

**REPUBLIC OF LITHUANIA
LAW AMENDING THE LAW ON PROTECTION OF
MOVABLE CULTURAL PROPERTY**

23 January 1996 No. I-1179

Vilnius

(A new version 3 July 2008 No X-1682)

Article 1. New Version of the Republic of Lithuania Law on Protection of Movable Cultural Property

The Republic of Lithuania Law on Protection of Movable Cultural Property shall be amended and set forth to read as follows:

**“REPUBLIC OF LITHUANIA
LAW ON PROTECTION OF MOVABLE CULTURAL PROPERTY**

**SECTION ONE
GENERAL PROVISIONS**

Article 1. Purpose of the Law

1. This Law shall establish administration of protection of movable cultural property, accounting and storage of movable cultural property, changes in ownership and management of cultural objects, bringing of movable cultural property and antiques from the Republic of Lithuania and bringing into the Republic of Lithuania, return of the movable cultural property and other cultural objects unlawfully removed from foreign countries.

2. The provisions of this Law have been harmonised with legal acts of the European Union, referred to in the Annex to this Law.

Article 2. Definitions

1. “**Antiques**” shall mean all movable material creations and other movable objects or parts thereof resulting from a person’s activity and created 50 years ago and earlier, regardless of their cultural value.

2. **“Movable cultural property”** shall mean material creations and other objects which are movable based on their designation and nature, hold cultural value and are listed in the State inventories of movable cultural property.

3. **“Regulations on the protection of movable cultural property”** shall mean a document setting forth storage, maintenance and use requirements for a specific item of movable cultural property.

4. **“Certificate of movable cultural property”** shall mean a document which contains the basic data concerning an item of movable cultural property, a copy of a decree by the Minister of Culture to include the item in the Register of Movable Cultural Property, photocopies or/and other visual material, information concerning restoration and conservation work performed, location sites and changes in ownership.

5. **“Protection of movable cultural property”** shall mean the totality of the technical and organisational means which are employed in the protection, for current and future generations, of movable cultural property.

6. **“Conservation”** shall mean research-based activities aimed at stopping a destructive or harmful impact on an item of movable cultural property and reinforcing authentic features as well as protecting the item of movable cultural property against natural deterioration.

7. **“Cultural value”** shall mean a characteristic feature of a movable item or part thereof which is of value from the ethnical, archaeological, historical, artistic, scientific, technical, religious, aesthetical, memorial or another perspective.

8. **“Cultural object”** shall mean an antique item, an item of movable cultural property or another movable item holding cultural value.

9. **“Cultural monument”** shall mean an item of movable cultural property included in the Register of Movable Cultural Property, holding a particular cultural value and declared a cultural monument in accordance with the procedure established by this Law.

10. **“Movable cultural property or other cultural objects unlawfully removed from the territory of the Republic of Lithuania or from that of a foreign state”** shall mean the items of movable cultural property or other cultural objects removed in breach of the legal acts governing the protection of movable cultural property or other cultural objects of the Republic of Lithuania or a foreign state or not returned to the Republic of Lithuania or to the foreign state upon the expiry of a period of lawful temporary removal of the items of movable cultural property or other cultural objects or removed in breach of other requirements set forth by legal acts.

11. **“Restoration”** shall mean research-based activities aimed at disclosing cultural value through elimination of damage and deterioration when conserving and recreating the missing parts.

12. “**State inventories of movable cultural property**” shall mean the inclusion of a movable item holding cultural value in the Register of Movable Cultural Property, the accounting documents of the museums and libraries whose founders are state or municipal institutions and other public legal entities (hereinafter referred to as “museums and libraries”) and the National Documentary Fund, processing and storage of data on cultural property.

13. Other concepts of this Law shall correspond to the concepts used in the Law on Protection of Immovable Cultural Heritage and other legal acts.

