

ANNEX 2

Law 27/2018

ON CULTURAL HERITAGE AND MUSEUMS

REPUBLIC OF ALBANIA

THE PARLIAMENT

LAW

No. 27/2018

ON CULTURAL HERITAGE AND MUSEUMS ¹

Pursuant to Article 59, Paragraph 1, Subparagraph “g”, and Articles 78 and 83, Paragraph 1 of the Constitution, and upon proposal of the Council of Ministers,

THE PARLIAMENT

OF THE REPUBLIC OF

ALBANIA HAS DECIDED:

Section I

GENERAL PROVISIONS

TITLE I

SCOPE AND GENERAL PRINCIPLES

Article 1

Purpose

The present law aims at national cultural heritage, museums and cultural landscape preservation, safeguarding assessment and management, hence contributing to national memory safeguarding, and the tangible and visible representation of national identity, thus expressing cultural values, encouraging the country’s cultural development, as well as ensuring and preventing cultural objects illegal treatment.

1. The present law has been partly approximated with:

- European Council and European Parliament Directive 2014/60/EU, dated 15 May 2014, “On the Return of Illegally Removed Cultural Objects from a Member State Territory”, and amends the EU regulation no. 1024/2012. Celex:32014L0060; EU Official Journal, L.159, dated. 28.05.2014 pp1-10.

- European Council Regulation 116/2009/EU, dated 18 December 2008, “On Cultural Goods Export”, Celex 3A32009R0116, EU Official Journal, series L.139/1, dated.10.02.2009 pp 1-7.

Article 2

Scope

The present law scope consists of defining the rules, procedures and state authorities responsible for cultural heritage properties and values, museum cultural heritage, and national landscape safeguarding, preservation, assessment and administration irrespective of their location in the territory of the Republic of Albania.

Article 3

Cultural Heritage Principles

1 The present law implementation builds on providing the proper conditions for cultural heritage preservation and safeguarding, sustainable development policies and equitable citizen access to cultural values, hence adhering to the following principles:

- a) equitable treatment of different cultural heritage typologies in the framework of its safeguarding;
- b) transparency in managing cultural heritage preservation activities;
- c) decentralization of activities administration and funding, with the view to ensure cultural heritage safeguarding and preservation.

2 The right to cultural heritage access allows for cultural values use, thus envisaging their physical or intellectual accessibility, provided that such values be safeguarded and not exposed to danger.

3 Central and local government units and private entities are charged with guaranteeing the proper conditions for equitable public access to cultural values.

Article 4

Cultural Properties

1. Cultural heritage consists of tangible and intangible cultural heritage, as a set of values conveying a nation's historic memory and identity and which are scientifically and culturally significant.

2. Cultural values are "public property" and are safeguarded by the central and local government units, in the best interest of Republic of Albania citizens.

3. Cultural values are carried over in properties, which may be state, registered religious communities, or natural and legal persons owned.

4. Cultural properties, archaeological sites, and objects originating from the Republic of Albania underground or territorial waters are considered state and public property for the purposes of the present law.

Article 5

DEFINITIONS

For the purposes of the present law, the following terms have the following meanings:

1. “**Museum Accreditation**” is an independent criteria evaluation process, determining whether the museum and / or its museum activity meets defined quality, education, safety, as well as cultural values preservation and safeguarding standards, in accordance with applicable legislation and their relevant bylaws;
2. “**Historic urban ensemble**” is a distinguishable urban and architectural structure, part of the immovable cultural heritage, whose components are specifically, significantly, spatially and aesthetically interconnected among them and with the surrounding environment;
3. “**Archive**” has the meaning provided for under the Law “On Archives in the Republic of Albania”;
4. “**Craftsmanship**” is the activity of producing necessary and decorative items completely by hand and with simple tools. The craftsperson activity is governed by a special law;
5. “**State cultural properties database**” is the organized, electronically stored collection of information on all national public or privately-owned cultural property, processed and updated via a computer system, so that the administering organization may meet its legal obligations;
6. “**Library**” has the meaning provided for under the Law “On Libraries in the Republic of Albania”;
7. “**Certificate of Cultural Property**” is an official document issued by the competent state authority, defining the public and privately-owned cultural properties legal status, as per the provisions herein, and containing the entire set of cultural properties identification data in the Republic of Albania based on international criteria and standards, which are input and stored in the National Property Register;
8. “**Damage**” is deliberate or non-deliberate action adversely impacting the integrity or specific components of cultural properties;
9. “**Registration Document**” is any public act, court decision or any other competent state body decision, issued in cases provided for herein that is mandatory for the cultural property registration, pursuant the provisions provided herein;
10. “**Oral tradition**” means a narrative created by the people and unaccompanied by music, which is verbally transmitted or read;
11. “**Instrumental folklore**” is a folk music creation played using folk instruments;
12. “**Chorographical folklore**” includes dances and other creations accompanied or not accompanied by music;
13. “**Folk Vocals**” is a sung or performed musical creation with text and music;
14. “**National Museum Fund**” means all public and privately-owned museum objects under the administration of accredited public or private museums operating in the Republic of Albania;
15. “**Excavation and rescue**” means the public service mission that is a component of archeology, guided by principles applicable to any scientific excavation with the purpose of ensuring - within adequate timeframes – both underground and underwater detection, conservation and preservation, by scientifically studying the archaeological heritage objects affected or potentially affected by any kind of public or private construction work or urban development plan. Its scope also includes interpreting and disseminating the conclusions reached;
16. “**Archaeological excavation**” means the complete intervention in the archaeological underground. It is carried out through the frontal advancement method, expansion of the previous excavation site surface area, or archeological site parceling, as indicated by parallel transects. In all such cases, any archaeological unit unearthed is to be sectioned, explored, and documented by the archaeologist (crew chief), excavation crew technician, archeological conservator, and additional technical staff (draftsman, photographer);
17. “**Archaeological research**” means the assessment of archaeological potential, surface survey (according to the classical notion and the archaeological survey methods, such as research, excavation, ground-penetrating radar employment, etc.) archaeological surveys, archaeological excavations, monitoring, conservation, archaeological administration and drafting of activity-generated documentation as well as preliminary and final reports, and dissemination of results;

18. “**Inventory**” means the registration and identification of cultural heritage objects;
19. “**Cataloging**” means data recording, according to defined scientific criteria for cultural property identification and administration;
20. “**National Cultural Properties Catalogue**” is a central level state database collecting and arranging data on national cultural properties via the National Information System for Cultural Properties Administration;
21. “**Masterpiece of Intangible Heritage**” is the creation, practice or representation of intangible heritage under state legal protection because of its special, unique, national and other values.
22. “**Collection**” means a set of museum objects sharing common features in terms of historical and cultural values;
23. “**Public Collection**” means collections including artistic, documentary, historic and scientific assets open to the public, notwithstanding the holder’s ownership rights,;
24. “**Museum Collection**” is the set of inextricable museum objects that share one or more features in terms of their historical, educational and artistic values;
25. “**Historic and Architectural Ensemble**” is a set of buildings erected in one or distinct historic time periods and that are part of the immovable cultural heritage and closely interconnected from the functional and cultural perspective;
26. “**Preliminary conservation**” includes all the measures that do not require direct interventions to tangible cultural heritage, such as ensuring appropriate conditions (relative humidity, temperature, atmospheric pollution protection, biological and physical damage to funds, exposure and transportation) in order to prevent any kind of damage;
27. “**Integrated Conservation**” is the methodology aiming at aligning conservation requirements with the urban planning and management objectives that must be guided by harmonization, avoidance of undesired functions and the maintenance of current functional and cultural values;
28. “**Return**” is the physical cultural object return into the territory of the Republic of Albania;
29. “**National List of Intangible Cultural Heritage Masterpieces**” is the list of intangible cultural heritage pieces officially granted a preservation status by the ministry responsible for intangible cultural heritage, which is developed, archived, and updated by the National Cultural Heritage Registration Institute;
30. “**List of Endangered Intangible Masterpieces**” is the list of intangible cultural heritage pieces in immediate need of preservation and transmission;
31. “**Safeguarding**” is the adoption of a series of administrative, legal, financial and physical measures aimed at preserving the cultural heritage values in the community’s best interest;
32. “**Ministry**” is the ministry responsible for cultural heritage;
33. “**Maintenance**” includes all practical and technical measures deemed necessary for cultural property to meet conditions and standards providing the best enjoyment possible, without harm to cultural values. It is a continuous process, the schedule of which is under constant monitoring;
34. “**Archaeological monitoring**” is an observation and investigation program conducted throughout the implementation of a development project in an onshore or offshore designated area or site, wherever any prospect for archaeological deposits that could be damaged or destroyed exists. This process implies that archaeologists must be present during the execution of project works until the conclusion of excavations, and it should result in the development of a report and data archiving.
35. “**Archaeological supervision**” means field observations of archaeological processes and excavation works progress throughout the implementation of development projects, conducted by the National Cultural Heritage Institute and other licensed entities, and approved by the National Tangible Cultural Heritage Council in the capacity of the decision-making body, in compliance with the provisions herein and applicable bylaws;

