when the status of artistic creator is granted in the manner prescribed in subparagraph 1 of paragraph 1 of Article 5, the Minister of Culture, taking into consideration the lists of artistic creators submitted by organisations of artistic creators and the taken decisions to grant the status of artistic creator, shall approve the granting of the status of artistic creator within 14 working days from the date of receipt of the said documents. Organisations of artistic creators shall be informed in writing about this within 5 working days from the date of approval of the decision of an organisation of artistic creators.

7. The status of artistic creator or the status of organisation of artistic creators shall be deemed granted from the date of approval of the decision of the Council or the organisation of artistic creators.

Article 8. Deprivation of the Status of Artistic Creator and the Status of Organisation of Artistic Creator

1. The status of artistic creator shall be deprived:

1) in the event of the artistic creator's death;

2) when the Council establishes that a person has acquired the status of artistic creator after furnishing incorrect documents concerning his artistic creation, and takes a decision to revoke the status of artistic creator. The Minister of Culture shall approve this decision.

2. The status of organisation of artistic creators shall be deprived:

1) when the Council establishes that the organisation of artistic creators does not conform to the grounds laid down in paragraph 2 of Article 3 of the Law, and takes a decision to revoke the status of organisation of artistic creators. The Minister of Culture shall approve this decision. The interested persons shall be informed in writing about the decision to revoke the status of organisation of artistic creators within 5 working days from the date of approval of the decision;

2) when an organisation of artistic creators ceases to exist in accordance with the procedure laid down by laws.

Article 9. Accumulation of data on artistic creators and organisations of artistic creators

1. Data on artistic creators and organisations of artistic creators shall be accumulated within the computerised information system of the Ministry of Culture in the manner prescribed by the Minister of Culture. The Council and organisations of artistic creators shall furnish the data, except orders of the Minister of Culture regarding the granting of the status of artistic creator and the status of organisation of artistic creator.

2. The following data of an artistic creator shall be entered in the computerised information system of artistic creators and organisations of artistic creators:

1) the date and registration number of an order of the Minister of Culture regarding the granting of the status of artistic creator;

2) the name (names), surname (surnames) of the artistic creator;

3) personal number of the artistic creator.

3. The following data of an organisation of artistic creators shall be entered in the computerised information system of artistic creators and organisations of artistic creators:

1) the date and registration number of an order of the Minister of Culture regarding the granting of the status of organisation of artistic creators;

2) the identification code;

3) the name;

4) the head office (address), telephone number and, if available, fax number, e-mail address;

5) the names, surnames and personal numbers of the members of the organisation of artistic creators.

CHAPTER THREE
PROMOTION OF CREATIVE ACTIVITIES OF ARTISTIC CREATORS
AND ORGANISATIONS OF ARTISTIC CREATORS

Article 10. The right of an artistic creator and an organisation of artistic creators to State support

1. State scholarships and prizes shall be granted with the aim to promote artistic creation of an artistic creator.

2. The Government shall lay down the procedure for granting State scholarships and prizes to artistic creators.

3. An artistic creator shall have the right to bring, in the manner prescribed by the Government, into the Republic of Lithuania the artistic works created by him during the events held by the foreign states other than the member states of the European Union.

4. Other rights of an artistic creator to State support and social guarantees shall be set out by other laws and legal acts.

5. Creative programmes of organisations of artistic creators shall be financed with appropriations of the State budget allotted for the Ministry of Culture.

I promulgate this Law passed by the Seimas of the Republic of Lithuania.

PRESIDENT OF THE REPUBLIC

ALGIRDAS BRAZAUSKAS