Article 3. Cultural Objects

Cultural objects shall be as follows:

- 1) archaeological discoveries;
- 2) material examples of ethnic culture;
- 3) the movable items related to most important historical events, history of society, culture, war, sports and religions and the lives of distinguished persons;
- 4) firearms and non-firing weapons;
- 5) fine and applied art works;
- 6) musical instruments;
- 7) manuscripts and incunabula, maps and scores, books and other publications;
- 8) the movable items holding numismatic, sphragistic, heraldic or philatelic value, phaleristics, orders and medals;
- 9) the movable items depicting the history of science, engineering and technology;
- 10) collections, selections, sets or other objects, as a whole, regardless of the value or types of individual parts; collections of palaeontological, ethnographic or numismatic interest;
- 11) parts of artistic, historical or religious objects;
- 12) photographs, films and negatives thereof;
- 13) the documents created on any base;
- 14) antiques.

SECTION TWO

ADMINISTRATION OF THE PROTECTION OF MOVABLE CULTURAL PROPERTY

Article 4. Entities Carrying out the Protection of Movable Cultural Property and Functions Thereof

1. The sphere of competence of the National Cultural Heritage Commission in the field of protection of movable cultural property shall be established by the Law on the National Cultural Heritage Commission.

2. The Ministry of Culture of the Republic of Lithuania (hereinafter referred to as “the Ministry of Culture”) shall:

1) participate in the formation and implementation of the policy for protection of movable cultural property having regard to the proposals submitted by the National Cultural Heritage Commission;

2) prepare drafts of laws and other legal acts regulating the protection of movable cultural property;

3) lay down criteria for appraisal of the movable items proposed to be included in the Register of Movable Cultural Property, approve a sample form of the regulations on the protection of movable cultural property and a certificate of movable cultural property, also the rules for filling-in and issuing these documents;

4) confer qualification categories to restorers on the recommendation of the Attestation Commission;

5) approve regulations of the Restoration Council and composition thereof, regulations of the Movable Cultural Property Restorers’ Attestation Commission and composition thereof, regulations of the Council for the Export of Movable Cultural Property and composition thereof, regulations of the Commission for the Appraisal of Movable Cultural Property and composition thereof;

6) establish the procedure for record keeping, protection, conservation and restoration of movable cultural property (with the exception of documents of the National Documentary Fund);

7) participate in formulation of a policy for searching for the items of movable cultural property unlawfully removed from the Republic of Lithuania or from foreign countries and establish work guidelines and priorities;

8) co-ordinate a search for the cultural objects of importance for Lithuania, their return and presentation to the public;

9) allocate funds for the repurchase of the movable cultural property and antiques not allowed to be exported from the Republic of Lithuania;

10) perform other functions as prescribed in this Law and other legal acts.

3. The Department of Cultural Heritage Protection of the Ministry of Culture (hereinafter – the Department of Cultural Heritage Protection) shall:

1) implement the State policy for the protection of movable cultural property entered in the Register of Movable Cultural Property;

2) prepare drafts of the legal acts regulating protection of the movable cultural property entered in the Register of Movable Cultural Property;

3) perform functions of the management body of the Register of Movable Cultural Property;

4) prepare, approve, fill-in and issue certificates of the movable cultural property entered in the Register of Movable Cultural Property, prepare regulations on the protection of movable cultural property;

5) verify the observance of regulations on the protection of the movable cultural property entered in the Register of Movable Cultural Property;

6) refer to courts for defence of the public interest regarding seizure of the movable cultural property entered in the Register of Movable Cultural Property for public needs, recovery of the state funds disbursed for the research, restoration and conservation of the movable cultural property entered in the Register of Movable Cultural Property, also for compensation for the damage incurred through improper restoration and conservation as well as improper storage and use of the movable cultural property entered in the Register of Movable Cultural Property;

7) finance the entry of the movable items holding cultural value in the Register of Movable Cultural Property, research, conservation, restoration of the movable cultural property entered in the Register of Movable Cultural Property, also of an item which is one of the valuable properties of a structure of immovable cultural heritage, installation of protection means and dissemination of knowledge from the appropriations of the State budget allocated to the Department of Cultural Heritage Protection. The Department of Cultural Heritage Protection may assign the implementation of these works or parts thereof to the establishments, undertakings and organisations subordinate thereto;

8) issue permits for the bringing of movable cultural property and antiques from the Republic of Lithuania;

9) issue licenses to engage in trade in antiques;