36. “**Cultural monument**”, is an object or building of historic and cultural value under the protection of the state. Pursuant to the relevant law, they are sorted into the following categories, based on the degree of intervention in cultural properties:
- a) “**Cultural Monument - Category I**” includes buildings of outstanding value specifically relevant to cultural heritage that are preserved in the entirety of their architectonic and technical components. These monuments arrangement of volumes, exterior and interior architectonic treatment, as well as functions and layout may not be changed;
 - b) “**Cultural Monument - Category II**” includes buildings of outstanding, mainly exterior value, whose volumes and architectural composition is preserved.
37. “**Museum**” is the permanent institution in the service of society and its development, open to the public, which acquires, conserves, researches, communicates and exhibits the tangible and intangible heritage of humanity and its environment for the purposes of education, study and enjoyment.
38. “**Museum object**” is a movable object which after research and evaluation is recognised as an object of cultural and historic significance, and is kept in trust, protected, evaluated and administered in a museum;
39. “**Prevention**” implies the set of actions adopted to limit the risks threatening the cultural property in its settings;
40. “**Tangible cultural heritage**” includes the set of movable and immovable heritage of artistic, historic, archaeological, architectonic, urban, ethnographic, archival, and bibliophilic interest pursuant to the provisions of Articles 50 and 51 herein, and other heritage designated or provided for by this law as showing evidence of particular civilization values;
41. “**Intangible cultural heritage**” includes intangible cultural values, practices, representations, expressions, knowledge, know-how, tools, items, artifacts, and cultural spaces creating or associated with them, which are practised by communities, groups and individuals as an integral part of their cultural heritage. They are created and transmitted from generation to generation under environmental and historical impact, which defines their bio-cultural identity and continuity;
42. “**Cultural landscape**” is a territory of historical, cultural, natural, morphological, and aesthetic interest, representing the combined works of nature and of man;
43. “**Archaeological property**” includes monuments, various types of historical dwellings, objects or parts of construction works, or dwellings of historical and cultural value unearthed during archaeological excavation;
44. “**Archaeological park**” is a clearly delineated territory including important surface, underground, and underwater archaeological evidence and co-existence of historic heritage and cultural landscapes, arranged with elements of a natural museum;
45. “**Strategic partners**” in the field of cultural heritage are natural and legal persons essential to the implementation of cultural heritage policies and the achievement of joint objectives for the development of the field, given their field experience, sponsorship value and quality, long-term cooperation agreement, exchange of intellectual values and human and financial resources, intensity and length of cooperation with the Albanian Government or relevant ministry responsible for cultural heritage and its subordinate institutions;
46. “**Management plan**” is a document meticulously outlining all the strategies and tools necessary for heritage safeguarding and simultaneously responding to contemporary needs. In addition to preservation and monitoring plans, it contains legal, financial, administrative and preservation documents;
47. “**Preservation policy**” includes interventions at various levels, where physical conditions, deterioration factors and future expectations for the cultural property in question determines the degrees of intervention.

48. “**Historic centre**” is a distinguishable urban territory representing a historic period, or city/village development stage, consisting of tangible cultural heritage pieces, including architectural, environmental, cultural, historic, landscape components in and around the area, archaeological evidence, panoramas, urban profiles, prospects and reference points in addition to the urban layout;
49. “**Collection management and conservation annual report**” is a report developed by each public and private museum and submitted to the National Museum Council. The annual report data are periodically reviewed by an expert group at the Ministry of Culture;
50. “**Restoration**” is the evaluation of the original essence of the cultural asset values by means of interventions to stop further degradation, as well as highlighting and transmitting cultural values. Should immovable cultural heritage be located in designated seismic areas, the restoration also includes interventions for structural improvement, in accordance with applicable laws;
51. “**National Cultural Property Register**” is a unique electronic and hard copy state document whereby the elements of any public or private, tangible or intangible, cultural property certificate in the Republic of Albania are reflected. It determines the national cultural property sustainability in terms of quality and quantity, as well as registration and update responsibilities of institutions possessing them;
52. “**Revitalization**” means making cultural heritage available for administrative and socio-cultural use, provided that the revitalization project does not damage the value of the cultural heritage.
53. “**Preservation**” is a continuous, systematic, coordinated and scheduled process of research, study, survey, documentation, registration, prevention, maintenance, conservation, restoration, adaptation, and assessment of cultural heritage;
54. “**Intangible heritage preservation**” means the measures aimed at ensuring the intangible cultural heritage longevity, including the identification, documentation, research, preservation, protection, promotion, assessment, transmission through formal and non-formal education, as well as the revitalization of various aspects of such heritage.
55. “**Preservation of museum objects**” is the action taken from the moment a museum object enters the museum, in terms of ownership acquisition, registration with the national catalog, registration with the national cultural heritage list, keeping in trust, conservation and restoration;
56. “**Sites**” are man-made works, or both natural and man-made works, and areas including archaeological sites of historic, aesthetic, ethnological or anthropological value;
57. “**National treasure**” is cultural value especially significant to science, culture, nature or technological development, the destruction, damage or loss of which results in irreversible loss for society.
58. “**Architectural heritage**” includes the following permanent properties:
- a) monuments: all buildings and structures of outstanding historic, archeological, artistic, scientific, social or technical interest, including their annexes and equipment;
 - b) blocks of buildings: homogeneous blocks of urban or rural buildings, distinguished for their historic, archaeological, artistic, scientific, social or technical interest, sufficiently coherent to make up a distinct topographical unit;
 - c) sites: man-made works or both natural and man-made works, and areas including archaeological sites of outstanding historic, aesthetic, ethnological or anthropological value.
59. “**Cultural heritage**” is all tangible and intangible cultural heritage, of an individual, group or society inherited from the past and preserved in the present, to be transmitted to future generations as part of a country's national wealth, and which speaks to the identity, knowledge, tradition and beliefs, and cultural landscape.
60. “**Archaeological heritage**” is part of the cultural heritage, consisting of all traces of mankind existence, whose preservation and study helps retrace its development history and its relationship with the natural environment;
61. “**Underwater archaeological activity**” are the excavations, surveys, research, relocations and displays in the underwater archeological site;

62. “**Underwater cultural heritage**” includes all traces of mankind existence, of a cultural, historic or archaeological nature, located partially or entirely and periodically or permanently underwater, for at least 100 years, such as:
- a) sites, structures, buildings, work tools and human remains, along with their archaeological and natural context;
 - b) vessels, aircraft, or other vehicles or any part thereof, their cargo or other contents, along with their archaeological and natural context;
- Pipelines and cables laid down in the sea bed are not considered underwater cultural heritage. Pipeline and cable-deriving installations laid down in the sea bed under continuous use are not considered part of underwater cultural heritage.
63. “**UNESCO**” is the United Nations Educational, Scientific and Cultural Organization.
64. “**Cultural Value**” is:
- a) tangible and intangible evidence of human existence and activity, phenomena or landscape of scientific or cultural value, significant to individuals, the community or entire society;
 - b) tangible and intangible evidence of human existence and activity, significant to the registered religious institutions;
 - c) fragments of archaeological, ethnographic or other objects constituting a small part of the original object, which largely damaged, devoid of any significant cultural, scientific or artistic value, the majority of which may be defined as tangible. These are not subject to identification unless included in the museum's fund/stock.
65. “**Assessment**” is the exercise of competences and activities intended to promote and develop cultural heritage as well as to ensure better conditions for its use and public enjoyment. In terms of cultural landscape, assessment also includes the requalification of immovable object and damaged or degraded spaces under protection;
66. “**Archeological site**” is a natural site or landscape with movable or immovable objects, whether excavated or not, that are found or located on the surface, underground or in Albanian territorial waters, and are subject to study with archaeological methods.
67. “**Buffer zone**” is a territory with clearly delineated boundaries located outside the historic center, architectural/urban ensemble, architectural complex and cultural monument, the purpose of which is protecting the values of such cultural heritage and ensuring lighting, perspective, cultural landscape, visibility, enjoyment and public use.

Article 6

Public Access to Cultural Heritage

1. State-owned cultural properties and values are intended for public use, in line with use needs, except for cases when banned from safeguarding needs.

2. As regards privately-owned cultural properties and values, although subject to the legal regime envisaged under the Civil Code, their cultural values public interest legitimizes the exercise of legal owners' rights, as per the conditions and modalities laid down hereunder.

3. Privately-owned cultural property owners or possessors, including officially acknowledged religious communities, are bound to guarantee such properties and their values safeguarding, and to cooperate with specialized public institutions to ensure their safeguarding, assessment and accessibility.

Article 7

Cultural Property Preservation and Safeguarding

1. Cultural property preservation is the systematic research, study, identification, documentation, registration, conservation, restoration and adaptation process.

2. Cultural property safeguarding is the set of measures adopted, including legal initiatives, aiming at approximating public-use practices to ensure such public-interest properties safeguarding.

Article 8

Cultural Heritage Assessment

1. Cultural heritage assessment is the exercise of functions and activities aiming at publicizing and promoting the cultural property and ensuring the best public use conditions possible for a sustainable development.

2. Cultural heritage assessment is performed in ways that guarantee and do not hinder cultural property preservation and safeguarding.

3. Landscape cultural heritage includes the re-qualification of ruined buildings and sites, or the re-assessment of new or integrated landscape values.

4. The state encourages and supports private entities' individual or organized participation in cultural heritage assessment, as per the provisions of the legislation in force.

5. The state may also set up legal entities, aiming at cultural heritage values assessment/management, according to best worldly practices and standards.

Article 9

Cultural Heritage Policies

1. State cultural heritage policies are guided by the Council of Ministers. Such policies are implemented by the minister responsible for cultural heritage, in cooperation with other central and local government units, and civil society.

2. Cultural property management, preservation and safeguarding strategic goals are laid down in the national strategy on culture, drafted by the ministry responsible for cultural heritage.

3. Council of Ministers:

- a) approves immovable property preservation, safeguarding and management plans;
- b) establishes institutions and legal entities upon proposal of the ministry responsible for cultural heritage;
- c) approves the cultural property take-over under management, in line with provisions hereunder ;
- ç) declares immovable cultural properties, as disaggregated into categories as per provisions herein;
- d) establishes, closes down and re-organizes public museums in the Republic of Albania;
- dh) exercises any other power laid down hereunder.

Article 10

“Universally Significant”, “Nationally Significant” and “National Treasure” Classified Cultural Properties

1. Upon proposal of the ministry responsible for cultural heritage, the Council of Minister may decide to transfer immovable cultural properties bearing archaeological values and those classified as “universally significant” or “nationally significant” under state ownership, i.e public institutions, central power, local power, and state-incorporated legal entities management, so that to approve, assess and carry out the relevant cultural values conservation and safeguarding activities.

2. The relevant preservation and safeguarding activities, according to Paragraph 1 of the Article herein, and any other scientific, cultural, educational and tourist activity are performed in accordance with the provisions laid down hereunder and in legislation in force

3. Property transfer under management criteria and standard procedures are approved by an instruction of the minister responsible for cultural heritage. Such instruction is published in the Official Journal.

4. Immovable cultural property transferred under management according to Paragraph 1 of the Article herein may not be used for purposes other than or managed by entities other than those designated under the Conveyance Deed.

5. In event of infringement, default or cultural property mismanagement, as noted by the National Cultural Heritage Inspectorate or specialized institutions, such an agreement is terminated in accordance with the procedure envisaged thereunder.

6 Cultural property management-generated income are managed by the entity managing the property, as per Paragraph 1, so that to make the necessary expenses and investments for cultural property preservation and safeguarding.

Article 11

Public Institutions Role

1. The state ensures cultural heritage preservation, safeguarding, assessment and management pursuant to provisions laid down hereunder and in the legislation in force.

2. Central state authorities and local self-government units coordinate the work, and correlate, approximate and integrate activities with the ultimate goal to ensure cultural heritage preservation, safeguarding, assessment and management, and to provide the conditions for its public accessibility.

3. The state adopts measures for cultural heritage preservation from natural disasters and armed conflicts. Such preservation measures are proposed by the minister responsible for cultural heritage, minister responsible for defense, and minister responsible for domestic affairs and are approved by decision of Council of Ministers.

Article 12

Functions of the ministry responsible for cultural heritage safeguarding

1 The ministry responsible or cultural heritage exercises the cultural property preservation, safeguarding, assessment and management functions, in compliance with the provisions laid down hereunder and in the legislation in force.

2 The minister exercises such functions in person or through specialized field institutions, in cooperation with local self-government units and other state and private institutions, pursuant to cooperation agreements and forms, as foreseen hereunder and other bylaws.

3 The ministry safeguarding functions apply also to state-owned cultural properties that may have been lent or availed for use to legal entities other than the ministry. In exercising such function, the ministry responsible for cultural heritage monitors and assesses periodically the actions of entities managing the cultural property and recommends the contracting authority either to further, or terminate the legal relation with the private or public entity. Monitoring rules are determined by an instruction of the minister responsible for cultural heritage and published in the Official Gazette.

4 In exercising the functions laid down hereunder, the ministry responsible for cultural heritage, incorporates legal entities on strategic partners initiative or request for cultural property assessment and revitalization purposes. Cultural property management rules and such legal entities functioning are governed by a decision of Council of Ministers. The cultural property title remains with the state in any case.

5 The Ministry responsible for cultural heritage, in cooperation with NTAC, takes measures and facilitates intangible cultural property values abroad, and cultural groups or bearers' participation in field tours, festivals or international meetings.

Article 13

Competences of the ministry responsible for cultural heritage

The ministry responsible for cultural heritage:

- a) drafts the national strategy on culture;
- b) proposes national tangible and intangible cultural values inscription with the World Heritage List;
- c) designates movable and immovable properties as “cultural property” and “national treasure” treasure”;
- ç) grants licenses for archaeological activity in the country;
- d) grants licenses for cultural values reproduction;
- dh) grants licenses to private entities for preservation works design, implementation, supervision, and commissioning as per provisions hereunder, that are to be performed in the cultural property following its designation;
- e) grants licenses for movable and immovable cultural property assessment experts; ë) grants licenses to movable and immovable cultural properties commercial entities;
- f) grants permit for exhibiting cultural values in national and international exhibitions;
- g) grants permits and other authorizations as per provisions hereunder;
- gj) drafts immovable cultural values preservation and management plans;
- h) monitors revitalization agreement implementation, pursuant to the present law;
- i) coordinates, arranges and supervises activities related to:
 - i. repatriation of illegally exported movable cultural values classified as “national treasures”;
 - ii. cultural heritage safeguarding, in terms of Albanian history and culture outside the territory of the Republic of Albania ;
 - iii. immovable cultural values monitoring;
 - iv. determination of methodology and rules on immovable properties and their environment preservation;
- j) coordinates:
 - i. terms of reference for design, preservation and management plans; division schemes, plans and their modification; their specific norms and developmental projects in line with individual or group immovable cultural properties, within their confines and protected areas, according to the cases foreseen above;
 - ii. terms of reference for museum buildings design and their permanent exhibits;
 - iii. Developmental projects for monument, monumental-decorative objects and components building and placement in public spaces, urban an non-urban areas, or their displacement and removal
- k) is held liable for culturally significant public properties management;
- l) performs the functions of the technical secretariat at the National Cultural Property Management Council;
- ll) exercises any other competence envisaged hereunder.

Article 14

Local Self-government Units in Cultural Heritage Safeguarding

1. Local self-government units cooperate with the ministry responsible for cultural heritage in exercising their cultural property preservation and safeguarding functions, in line with provisions hereunder.

2. Preservation and safeguarding functions, as provided for herein, targeting manuscripts, autographs, correspondence, incunabula, library collections and other books, seals, engravings, geographical maps, sheet music, photographs, movies and other audiovisual materials that do not belong to the central power, are exercised by local self-government units, pursuant to a special agreement with the ministry responsible for cultural heritage. In addition to above provisions, other coordination and cooperation ways between the ministry responsible for cultural heritage and local self-government units may be identified in the field or cultural property safeguarding.

3. Administrative functions and landscape properties safeguarding are exercised by the central power and local self-government units, pursuant to provisions hereunder, thus ensuring a uniform governance aligning with the aims set to be achieved.

4. With reference to the exercise of functions from local self-government units, as per Paragraph 2 of the Article herein, the ministry responsible for cultural heritage exercises preservation, safeguarding and replacement intervention competences in event of continuous omission or non-conclusion of interventions in cultural properties within legal time frames.

Article 15

Religious Communities Cultural Heritage

1. Legally registered religious communities make proposals to the minister responsible for culture heritage on inscribing significant cultural values, in compliance with provisions hereunder.

2. Authorities set forth under Paragraph 1 of the Article herein, following consultation with the ministry responsible for cultural heritage, approve the cultural property management rules and set-up management bodies, in line with their preservation target.

3. Religious communities submit with the minister responsible for cultural heritage the first semiannual report on their past year cultural properties preservation activity

Article 16

Collective and Cultural Identity Expressions

1. Collective and cultural identity expressions, as enshrined in UNESCO conventions for intangible cultural heritage safeguarding and cultural identity safeguarding and promotion are part of provisions hereunder, if presented as tangible evidence and meet the conditions for the implementation of Article 51 stipulations hereunder.

2. Values created by national minorities in Albania are considered part of intangible cultural heritage.

Article 17

UNESCO Intangible Cultural Heritage Representative List

The ministry responsible for cultural heritage takes initiatives on promoting intangible cultural properties at the international level, and inscribing, or changing their name in the UNESCO intangible cultural heritage representative list, following approval of proposals for such phenomena inscription by the National Intangible Cultural Heritage Council, pursuant to the criteria envisaged by the convention for safeguarding intangible cultural heritage

Article 18

Activity Funding in the Field of Cultural Heritage

Activity funding in the field of cultural heritage is not subject to public procurement rules, but rather to provisions hereunder.

Article 19

National Fund of Care for Tangible Cultural Heritage

1. The National Fund of Care for Tangible Cultural Heritage is established as a public financial fund underpinning the national tangible cultural heritage safeguarding, preservation and development policy, with the ultimate goal to ensure tangible cultural properties preservation.

2. National Fund of Care for Tangible Cultural Heritage funding sources are:

⌘ revenues generated from arts and culture sites, for the purposes of this law, and museums

⌘ legal local or foreign funding from public and private organizations, or natural persons;

⌘ State budget.

3. This fund is established at the ministry responsible for cultural heritage and subject to management rules set forth by a Decision of Council of Ministers.

Article 20

Funding for Cultural Heritage

1. Funds for cultural heritage research, documentation, selection, safeguarding, conservation, restoration, management, exhibition, presentation and dissemination are allocated by the state budget, local self-government units, and any other legal streams from natural or legal persons, either natives or foreigners, in the form of donations or sponsorships.

2. The National Cultural Properties Management Council is charged with assessing the proposed projects submitted with relevant field institutions, while their proportional approval and implementation resides with the ministry responsible for cultural heritage, with its own budget.

3. Activity suspension for more than 90 days from entities exercising economic activities in immovable cultural properties, either individually or in group, is considered a violation and the said entity is held liable in compliance with the present law.

4. Revenues generated from service provision and use of cultural properties under the management of the ministry responsible for cultural heritage, or its specialized subordinate institutions, and under the management of specialized institutions subordinate to the ministry responsible for cultural heritage and public museums are considered secondary revenue streams and are transferred to the cultural heritage fund, as foreseen under Article 19 herein.