10) supervise the observation of the regulations governing trade in antiques;

11) supervise protection of the movable cultural property entered in the Register of Movable Cultural Property;

12) verify the observance of the procedure of restoration and conservation of the movable cultural property entered in the Register of Movable Cultural Property;

13) participate in the work of the jury at public auctions for the sale of movable cultural property and antiques;

14) organise appraisal of the movable cultural property and antiques missing or stolen in the Republic of Lithuania, estimation of the cultural value of antiques, appraisal of the movable cultural property stolen or unlawfully removed from the Republic of Lithuania and from foreign states;

15) organise appraisal of inherited antique works of art, works of art and movable cultural property, organise, in conjunction with the Lithuanian Assay Office, appraisal of the inherited antique articles made of precious metals and antique jewels, issue to persons a certificate of the form specified by the State Tax Inspectorate under the Ministry of Finance of the Republic of Lithuania about the value of the inherited property;

16) organise and finance the search for and return of the cultural objects of importance for Lithuania and located abroad, preparation of a historical review, accumulate and systemise information thereon, organise and finance the issuance of publications about the cultural objects abroad of importance for Lithuania;

17) in the cases specified by the Code of Administrative Offences, draw up reports of administrative offences, consider cases of administrative offences assigned to its competence;

18) perform other functions set out in this Law and other legal acts.

4. The competence of the Lithuanian Archives Department under the Government of the Republic of Lithuania (hereinafter referred to as the “Lithuanian Archives Department”) in the field of protection of movable cultural property, namely, documents shall be determined by the Law on Documents and Archives.

5. The competence of a county governor in the field of protection of movable cultural property shall be determined by the Law on the Governing of the County.

6. In the field of protection of movable cultural property, municipalities shall:

1) be responsible for the protection of the movable cultural property belonging to a municipality by the right of ownership;

2) draw up, fund and implement programmes for the research, conservation, restoration and installation of protection means for movable cultural property belonging to the municipality;

3) within the limits of their competence, perform functions specified by other laws and legal acts.

SECTION THREE

INVENTORIES OF MOVABLE CULTURAL PROPERTY

Article 5. State Inventories of Movable Cultural Property

1. The movable items listed in Article 3 of this Law may, in accordance with the procedure laid down by legal acts, be listed in the State inventories of movable cultural property, which shall consist of:

1) inventories of movable cultural property at museums and libraries;

2) inventories of the National Documentary Fund;

3) the Register of Movable Cultural Property.

2. The Minister of Culture shall establish the procedure for record keeping of movable cultural property preserved in museums and libraries.

3. The record- and safe-keeping of the documents which are movable cultural property and belong to the National Documentary Fund shall be regulated by the Law on Documents and Archives and other legal acts.

4. The Register of Movable Cultural Property shall be managed in accordance with the procedure laid down by the Law on State Registers, the Law on Protection of Immovable Cultural Heritage, this Law, the Regulations of the Register of Movable Cultural Property, which shall be approved by the Government, and other legal acts. The leading management body of the Register of Movable Cultural Property shall be the Ministry of Culture, and the management body – the Department of Cultural Heritage Protection.

5. Where an item of movable cultural property is permanently dispatched from the Republic of Lithuania under treaties in the cases specified in Article 14 of this Law, it shall not be stricken from the State inventories, however it shall not be subject to the protection requirements of this Law, and data thereon shall be stored in a database's archive for an indefinite period.

Article 6. Inclusion of the Movable Items Holding Cultural Value in the Register of Movable Cultural Property and Deletion of Movable Cultural Property Therefrom

1. The Minister of Culture shall, on the basis of a conclusion of the Commission for the Appraisal of Movable Cultural Property and subject to approval of the National Cultural Heritage Commission, take a decision on inclusion in the Register of Movable Cultural Property, or deletion from the Register of Movable Cultural Property, of the movable items listed in Article 3 of this Law and meeting the criteria of appraisal of the movable items entered in the Register of Movable Cultural Property as specified by the Ministry of Culture.

2. In exceptional cases, when there exists the danger of destruction of an item of movable cultural property indicated in Article 3 of this Law or some other loss thereof, the Minister of Culture shall have the right to enter the item in the Register of Movable Cultural Property without following the procedure established in paragraph 1 of this Article.