5. Revenues generated from the activity of foundations incorporated pursuant to the present law are governed by an agreement between the said foundation and public institution as per provisions hereunder.

TITLE II

RIGHTS AND OBLIGATIONS OF CULTURAL PROPERTIES' OWNERS AND POSSESSORS

Chapter I - Immovable Properties

Article 21

Rights and Obligations of Cultural Properties' Owners and Possessors

Cultural properties' owners and possessors are entitled to:

- a) receive consultations, expert services and recommendations from authorities responsible for cultural values safeguarding and preservation;
- ⓑ receive gate receipts, revenues generated from promotional materials and cultural value photographic, computer, video or any other means reproduction, in compliance with the provisions herein.
- Ⓒ apply for financial support, in the framework of programs funded by central or local government budget, or other streams, for emergency or consolidation purposes, including conservation and restoration necessary for cultural value safeguarding
- Ⓓ receive financial aid or other revenues in terms of donation or sponsorship from special individuals and institutions.

Article 22

Obligations of Cultural Properties' Owners and Possessors

1. Cultural properties' owners and possessors are liable to:

- a) show diligence in preserving and safeguarding cultural properties, thus adhering to the provisions herein
- b) inform cultural heritage specialized institutions, inspectorate responsible for cultural heritage and local government units on any damage, discovery or any other action foreseen herein
- c) Ensure coordination with cultural heritage specialized institutions pursuant to provisions herein in terms of intervention programs design and approval and works execution
- Ⓓ cooperate with central and local government on exercising their rights and effectively implementing the obligations stemming from the present law;

d) Submit the necessary documentation and make available assets for verification and ensure relevant authorities support in exercising their competences as provided for by the law;

dh) provide public access in cases foreseen herein:

e) ensure free and pay-for public access on immovable cultural properties for research purposes, provided that owner or possessor's legal rights be not infringed.

2. In event of cultural property damage or destruction due to default, cultural properties owners or possessors are bound to reinstate the property, if possible, to its original spatial parameters, and architectural or artistic features within a time frame set in the permit for intervention conditions .

3. Owners or possessors of immovable properties, subject to archaeological site or asset discovery, or giving off indications on an archaeological site or object existence are bound to implement the provisions laid down herein and relevant bylaws

4. Owners or possessors of immovable properties displaying or preserving an immovable archaeological value ensure public access in compliance with provision herein.

Article 23

Obligation to inform and carry out preservation and safeguarding interventions

1 Should an immovable cultural property damage or destruction risky situation emerge, its owner or possessor takes immediate steps to safeguard the cultural property in cooperation with cultural heritage regional directorates and other specialized institutions, in accordance with the provisions laid down herein

2 In event of cultural property owner or possessor omission and preservation and safeguarding interventions design and implementation by the state with public or partner funds, a legal charge is imposed upon the cultural property, equivalent to the certified expense amount, pursuant to the provisions of the Civil Code on means to guarantee obligations fulfillment, thus to offset the expenses made. Owner or possessor's rights are ensured by implementing the procedures envisaged herein.

Chapter II - Movable Objects

Article 24

Rights of Movable Cultural Objects Owners and Possessors

1 Natural and legal persons owning or possessing collections or unique movable cultural objects, as registered in compliance with the provision herein, are entitled to:

a) seek consultation, expert services and recommendations from authorities responsible for cultural values preservation;

b) make available objects for temporary storage in a museum, when incapable of ensuring safe and proper preservation for reasons beyond their control;

c) temporarily exhibit their cultural objects in public and private museums, in accordance with the preliminary written agreement;

ç) seek compensation for exhibiting their cultural object in national and international exhibitions;

d) apply for financial support, with the view to preserve the cultural object in the framework of national and international programs;

dh) seek assistance from bodies responsible for cultural objects return, in event of theft or illegal trafficking

2 The owner of an object interconnected to one or more collections, other than the collection owner, is entitled to:

đ) seek scientific assessment by the Assessment Commission at the National Cultural Heritage Registration Institute, according to fees determined under the relevant bylaw;

đ) Hand over free-of-charge the object interconnected to one collection or more collections with a museum possessing the collection for preservation, or in event of the latter's incapability with a public museum, following approval from the National Museums Council;

đ) Request specialized instructions on the object/objects professional preservation from the museum possessing the collection;

ç) make the object interconnected to a collection available to the public.

Article 25

Obligations of Movable Cultural Properties' Owners and Possessors

1. Natural and legal persons owning or possessing collections or unique movable cultural objects, are bound to:

a) preserve the cultural object with own expenses and in bonum fidei, as well as to comply with the instructions handed for their safeguarding;

b) ensure access and assist supervision authorities in exercising their legal competences;

c) inform relevant authorities in event of damage;

ç) cooperate with the National Cultural Heritage Registration Institute (NCHRI) on identifying, registering, cataloging and updating the National Movable Cultural Objects Register data.

2. The owner or possessor of an object interconnected to one or more collections, as registered in line with the provisions herein, is bound to protect that property against damage, de-valuation and theft.

TITLE III

CULTURAL HERITAGE SPECIALIZED INSTITUTIONS

Article 26

National System of Care for Cultural Heritage

1. The national system of care for cultural heritage includes central state authorities, local self-government authorities for objects under their ownership or management, specialized institutions, as per the provisions hereunder, and legally registered religious communities.

2. Authorities set forth under Paragraph 1 of the Article herein perform their activities in cooperation with the Academy of Science of the Republic of Albania, Academy

of Albanological Studies, institutions responsible for higher education, trade unions, professional associations and other non-for-profit organizations.

3. Authorities set forth under paragraphs 1 and 2 of the present Article perform their activities in line with the objectives hereunder and the national strategy on culture, as approved by Decision of Council of Ministers.

Article 27

National Cultural Heritage Safeguarding Inspectorate

1. National Cultural Heritage Safeguarding Inspectorate (NCHSI) is a central public budgetary institution under the dependency of the minister responsible for cultural heritage.

2. The NCHSI exercises the following competences:

- a) inspects the underground and underwater archaeological excavations progress;
- b) implements safeguarding measures on cultural properties all over the national territory;
- c) implements cultural values preservation measures on immovable and movable cultural properties, museum funds, archive funds, library funds and any other type of fund;
- ç) implements preservation, safeguarding and immovable and movable cultural properties restoration works quality assurance measures;
- d) Implements the provisions of contracts entered into by different state authorities, pursuant to the present law, as well as management, revitalization, use and any other type of agreement entered into between the ministry responsible for cultural heritage and public and private institutions;
- dh) implements safeguarding measures for literary and library cultural values found in libraries, archives, manuscripts, archive items and incunabula
- e) Implements measures for cultural properties registration with NCHSI;
- ë) implements certified national and international movable cultural objects circulation procedures;
- f) checks the lawfulness of transactions involving movable cultural objects;
- g) exercises any other power laid down hereunder.

3. The National Cultural Heritage Safeguarding Inspectorate exercises its competences in full compliance with the provisions hereunder.

4. The NCHSI organization and functioning manner is determined by Decision of Council of Ministers and is subject to Labor Code and Law on Inspection in the Republic of Albania provisions. The chief inspector is designated by the minister responsible for cultural heritage.

5. Its composition and organizational chart is approved by a Prime Minister's Order.

Article 28

Specialized Institutions

1. Cultural heritage specialized institutions are as follows:
 - a) National Cultural Heritage Institute;
 - a) National Cultural Heritage Registration Institute;
 - c) cultural heritage regional directorates;
 - ç) National Traditional Activities Center;
 - d) National Archives Network institutions;
 - dh) Albania's National Library;
 - e) Institute of Art and Cultural Anthropology Studies;
 - ë) Institute of Archeology.
2. Specialized institutions functioning and operation, as foreseen under subparagraphs "a", "b", "c", and "ç" under Paragraph 1 of the present Article are determined by decision of Council of Ministers.
3. Their composition and organizational chart is approved by a Prime Minister's Order.

Article 29

National Cultural Heritage Institute

1. The National Cultural Heritage Institute, hereinafter NCHI, is a specialized scientific national institution subordinate to the minister responsible for cultural heritage.
2. NCHI exercises its activity in the field of tangible cultural heritage, with the ultimate goal of tracing, researching, studying, designing, conserving, restoring, supervising, commissioning, promoting, and publicizing tangible cultural heritage.
3. The NCHI exercises its activity in the field of preventive or rescue archeology, and archaeological heritage study, given the urban and territorial planning in the Republic of Albania.
4. NCHI drafts the archaeological research criteria, reviews the relevant technical documentation, and supervises archaeological processes and developmental projects progress, according to decision-making collegial bodies decisions.
5. NCHI competences extend over the domain of preventive underwater archeology in the Republic of Albania, pursuant to the present law. The Preventive Underwater Archeology Sector is established at the NCHI, in accordance with its function.
6. Building on the information generated by its own activity, specialized institutions conducting archaeological research activities and entities licensed in the field of archeology, the NCHI drafts, updates and makes public the digital platform on archaeological activity in the Republic of Albania. The above-referenced institutions and entities are bound to lodge with the NCHI digital data on a regular basis, after every single archaeological research activity.
7. The NCHI monitors and coordinates the work with cultural heritage regional directorates, and cooperates with local self-government units, and public and private entities - either native or foreign - operating in tangible cultural heritage area, with the ultimate goal of fulfilling its own functions.
8. NCHI has in place the Regional Conservation and Restoration Center (RCRC), performing the following functions:
 - a) shapes and updates the knowledge of restorers and licensed entities, in compliance with the provisions hereunder;
 - b) Drafts and implements qualification programs for tangible cultural heritage specialists.
9. RCRC functioning, organization and activity is determined by a decision of Council of Ministers.

10. In order to fulfill the functions set forth by the present law, the NCHI collects the fees in line with the provisions laid down under the joint instruction of the minister responsible for cultural heritage and minister responsible for finance.

11. The NCHI functioning is governed by the provisions hereunder and the articles of association approved by an order of the minister responsible for cultural heritage.

Article 30

National Cultural Heritage Institute Competences

The NCHI exercises the following competences:

1. Assists the minister in exercising his competences on implementing government policies in the tangible cultural heritage area.

2. Proposes changes to the legislation on tangible cultural heritage.

3. Implements international tangible cultural heritage conventions ratified by the Republic of Albania and proposes their approximation manner with the national legislation.

4. Coordinates the work for the implementation of the World Heritage convention for national cultural properties of outstanding universal significance.

5. Traces, researches, studies and develops preliminary and comprehensive assessments in terms of cultural interest designation and safeguarding status granting.

6. Drafts and proposes tangible cultural heritage tracing, identification, preservation, safeguarding, conservation and restoration standards and criteria.

7. Designs conservation and restoration programs, assessments, terms of reference and other projects in the tangible cultural heritage area and coordinates the work for their implementation at the local and national level.

8. Drafts management plans in cooperation with local self-government units, public and private partners, either native or foreign.

9. Performs conservation and restoration works in movable cultural properties.

10. Carries out technical controls, supervises and commissions works in tangible cultural properties.

11. Maintains the tangible cultural properties national technical archive.

12. Drafts, publishes and updates the digital information systems and the digital map on immovable tangible cultural heritage.

13. Keeps the tangible cultural objects public register.

14. Keeps the register of entities licensed on project design and execution of works in tangible cultural properties.

15. Keeps the national register of permits for intervention in tangible cultural objects.

16. Drafts and keeps the register of immovable cultural properties assessment experts.

17. Drafts and updates the list of restoration and conservation centers, authorized to carry out restoration and conservation activities in movable cultural properties.

18. Ensures the archaeological processes progress, given the urban and territorial planning in the Republic of Albania.

19. Determines the research criteria and ensures the supervision of archaeological processes and developmental projects implementation progress.

20. Coordinates its activity with other cultural heritage institutions for the archaeological heritage museum re-organization, and ensures the increase of funds for movable archaeological objects preservation.

21. Defines the areas where developmental projects are subject to archaeological research prior to their implementation.

22. Keeps and updates the archaeological activity digital platform in the Republic of Albania, as a public register accessible by any entity registered.

23. Assists the ministry in exercising its competences on implementing state policies in the archaeological cultural heritage preservation and safeguarding in general.

24. Coordinates underwater cultural heritage activities with the convention on underwater cultural heritage safeguarding.

25. Proposes the designation for granting the cultural property status, based on preliminary and comprehensive assessments.

26. Proposes to the minister responsible for cultural heritage measures for cultural properties safeguarding.

27. Keeps the register of entities licenses in the field of archaeological heritage.

28. Keeps the national register of permits for intervention in archaeological heritage.

29. Exercises any other power laid down hereunder.

Article 31

Cultural Heritage Regional Directorates

1. Cultural heritage regional directorates, hereinafter CHRD, are specialized technical management regional institutions subordinate to the minister responsible for cultural heritage.

2. CHRDs exercise their activity in the cultural heritage area, with the ultimate goal of tracing, designing, conserving, restoring, supervising, commissioning, promoting, and publicizing cultural heritage in the territory they administer.

3. In order to fulfill their functions, CHRDs are monitored and coordinated by NCHI as he unit responsible for CHRDs welfare. They cooperate and coordinate the work with local self-government units, natural or legal persons, either public or private, native or foreign, in the field of cultural heritage

4. CHRDs are entitled to the following competences:

a) implement international tangible cultural heritage conventions ratified by the Republic of Albania;

b) trace and develop preliminary and comprehensive assessments in terms of cultural interest designation and safeguarding status granting;

c) verify systematically the state of cultural objects in the territory they administer, based on requests lodged;

ç) carry out verifications and take measures, as per the provisions hereunder, in emergency situations should the cultural object be at risk;

d) design conservation and restoration programs, assessments, and other projects in the tangible cultural heritage area and coordinate the work for their implementation at the local and regional level;

perform conservation and restoration works in cultural properties based on projects approved;

e) supervise and commission the execution of works in tangible cultural objects;

ë) exercise any other power laid down hereunder.

5. The following are in place at CHRDs:

a) regional NCHRI offices and movable cultural objects export offices;

b) regional inspectors at the inspectorate responsible for cultural heritage;

c) units responsible for intangible cultural heritage and learning through heritage.

6. In order to fulfill the functions set forth by the present law, CHRDs collect the fees in line with the provisions laid down under the joint instruction of the minister responsible for cultural heritage and minister responsible for finance.

7. CHRDs functioning is governed by the provisions hereunder and the articles of association approved by an order of the minister responsible for cultural heritage.

Article 32

National Cultural Heritage Registration Institute

1 The National Cultural Heritage Registration Institute, hereinafter NCHRI, is a specialized cultural heritage national institution subordinate to the minister responsible for cultural heritage.

2 NCHRI mission is to set up, keep and update the National Cultural Property Register in soft and hard copy. In order to fulfill its mission, NCHRI cooperates with Albanian state institutions, police bodies, customs institutions and international institutions in the fight against cultural properties trafficking.

3 NCHRI is tasked with performing the registration, computer cataloging, documentation, assessment, promotion, supervision and monitoring the observance of property rights and national cultural properties movement. NCHRI monitors and coordinates the work with territorial units in the field of cultural properties. NCHRI delivers services to central state administration bodies, local power, scientific, cultural or religious institutions, private natural and legal persons in terms of cultural properties identification, registering and cataloging.

4 The NCHRI exercises the following competencies:

a) Register and document all cultural properties, both tangible and intangible, as well as privately or state-owned landscape properties in the territory of the Republic of Albania;

b) design the platform for the registration of all movable and immovable properties, preserved by the country's museum network, art galleries, private entities, local and national specialized institution and legally registered religious communities on establishing and updating the National Cultural Properties Register;

c) manage the National Cultural Properties Catalog through the national cultural heritage management information system;

ç) manage the national museum fund catalog;

d) manage the cultural properties state database;

dh) manage stolen cultural properties database;

e) develop methodology on cultural properties documentation and cataloging and coordinate cooperation with territorial units in the field of cultural properties;

ë) grant movable and immovable cultural properties registration certificates;

- f) draft and keep the register of immovable cultural properties assessment experts;
- g) cooperate with local self-government units, other cultural properties management public and private institutions to ensure their cataloging and coordination of field activities;
- gj) assist within its scope of activity the ministry in exercising its competences on governmental policies implementation in the field of cultural heritage ;
- h) award export licenses, in compliance with the provisions hereunder;
- i) keep the national cultural properties export register;
- j) supervise and monitor the observance of property rights and national cultural properties movement;
- k) assist and report to the national inspectorate responsible for cultural heritage;
- l) supervise the implementation or infringement of certified national and international cultural properties circulation procedures (regime);
- g) exercise any other power laid down hereunder.

5 NCHRI is tasked with privately and state-owned cultural properties registration, documentation, assessment, preservation, circulation monitoring, and on-line registration service in the Republic of Albania.

6 Regional NCHRI offices and movable cultural properties export offices are set up and made operational in line with the provisions hereunder for:

- a) *on-line* registration of national cultural properties and any other identification and registration procedure;
- b) implementation and monitoring of export procedures for movable properties national and international certified circulation, in cooperation with customs institutions and State Police.

7. In order to fulfill the functions set forth by the present law, the NCHRI collects the fees in line with the provisions laid down under the joint instruction of the minister responsible for cultural heritage and minister responsible for finance.

8. The NCHRI functioning is governed by the provisions hereunder and the articles of association approved by an order of the minister responsible for cultural heritage.

Article 33

National Traditional Activities Center

1. The National Traditional Activities Center, hereinafter NTAC, is a specialized institution subordinate to the minister responsible for cultural heritage.

2. The NTAC activity scopes intangible cultural objects and diversity management, study, research, identification, preservation, safeguarding, publicization and promotion at the national level, in cooperation with public and private entities.

3. In order to fulfill its function, the NTAC cooperates with intangible cultural heritage specialists at cultural heritage regional directorates and central and local arts and cultural institutions, cultural associations and individuals operating in the field of intangible cultural heritage.

4 The NTAC organizes national typological folk festivals, hereinafter NTFFs, in cooperation with the ministry responsible for cultural heritage, and local self-government units. NTFFs organization is governed by the National Typological Folk Regulation, approved by an order of the minister responsible for cultural heritage.

5 NTAC, in cooperation with the ministry responsible for cultural heritage, local self-government units, and other state and private institutions organizes Gjirokastra National Folk Festival, in line with its regulation, as approved by the minister responsible for cultural heritage. Its announcement is made by an order of the minister one year prior to its organization.