3. Inclusion of a movable item into the Register of Movable Cultural Property may be proposed by the owner, the National Cultural Heritage Commission, the Ministry of Culture, the Department of Cultural Heritage Protection, the Lithuanian Archives Department, a county governor or a municipality. Where a movable item is not included into the Register of Movable Cultural Property, the Minister of Culture must provide a reasoned response to the person or institution that submitted the proposal.

4. The owner of the item of movable cultural property included in the Register of Movable Cultural Property shall be issued the regulations for the protection of the item of movable cultural property and a certificate of the item of movable cultural property.

5. A movable item not belonging to the State may only be included in the Register of Movable Cultural Property upon permission by the owner, with the exception of the cases whereby a permit is issued for its temporary export from the Republic of Lithuania or where it is threatened with destruction or decrease in cultural value.

6. The movable cultural property included in the Register of Movable Cultural Property may be deleted from the Register of Movable Cultural Property where it is acquired by museums, libraries, and establishments of the state system of archives. An items of movable cultural property shall not be stricken from the State inventories, however it shall not be subject to the protection requirements set forth by this Law where the Commission for the Appraisal of Movable Cultural Property establishes that an item of movable cultural property:

- 1) has deteriorated or has been destroyed;
- 2) does not possess or has lost its cultural value.

7. The data of the Register of Movable Cultural Property shall be public, with the exception of personal data. The owner of an item of movable cultural property may prohibit to publish the address of the item of movable cultural property included in the Register of Movable Cultural Property.

Article 7. Lists of Legal Persons' Movable Items Holding Cultural Value

1. The movable items holding cultural value (works of fine and applied arts, musical instruments, etc.) and belonging to legal persons, with the exception of museums, libraries and establishments of the state system of archives shall be included in separate inventories in those legal persons. The Ministry of Culture, in co-ordination with the Ministry of Finance, shall lay down a procedure for including these assets in the inventories.

2. The entities performing the functions of protection of movable cultural property shall have the right to check the lists of the movable items holding cultural value, the movable items included therein and the mentioned movable items holding cultural value and to propose their inclusion, in accordance with the procedure laid down by this Law, into the Register of Movable Cultural Property.

SECTION FOUR
SAFE-KEEPING OF THE MOVABLE CULTURAL PROPERTY INCLUDED IN THE
REGISTER OF MOVABLE CULTURAL PROPERTY

Article 8. Safe-keeping of Movable Cultural Property

1. Movable cultural property shall be kept in safety by their owners and managers. They shall observe the requirements of the regulations on the protection of movable cultural property.

2. Where the owner or manager of an item of movable cultural property fails to meet the requirements set forth in the regulations on the protection of movable cultural property, the Department of Cultural Heritage Protection shall issue a written warning to him and shall lay down a time limit for fulfilment of the requirements of these regulations. Where the owner or manager of the item of movable cultural property fails to fulfil the requirements of these regulations by the set time limit, the Department of Cultural Heritage Protection shall have the right to impose administrative liability and, following a repeated request and failure to comply therewith, in the presence of the threat of a loss or destruction of the item, to initiate, without issuing an advance warning and in accordance with the procedure laid down by the law, the seizure of the item of movable cultural heritage for public needs from the owner, subject to fair compensation.

3. An item of movable cultural property located in a structure of cultural heritage declared as protected and entered in a certificate of immovable cultural property and in the Register of Movable Cultural Property as a valuable property of the structure shall be subject to provisions of this Law and the Law on Protection of Immovable Cultural Heritage.

Article 9. Cultural Monuments

1. The items of movable cultural property included in the Register of Movable Cultural Property and holding a particular cultural value shall, upon recommendation by the Minister of Culture based on the conclusions of the Commission for the Appraisal of Movable Cultural Property and upon approval by the National Cultural Heritage Commission, be declared cultural monuments by a resolution of the Government.

2. A decision on declaration of an item of movable cultural property a cultural monument may be annulled by a resolution of the Government in accordance with the procedure established in paragraph 1 of this Article.