6 NTAC exercises the following competencies:

a) assists the minister in exercising his/her competencies on implementing government policies on the intangible cultural heritage preservation, promotion and management;

b) researches, verifies and studies intangible cultural heritage values;

c) sets up and updates the National Folklore Bearers Register, Intangible Heritage Values Register, Craftsmen List passing down various know-how, Intangible Heritage Masterpieces Register and Endangered Intangible Cultural Heritage List;

ç) create and maintain an interactive intangible cultural heritage map in the territory of the republic of Albania;

d) issue documents, attested copies thereof and archive soft copies, according to the fees set by relevant instruction;

dh) monitor on-site all intangible cultural heritage activities carried out at national level;

e) develop reports or generate information on intangible heritage, as requested by international bodies and file them with NICHHC;

ë) exercise any other power laid down hereunder.

7. NTAC operates as the technical secretariat of the National Intangible Cultural Heritage Council.

8 The NTAC functioning is governed by the provisions hereunder and the articles of association approved by an order of the minister responsible for cultural heritage.

Article 34

Central State Film Archive

1. The Central State Film Archive, hereinafter CSFA, is a specialized archival institution subordinate to the minister responsible for cultural heritage.

2. CSFA is tasked foremost with studying, researching, preserving, protecting, digitizing, restoring, scientifically processing, promoting, assessing, publishing, managing, enriching with new material and using film archival materials to conduct new cinematographic and TV works, studies, consultation and cooperate with public and private entities, either Albanian or foreign, in the field of cinematography and archives.

3. CSFA is subject to the present law in terms of fulfilling its archival film fund preservation, safeguarding, assessment and management functions, and subject to the law on cinematography in terms of performing other duties.

4 The film restoration center is established and made operational at CSFA, training film restorers, in compliance with the provisions hereunder. CSFA functioning, organization and activity is determined by a decision of Council of Ministers.

5 CSFA functioning is governed by the provisions hereunder and the articles of association approved by an order of the minister responsible for cultural heritage.

Article 35

Albania's National Library

1. Albania's National Library, hereinafter ANL, is a specialized archival institution subordinate to the minister responsible for cultural heritage.

2. CSFA is tasked foremost with studying, researching, digitizing, preserving, protecting, assessing, managing, restoring, scientifically processing, promoting, publishing, enriching with new material and using film archival materials to conduct studies, consultation and cooperate with public and private entities, either Albanian or foreign, in the field of archives and publishing.

3. ANL is subject to the present law and the Law on Libraries.

4. The ANL is established and made operational at Library Materials Restoration Center, training future library materials restorers, in compliance with the provisions hereunder.

5. ANL functioning, organization and activity is determined by a decision of Council of Ministers.

6. The National Library functioning is governed by the provisions hereunder, Law on Libraries, and articles of association approved by an order of the minister responsible for cultural heritage.

Article 36

Specialized Institutions

1. Specialized institutions in the field of cultural heritage including Academy of Science, National Archival Network Institutions, Institute of Cultural Anthropology and Arts Study, Institute of Archeology, in compliance with their field of competencies.

2 Institutions set forth under Paragraph 1, exercise their functions in compliance with the provisions laid down under special laws tackling their field of competence and for as long as the provisions hereunder apply, in their quality of specialized institutions.

3 Should the institutions referenced under Paragraph 1 of the present article are cultural properties owners or possessors, they are obligated to adhere to the provisions hereunder on cultural property holders' rights and duties and are subject to control and inspection, as per the provisions hereunder.

TITLE IV

CULTURAL HERITAGE COLLEGIAL BODIES

Article 37

Cultural Heritage Collegial Bodies

1. Cultural heritage collegial bodies are as follows:

- a) National Tangible Cultural Heritage Council, hereinafter NTCHC;
- a) National Intangible Cultural Heritage Council, hereinafter NICHC;
- c) National Cultural Properties Management Council, hereinafter NCPMC;
- c) National Museums Council, hereinafter NMC;

2. Their composition, functioning, competences and members remuneration is determined by a decision of Council of Ministers.

Article 38

National Tangible Cultural Heritage Council

1. The National Tangible Cultural Heritage Council is a decision-making body at the minister responsible for cultural heritage, chaired by the minister and composed of 15 members, as designated by an order of the minister responsible for cultural heritage.

2. NTCHC exercises the following competences:

a) License entities, natural and legal persons in the cultural heritage field on archaeological and rescue archeology activities design, implementation, supervision, commissioning, and assessment;

b) approve tangible cultural objects maintenance, preservation and restoration projects drafted by cultural heritage institutions covering the relevant activity, as well as entities licensed for such purpose

c) supervise the activity in the tangible cultural objects and landscape properties area;

c) approve permits for immovable cultural properties preservation and safeguarding interventions , as per the provisions and permits envisaged herein;

d) approve in principle the request for cultural interest designation;

dh) approve in principle the designation of historic centers, parks and archaeological areas;

e) draft general acts, with the view to ensure uniformity in cultural interest assessment;

ë) approve and assess in principle general detailed local plans in case they include cultural heritage protected areas

3. NTCHC's work is organized into colleges holding the following competences:

a) Technical Council, composed of 7 member, acting as a selector assessing the requests submitted with NTCHC in terms of cultural properties maintenance interventions

b) The Tangible Cultural Heritage Council, composed of 15 members, acting as a decision-making body in terms of requests on movable and immovable cultural properties interventions, archaeological objects and any other field request, pursuant to provisions herein.

4. NTCHC interacts by means of its unique front office and technical secretariat at NCHI. The NTCHC, technical secretariat and unique NTCHC front office activity is governed by a special regulation, as approved upon order of the minister responsible for cultural heritage. Such order is published in the Official Gazette.

Article 39

National Intangible Cultural Heritage Council

1. The National Intangible Cultural Heritage Council is a decision-making collegial body at the minister responsible for cultural heritage, chaired by the

minister responsible for cultural heritage and composed of 11 members, as designated upon order of the minister responsible for cultural heritage.

2. NICHC exercises the following competences:

- a) supervise the activity in the intangible cultural property field;
- b) draft and approve the development strategy and program;
- d) approve in principle the request for cultural interest designation;
- ç) draft and approve the intangible cultural property development strategy and program;
- d) monitor and supervise the activities performed in the field of intangible cultural objects;
- dh) propose work schedules on education through intangible cultural heritage;
- e) approve the annual national activities plan developed by the National Traditional Activities Center;
- ë) propose projects and measures to be adopted so that to preserve and safeguard intangible cultural heritage, especially those in danger;
- f) propose and approve the intangible cultural heritage catalog and digitalization program, carried out by the National Institute for Cultural Heritage Registration;
- g) propose and approve national intangible cultural heritage values for registration with UNESCO representative list of intangible phenomena;
- gj) approve NTAC proposals for “National Intangible Cultural Heritage Masterpieces”.

3. NICHC interacts by means of its technical secretariat at the NTAC.

4. The NICHC and technical secretariat activity is governed by a special regulation, as approved upon order of the minister responsible for cultural heritage. Such order is published in the Official Gazette.

Article 40

National Cultural Properties Management Council

1. The National Cultural Properties Management Council (NCPMC) is a decision-making body at the minister responsible for cultural heritage, chaired by the minister and composed of 11 members, as designated by an order of the minister responsible for cultural heritage.

2. NCPMC exercises the following competences:

- a) approve the sustainable economic management strategy and forms of cooperation in cultural heritage;
- b) approve the cultural heritage territorial development program;
- c) consult the minister responsible for cultural heritage on the typology of commercial activities carried out in the cultural properties surroundings and protected areas;
- ç) approve the criteria on the licensing of commercial entities dedicated to cultural values promotion and display in national and international exhibitions;
- d) approve the criteria for awarding licenses to cultural properties assessment experts;
- dh) draft, approve and propose to the minister public-private partnerships on cultural properties;

e) determine the fee for cultural property use, their manner of use and their destination;
ë) determine the criteria and exhibitions, fairs or any other cultural initiative cultural or scientific interest designation with the view to implement the facilities envisaged by fiscal normative.

3. NCPMC has in place its own technical secretariat at the ministry responsible for cultural heritage.

4. The NCPMC and technical secretariat activity is governed by a special regulation, as approved upon order of the minister responsible for cultural heritage. Such order is published in the Official Gazette.

Article 41

National Museums Council

1. The National Museums Council (NMC) is a decision-making collegial body at the ministry responsible for cultural heritage, chaired by the minister responsible for cultural heritage and composed of 11 members, as designated by an order of the minister responsible for cultural heritage.

2. It has in place the Museum Accreditation Board.

3. NMC exercises the competences set forth in the third part hereunder.

4. NMC technical secretariat is in place at the National Museum of History.

5. The NMC, Museum Accreditation Board and technical secretariat activity is governed by an order of the minister responsible for cultural heritage. This order is published in the Official Gazette.

TITLE V

IMMOVABLE CULTURAL PROPERTY PRESERVATION IN THE CONTEXT OF TERRITORY PLANNING AND DEVELOPMENT

Article 42

Immovable cultural heritage safeguarding in the context of territory planning and development

Immovable cultural heritage safeguarding in the context of territory planning and development shall include:

a) preservation regimes pursuant the provisions of this law;

b) detailed plans in national significance heritage sites, aimed at preserving immovable cultural properties, and relevant specific rules;

c) immovable cultural property management plans;

ç) general review of development permits and relevant documentation for projects, project investment initiatives, and intervention projects in protected areas, with the aim of preserving immovable cultural heritage and supervising their implementation.

Article 43

Preservation regimes

1. The immovable cultural property preservation regime is specified by instruction of the minister responsible for cultural heritage.

2. The movable cultural property safeguarding regime, for property located in immovable cultural properties, determines the location of the property, its territory and preservation and maintenance instructions within the immovable property where it is located and the surrounding environment.