Article 10. Compensation to Owners of Movable Cultural Property

Owners of the movable cultural property entered in the Register of Movable Cultural Property shall be compensated a part of the expenses for research, conservation, restoration and

installation of protection means required to preserve this property, where the owners or managers of this movable cultural property exhibit it or provide other public access thereto. The procedure for compensating shall be laid down by the Ministry of Culture.

Article 11. Research, Conservation and Restoration of Movable Cultural Property

1. Only the restorers attested by the Movable Cultural Property Restorers' Attestation Commission holding appropriate qualification categories shall be allowed to conduct research, conserve and restore movable cultural property, also an item which is one of valuable properties of a structure of immovable cultural heritage and objects of artistic immovable cultural heritage.

2. Only the restorers attested by the Movable Cultural Property Restorers' Attestation Commission holding appropriate qualification categories shall be allowed to conduct research, conserve and restore movable cultural property, also an item which is one of valuable properties of a structure of immovable cultural heritage and objects of artistic immovable cultural heritage.

3. The Ministry of Culture shall determine the procedure for research, conservation and restoration, while the Department of Cultural Heritage Protection shall supervise adherence thereto.

SECTION FIVE

CHANGE IN OWNERS AND MANAGERS OF CULTURAL OBJECTS

Article 12. Acquisition of Rights of Ownership to and Management of Movable Cultural Property and the Movable Items Possessing Cultural Value

1. The owner of an item of movable cultural property included in the Register of Movable Cultural Property, wishing to sell it or to otherwise transfer it, must advise the future owner or manager concerning this item's status and regulation requirements on protection of movable cultural property. Upon entering into a transaction, the former owner of the item of movable cultural property must, within 15 days, give a written notice to the Department of Cultural Heritage Protection of a change in the owner or manager. The former owner shall transfer to the new owner a certificate of the item of movable cultural property and the regulations on the protection of the item of movable cultural property, and to the manager – copies of the mentioned documents. At the time of the transfer, the former owner and the new owner or manager shall execute a statement on assessment of the condition of the item of movable cultural property.

2. Upon entering into a transaction or acquiring the right of ownership on other grounds specified by the law, the new owner of an item of movable cultural property must, within 15 days, submit to the Department of Cultural Heritage Protection the documents attesting to the ownership

of the item of movable cultural property, a statement on assessment of the condition thereof and a certificate of the item of movable cultural property.

3. The Department of Cultural Heritage Protection shall enter the new owner of an item of movable cultural property and shall issue thereto the regulations on the protection of this item.

4. All movable items of cultural value found on land, its surface, water, in buildings as well as structures or the parts thereof and indicated in Article 3 of this Law whose owner or manager cannot be established or has lost the right to such under the law shall be transferred to state ownership. In accordance with the procedure established by legal acts of the Republic of Lithuania, compensation shall be paid to a person who has found and handed over the movable items indicated in Article 3 of this Law.

Article 13. Trade in Antiques

1. A legal person who wishes to obtain a licence to trade in antiques must indicate in founding documents this type of activity and hold the premises suitable for this type of the activity. Trade in antiques shall only be permitted upon receipt of a licence issued by the Department of Cultural Heritage Protection. The Government shall establish the procedure for issuing such licences.

2. The Government shall establish the regulations for trade in antiques.

3. The Department of Cultural Heritage Protection shall have the right to suspend, for a period of 15 days, the sales of an antique, where there are doubts regarding the lawfulness of the sales or its significance for Lithuania's cultural heritage. Where the Commission for the Appraisal of Movable Cultural Property establishes, within 15 days, that the antique is significant for Lithuania's cultural heritage, it may be purchased by the State or included in the Register of Movable Cultural Property upon permission by the owner.

4. The museums, libraries whose founders are state or municipal institutions and establishments of the state system of archives shall, in accordance with the procedure laid down by the Regulations for Trade in Antiques, be vested with a priority right in acquiring the movable cultural property entered in the Register of Movable Cultural Property from the legal persons trading in antiques.

5. Trade in movable cultural property and antiques may be carried out at auctions. The legal persons wishing to organise auctions of movable cultural property and antiques must be registered in the Republic of Lithuania and must indicate in their founding documents this type of activity. The auctions shall be held in accordance with the procedure laid down by the Government or an institution authorised by it.

SECTION SIX
EXPORT OF MOVABLE CULTURAL PROPERTY AND ANTIQUES FROM AND
IMPORT INTO THE REPUBLIC OF LITHUANIA

Article 14. Export of Movable Cultural Property and Antiques from the Republic of Lithuania

1. The Procedure for Exporting Movable Cultural Property and Antiques from the Republic of Lithuania shall be laid down by the Government.

2. The movable cultural property and antiques included in a list approved by the Government may be exported solely under a licence. The licence shall be granted by the Department of Cultural Heritage Protection. A Council for the Export of Movable Cultural Property shall be formed to appraise this movable cultural property, with the exception of the property listed in inventories of movable cultural property of museums and libraries, and antiques and to establish the cultural value of antiques and submit conclusions on the issuance of licences for export thereof. The decision regarding an export licence must be adopted within 15 working days from the filing of a written request. This time limit may be extended for up to 30 working days in accordance with the procedure laid down by the Government.

3. Where the Council for the Export of Movable Cultural Property determines that a movable item intended for export is an antique whose absence from Lithuania would impoverish the cultural heritage of Lithuania, a licence for permanent export of this antique shall not be issued. Under these circumstances, the antique having a cultural value may be, subject to the owner's consent, proposed to be entered in the Register of Movable Cultural Property or purchased by the State within one year in accordance with the procedure laid down by the Government. Where the Council for the Export of Movable Cultural Property determines that an antique intended for export is not significant for the cultural heritage of Lithuania, a licence shall be issued upon the request of the owner to export this antique permanently.

4. The procedure for exporting documents from the Republic of Lithuania shall be established by the Law on Documents and Archives.

5. An item of movable cultural property entered in the Register of Movable Cultural Property or preserved in a museum or library may not be permanently exported from the Republic of Lithuania. It may be exported only temporarily (out of the customs territory of the European Community – for a period of up to three years, to other Member States of the European Union – for a period indicated by the applicant, but not exceeding three years), subject to a licence issued by the Department of Cultural Heritage Protection. Upon receiving a written reasoned request regarding

the extension of this time limit, the Department of Cultural Heritage Protection shall have the right to extend it for a period of up to 12 months.

6. 1) in the event of exchange of items of movable cultural property, upon determination by a commission of experts for the appraisal of movable cultural property that An item of movable cultural property may be exported permanently from the Republic of Lithuania solely under treaties and in the case of exchange of movable cultural property, when the Commission for the Appraisal of Movable Cultural Property is not less significant to Lithuania's culture than the item of movable cultural property given in exchange.

7. Special manuscript religious texts (Torahs), rewritten exclusively for ritual use and associated with a ritual and included in the Register of Movable Cultural Property or preserved in a museum or a library may, upon a respective resolution adopted by the Government in the manner prescribed by law, be permanently exported from the Republic of Lithuania for ritual purposes.

Article 15. Written Commitment of the Government of the Republic of Lithuania or an Institution Authorised by It to Compensate for Losses

In the case of a temporary import of the movable cultural property of foreign states, the Government of the Republic of Lithuania or an institution authorised by it may, in accordance with the procedure laid down by the Government, assume a written commitment to allocate funds to a budgetary institution established by the State or a municipality and acting in compliance with the Law on Museums, the Law on Libraries or the Law on Documents and Archives for the purpose of compensating to the owner of an item of movable cultural property for the justified losses incurred as a result of damage or loss of movable cultural property during exhibitions (when organising exhibitions).

SECTION SEVEN

RETURN OF THE MOVABLE CULTURAL PROPERTY AND OTHER CULTURAL OBJECTS UNLAWFULLY REMOVED FROM ABROAD

Article 16. Return of Movable Cultural Property to the Member States of the European Union

1. The procedure for returning the movable cultural property unlawfully removed from the territory of a Member State of the European Union shall be laid down by the Government of the Republic of Lithuania.