3. The territory provided for in paragraph 2 above, in this article, is also defined in terms of the immovable cultural property and its buffer zone borders.

4. Immovable cultural properties and groups of immovable cultural properties with their borders and buffer zones are sites of national significance pursuant the meaning of the law “On territory planning and development” and are reflected in cadaster maps in accordance with the provisions of the law on the registration of immovable properties, while being reflected in central and local planning documents in accordance with with the provisions of the law “On territory planning and development”.

5. The relevant section of the immovable property card, which is relevant for properties provided for in paragraph 4 of this article, includes the “Cultural property” note.

Article 44

Detailed plans for national significance heritage sites

1. detailed plans for national significance heritage sites define the objectives, tasks, and task completion methodology for the preservation of immovable cultural heritage, pursuant its safeguarding regimes.

2. Regional level sector plans, the general local plan and the detailed local plans for the development of national significance heritage are specifically related to rules and norms developed in compliance with the regimes for the safeguarding of immovable cultural properties of the relevant local unit.

3. Planning documentation based on paragraph 2 of this article are specifically related to the development of national significance heritage sites, and the terms of reference for their development and final documentation are preliminarily reviewed by the NTCHC.

4. The responsible authority approves the planning documentation referring to the development of national significance sites, pursuant the provisions of article 43 of this law, and the specific cultural property development permits, or returns said documentation for reconsideration to the proposing authority when finding that the documentation is in violation of the provisions of this law.

Article 45

Immovable cultural property management plans

Immovable heritage property management plans must include specific regimes and rules regarding the following:

a) general features of the protected territory related to the preservation of immovable cultural heritage;

b) management objectives and setup;

c) a short and long term program, programs for the preservation of the immovable cultural value and plan implementation;

ç) funding of activities for plan implementation;

d) inclusion of partners in plan implementation;

dh) conditions and recommendations for implementation activities;

e) monitoring system in the protected territory and rescue measures in case of emergencies;

ë) implementation control system.

Article 46

Development of immovable cultural property management plans

1. Pursuant article 45 of this law, management plans are developed for immovable cultural values included in the Cultural Heritage Inventory of the Republic of Albania for:

a) historic centers;

b) archeology sites and parks;

- c) groups of immovable cultural values of national significance;
 - ç) individual immovable cultural values of national significance.
2. Pursuant article 45 of this law, management plans are developed for other immovable cultural values, with the initiative, designation and funding by their owner or user, or the local government unit, in which they are located.
 3. Immovable cultural property management plans are subject to public discussion in accordance with the procedure provided in the Decisions of the Council of Ministers The scope, structure, contents and methodology for developing plans is determined by Decision of the Council of Ministers.

Article 47

Approval of immovable cultural property management plans

1. Immovable cultural property management terms of reference and plans are subject to approval by the minister responsible for cultural heritage after having preliminarily solicited the opinion of the NTCHC and the NCPMC.
2. Plans for the preservation and management of immovable cultural values are approved by:
 - a) the Council of Ministers in case of groups of immovable cultural properties;
 - b) the minister responsible for cultural heritage for individual immovable cultural properties.

Article 48

Development permits in national significance heritage sites

1. Projects for development permits and requests to intervene in national significance cultural heritage sites are approved and implemented in accordance with with the provisions of the law on territory planning and development and this law.
2. Environmental permits, building reconstruction permits, and infrastructure permits in historic centers, A and B archeology sites, are primarily approved by the NTCHC and then based on the territory planning and development legislation.
3. Any partial or complete detachment of an immovable cultural property and elements of landscape cultural property, which are part of garden and park art, may be allowed in compliance with the provisions of the law on territory planning and development after having obtained a positive opinion by the NTCHC.
4. The monitoring of the measures foreseen in the territorial protection and immovable cultural property development plans is conducted by the National Inspectorate for Care of Cultural Heritage, in cooperation with competent central and local governance authorities.

Article 49

Handover of works

1. Interventions in immovable cultural properties, including typologies of works for façade conservation and restoration, conservation and restoration of indoor artistic elements, conservation of cultural archaeological values, are handed over to the committee composed of employees of the RCHD and immovable cultural heritage owners/administrators. The committee is appointed by order of the NCHI director.
2. The committee established pursuant paragraph 1 of this article, will check the documentation submitted by the commissioning entity to verify the quality of restoration works completed and with a report proposes to the NCHI to accept or refuse the works, reasoning its decision.
3. Within one week from receiving the report from the committee, and should the report suggest that works be accepted, the NCHI director issues an order to accept the completed conservation and restoration works.
4. A copy of the documentation, which is registered in the relevant file of the immovable cultural property is filed with the NCHI and the NCHRI.
5. In cases when the committee, pursuant paragraph 1 of this article, has proposed the refusal of the

completed works, the report will include specific instructions, timeframes and the appointment of a person responsible for their implementation.

PART TWO

IDENTIFICATION, PRESERVATION AND ASSESSMENT OF CULTURAL PROPERTIES

TITLE I

CULTURAL PROPERTIES

Chapter I - Identification of Cultural Values

Section I - Cultural properties

Article 50

Tangible cultural property typologies

1. Tangible and intangible cultural properties are properties of artistic, literary, scientific, historic, urban, archaeological, and ethnographic interest owned by central public institutions, local government units, and any other entity and public institution, including legally recognized religious communities, private natural and legal persons, and which have been designated as “cultural monuments” and cultural properties prior to entry into effect of this law.

2. Cultural properties are also:

- a) museum, pinacotheca, gallery, and other exhibits funds owned by central public institutions, other local public legal persons, and any other public institution;
- b) archives and any other documents belonging to central public institutions, other local public legal persons, and any other public institution;
- c) book funds belonging to central public institution libraries, other local public legal persons, and any other public institution.

3. Upon designation pursuant the provisions of article 61 of this law, the following may be cultural property:

- a) Tangible and intangible cultural properties are properties of artistic, literary, scientific, historic, urban, archaeological, and ethnographic interest and special significance owned by other subjects than those defined in paragraph 1 of this article;
- b) privately owned specific archives and documents of special historic significance;
- c) privately owned book funds of special cultural interest;
- ç) immovable or movable property, owned by anyone, of special interest because of its reference/relation to political, military, literary, artistic, scientific, technical, industrial and generally cultural history, and which is evidence of the public, collective, or religious institutional identity and history.
- d) collections owned by anyone and not included in those provided for in paragraph 2 of this article and which are in their entirety of special interest because of specific traditions, reputation, and environmental features, or because of artistic, historic, archaeological, numismatic, and ethnographic.

4. Upon designation the following are included in the property provided for in paragraph 1 and paragraph 3, subparagraph “a” of this article:

- a) manuscripts, autographs, correspondence, original architecture drawings and books, seals, special technique etching, which are rare and have valuable features;
- b) geographic maps and sheet music of rare and valuable characteristics;
- c) photographs with relevant negatives and plates, cinematographic reels and audiovisual supports in general, which are rare and valuable;
- ç) villas, parks and gardens of artistic or historic interest;
- d) public squares, alleyways, roads and other open urban areas of artistic or historic interest;

- dh) mines of historic and/or ethno-anthropological interest;
- e) ships and other vessels of artistic, historic, and/or ethnographic interest;
- ë) rural architecture of historic and/or ethno-anthropological interest, which are evidence of traditional rural economy.

Article 51

Other tangible cultural property under special protection

1. Upon designation, the following properties are placed under special protection as cultural property:
- a) frescos, emblems, drawings, graves, inscriptions, World War II shelters, bunkers and other building ornamental features, whether open or closed to the public, pursuant the provisions of this law;
 - b) works of painting, sculpture, graphics and any other visual art object by any contemporary author, which has special features of value;
 - c) works of contemporary architecture of special artistic and architectural value;
 - ç) photographs with their relevant negatives and plates, examples of works of cinematography, audiovisual or moving image sequences, documentation of manifestations realized with sound or verbally, which were produced more than 80 years ago, regardless of production method;
 - d) means of transport manufactured more than 50 years ago;
 - dh) mechanisms, machinery or daily and ceremonial use objects of artisanal, ethnographic, or historic value; object produced artisanally more than 75 years ago, and object manufactured more than 100 years ago;
 - e) assets and instruments, produced more than 50 years ago, of interest for the history of science and technology;
 - ë) signs of human remains from World War II, which are part of historic heritage;
 - f) hidden places of firing squad executions and burial sites from the communist dictatorship era.
2. Properties provided in paragraph 1 of this article are subject to the provisions of articles 57 and 61, should the interests defined in article 50 of this law be verified.

Article 52

Objects that are not cultural property

Objects which have not been designated as cultural property pursuant the provisions of Title I, chapter I, section II, of this Part of the law, and objects which have not been designated as “cultural monument” pursuant previous laws are not cultural property.

Article 53

Classification of immovable cultural property

1. Classification of immovable cultural property is based on:
- a) the relation of the property with a specific historic period;
 - b) research and the cultural domain to which they belong;
 - c) their spatial structure and territorial footprint;
 - ç) level of exposure to risk;
 - d) intervention intensity.
2. Immovable cultural properties are classified as follows with regard the research and cultural domain to which they belong:
- a) archaeological: material human activity signs, which are inseparable from the environment in which they have been created, and which are identified through archaeological excavations;
 - b) historic: buildings, installations, and other structures related to historic events and figures;
 - c) architectural and structural: buildings, installations, structures parts or combinations thereof, which have historic, aesthetic, technical, cultural, technological, spatial, and functional value. These

properties are classified, distinguished, and grouped.