2. The movable cultural property unlawfully removed from the Member States of the European Union and brought to the Republic of Lithuania shall be returned to the state requesting their return upon a respective decision of a court of the Republic of Lithuania. A claim may be

brought before court by the requesting state not later than after the lapse of 30 years since movable cultural property was unlawfully removed from the territory of the requesting Member State of the European Union.

3. A claim for the return may be brought before a court of the Republic of Lithuania not later than within one year from the day when the requesting Member State of the European Union established the location of the movable cultural property and the identity of the owner or manager thereof. The requesting state which requests the return of an item of movable cultural property must, alongside the claim, submit:

1) a document describing the item and stating that this is an item of movable cultural property;

2) a statement by the competent authorities of the requesting Member State that this item of movable cultural heritage has been unlawfully removed from its territory;

3) a document (information) confirming the location of the item of movable cultural property, the owner or manager thereof.

4. A claim for the return of movable cultural property may be brought by a Member State not later than after the lapse of 75 years since an item of movable cultural property was unlawfully removed from the territory of the requesting Member State of the European Union in the cases when movable cultural property constitutes an integral part of the collections listed in the inventories of museums, establishments of the state system of archives or libraries' conservation collections and belonging by the right of ownership by the Member State, a local or regional authority of the Member State defined as legal entity according to legal acts of that Member State, such entity having the State or the local or regional authority as a participant or being financed thereby, or is ecclesiastical movable cultural property subject to special protection provisions under relevant laws of the Member State of the European Union.

Article 17. Return of Cultural Objects to Other Foreign States

The cultural objects located in the Republic of Lithuania shall be returned to non-Member States of the European Union in accordance with the procedure laid down by laws of the Republic of Lithuania, unless the treaties whereto the Republic of Lithuania and the requesting foreign state are parties establish otherwise.

Article 18. Authorised Institution of the Republic of Lithuania

1. The Ministry of Culture shall be the authorised institution of the Republic of Lithuania receiving requests of the foreign states indicated in Articles 16 and 17 of this Law concerning the

return of the movable cultural property and other cultural objects which have been unlawfully removed.

2. With the exception of the cases when laws of the Republic of Lithuania or the treaties whereto the Republic of Lithuania and the requesting foreign state are parties establish otherwise, the Ministry of Culture shall:

1) take required measures to find an item of movable cultural property which has been unlawfully removed and to determine the owner or manager thereof;

2) notify the interested states of an item of movable cultural property found in the territory of the Republic of Lithuania, where there is a ground for believing that it has been unlawfully removed from the territory of a foreign state;

3) take required measures to physically preserve an item of movable cultural property which has been unlawfully removed;

4) create conditions for the competent authorities of the requesting foreign state to verify whether a relevant movable item is an item of movable cultural property;

5) co-operate with the requesting foreign state on the issues of the return of movable cultural property.

3. The Ministry of Culture shall have the right to require from a foreign state a compensation for the movable cultural property to be returned to the foreign state and listed in the inventories of museums, libraries and the National Documentary Fund.

4. The Ministry of Culture shall submit a request to the authorised institution of a foreign state on the return of the movable cultural property and other unlawfully removed from the territory of the Republic of Lithuania and shall be responsible for the return thereof.

SECTION EIGHT

FINAL PROVISIONS

Article 19. Liability for Violation of the Law

Persons in violation of this Law shall be liable according to the procedure established by laws of the Republic of Lithuania.

IMPLEMENTED EU LEGAL ACTS

1. Council Directive 93/7/EEC of 15 March 1993 on the return of cultural objects unlawfully removed from the territory of a Member State (OJ, 2004 Special Edition, chapter 2, volume 4, p 399) with the latest amendments done by Directive 2001/38/EC of the European Parliament and of the Council of 5 June 2001 (OJ, 2004 Special Edition, chapter 2, volume 12, p 40).”

Article 2. Entry into Force of the Law

1. This Law shall enter into force on 1 July 2009.
2. The Government or the institutions authorised by it shall, until the entry into force of this Law, draft and approve the legal acts required for the implementation of this Law.
3. The Government or the institutions authorised by it shall, until the entry into force of this Law, draft and approve the legal acts required for the implementation of this Law.

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

PRESIDENT OF THE REPUBLIC

VALDAS ADAMKUS