ç) artistic: fine and applied arts works, which are inseparable elements of the environment where they are located or the environment for which they have been created;

d) urban: distinguishable parts of the territories and communities, elements of which are interrelated in the space and may be topographically distinguishable;

dh) cultural landscape: the group of cultural distinguishable layers resulting from the interaction between man and nature, which are a feature of the cultural identity in a specific territory;

e) park and garden art: historic parks and gardens of significance for the development of garden art and science;

ë) ethnographic: material evidence of lifestyle, artisanship works, skills, rituals, and beliefs that are related to the spatial environment;

f) cultural path: the combination of a historic road, which is part of a traditional road and the adjacent immovable cultural heritage sites and landscapes.

3. Immovable cultural properties may be classified as follows with regard to their spatial structure and territorial footprint:

a) individual;

b) grouped, which are in turn classified as follows:

i) complex - a variety within an ensemble, the elements of which are functionally interrelated;

ii) “urban/architectural ensemble” - a distinguishable urban and architectural structure, part of the immovable cultural heritage, the elements of which are in specific and relevant spatial and aesthetic interrelation between them and with the surrounding environment;

iii) historic center - distinguishable urban territory composed of material cultural heritage elements, which in addition to the urban structure includes architectural, environmental, cultural, historic, on site and surrounding area landscape elements, and archaeological evidence, landscape, urban profiles, perspectives, and points of reference;

iv) “archaeological site” - a natural location or landscape with movable or immovable objects, and may be dug or not, that were found or are found on the surface, underground, or below Albanian territorial waters, and which can be studied using archaeological methods. Based on intensity and relevance of archaeological finds, archaeological sites are classified in “Site A” and “Site B”. The zoning is approved by decision of the Council of Ministers, based on the proposal of the minister responsible for cultural heritage;

v) “archaeological park” - a clearly demarcated territory including important aboveground, underground and below water archaeological evidence and coexistence of historic property and cultural landscape organized with elements of a natural museum.

4. In cases of exposure to risk, immovable cultural values are classified as follows:

a) Endangered cultural values - which are under potential threat of damage and destruction as a result of:

i) being located in seismic areas;

ii) being located in large scale construction works areas;

iii) vicinity to territories exposed to major dangers, such as the danger of armed conflict and terrorist attacks.

b) Endangered cultural values - which are under real threat of damage, vandalism, destruction, or grave damage to their integrity as a result of:

i) quick deterioration of their original substance leading to fundamental changes in their structure;

ii) quick deterioration of the environment;

iii) visible loss of their authentic look.

5. Immovable cultural values are classified as follows with regard to their cultural, research, and social relevance:

a) “of universal relevance” - includes those values included in the UNESCO World Heritage List;

b) “on national significance” - includes archaeological sites and other cultural values of remarkable significance for the culture and history of the country;

c) “of local significance” - includes properties related to the culture and history of dwellings, municipalities, or regions;

ç) “of significance for the ensemble” - includes those supporting the spatial and architectural typology of the value group to which the properties belong;

d) “of reference only” - includes those with little individual value that contribute information for the scientific or cultural area to which they belong.

6. Terms and conditions for the classification of immovable cultural values pursuant this article are defined by instruction of the minister responsible for heritage and are published in the Official Gazette.

7. Immovable cultural properties are classified as Category I and Category II properties with regard the intervention intensity.

Article 54

Classification of movable cultural property

1. Classification of movable cultural property is based on:

a) the relation of the property with a specific historic period;

b) research and the cultural domain to which they belong.

2. With regard to their belonging to a specific historic period, movable cultural properties are:

a) prehistoric;

b) ancient;

c) medieval;

ç) of the Renaissance period;

d) modern and contemporary periods.

3. With regard to research and domain of culture to which they are related movable cultural properties are:

a) archaeological: movable objects discovered underground, on the surface or below water, from time periods and civilizations studies by archeology;

b) ethnographic: movable objects that show the way of life and work, traditions, customs, rituals, beliefs, artisanship, and which allow the study of ethnic features and changes to tangible and intangible culture;

c) historic: movable property related to relevant historic events and figures;

ç) artistic: works of fine art, including all techniques and varieties and also including philately specimens;

d) natural: material related to flora, fauna, paleontology and mining formations;

dh) technical: products of technical culture;

e) archives: documents of cultural and scientific significance independent of time period, location and production technique; manuscripts of cultural value dating before the end of the eighteenth century, rare and valuable publications of scientific, cultural, polygraphy, or bibliographic significance;

ë) literary: documented and physical cultural assets related to the general history of literature..

4. Depending on their cultural and scientific significance, movable cultural property is:

a) national treasure - a cultural asset of special significance for science, culture, nature, or technological development, the destruction, damage or loss of which would be of irreparable loss to society, and which should meet some or all of the following requirements:

i) to be unique, traditional, or rare with regard to human activity or creativity during the period it originates from;

ii) to be of genuine and high scientific and artistic value;

iii) to be related to, or to be evidence of ideas, beliefs, events, or renowned figures of vital significance for the development of society.

b) cultural heritage of universal significance - all those included in the UNESCO World Heritage List.

5. Movable cultural properties are individual or grouped into collections. Collections may be of universal, national, and regional value.

6. With regard to the intervention intensity, immovable cultural properties are classified as Category I and Category II culture monuments, pursuant the provisions of this law.

Article 55

Intangible cultural property typologies

The following typologies of intangible cultural assets are subject to safeguarding pursuant the provisions of this part:

- a) instrumental music folklore; instrumental folklore; oral folklore tradition; choreographic folklore; vocal music folklore; folk games preserved in memory, in writing or in records;
- b) folklore arts of play, rituals, and folklore shows;
- c) old and traditional manifestations, knowledge, and practices related to nature and the entirety of social activity;
- ç) knowledge development related to artisanship and traditional cuisine;
- d) beliefs, mores, and traditions;
- dh) folklore practices in their varied forms of expression;
- e) skill and knowledge development related to life and economy: land cultivation, animal husbandry; hunting, trade, etc.;
- ë) knowledge related to nature;
- f) skills and knowledge related to traditional crafts, such as: folklore crafts, traditional costume crafts, folklore architecture crafts, home crafts;
- g) forms of vitalising the Albanian language and the languages of other communities;

Section II - Documentation of cultural properties

Article 56

Cultural property inventory and cataloging

The identification of cultural property is done by way of the inventory taken by the NCHRI, pursuant the provisions of this law. Among others, the inventory and document include the preliminary graphical representation, the visual and descriptive representation of the fundamental cultural heritage data, the name of the owner, possessor or entity using the asset, and references on location.

2. NCHRI is the institution that stores, updates and manages the National Catalogue of Cultural Property and the national registers of tangible and intangible cultural assets. Inventory, registration, and cataloging procedures and methods are provided in an instruction of the minister responsible for cultural heritage and are published in the Official Gazette.

3. The data provided for in this article compose “The National Register of Cultural Property”. The NCHRI is the institution that stores, updates, and manages the National Catalogue of Cultural Properties.

4. “The National Register of Tangible Cultural Property” and the “National Register of Intangible Property” are developed, stored and updated to ensure the identification of cultural heritage. These registers are subject to regular and continuous updating and development by institutions specialised in this domain.

5. In cooperation with specialised institutions, the ministry responsible for cultural heritage identifies, inventories, and develops the common methodology for the collection, exchange, intervention, and processing of national level data, and the integration of the state database with digital platforms and registers.

6. The ministry responsible for cultural heritage and local government units, in cooperation with universities and institutions specialised in cultural heritage, contribute to the definition of programmes related to scientific research, studies and initiatives in the domain of methodology, inventorying and cataloging.

7. The use of and access to the documents issued under article 61 of this law guarantees the security of the properties and personal data protection.

8. The information gathered through the process of cultural heritage identification, documenting, registration, and cataloging is included in the “Digital system of cultural property database”. The operation of this system is provided for with an instruction of the minister responsible for cultural

heritage, which is published in the Official Gazette.

Chapter II - Verification and designation of cultural interest and registration of cultural property

Section I - Verification

Article 57

Verification of cultural interest

1. The properties defined in paragraph 1 of article 50 of this law, which were created more than 50 years ago in case of movable property and more than 70 years ago in case of immovable property, are subject to the provisions of this section until the verification provided in paragraph 2 of this article is completed.
2. Upon the initiative or request of entities owning the property and provided with the relevant data, the ministry responsible for cultural heritage and specialised institutions verify the existence of artistic, historic, archaeological and ethnographic interest for properties in paragraph 1 of this article, based on general feature data provided by the NTCHC with the purpose of ensuring uniformity in assessment, and in accordance with the procedure provided in this law.
3. With the exception of the provisions in paragraphs 1 and 2, any property is declared cultural property, under the meaning of article 61 of this law, only upon completion of the cultural interest verification process, pursuant the provisions of this law.

Article 58

Request for verification

1. The request for verification is submitted by public or private entities to the NCHRI for movable properties; to the NCHI for immovable properties; and the NTAC for intangible property. Within 120 days from receiving the request, these institutions issue a decision of the head of the institution on the identification of the cultural interest, or lack thereof, in the properties under verification. The requirements and ways of submitting verification requests, the fee methodology, the consultation bodies, the criteria for making a decision, and the documentation to be submitted along the application are defined by instruction of the minister responsible for cultural heritage, which is published in the Official Gazette.
2. In the case of immovable state owned properties, the request provided for in paragraph 2 of article 57 of this law, is accompanied by the list of properties and their descriptive property cards. The requirements for developing the lists, the methods for editing descriptive cards and for submitting them are provided by instruction of the minister responsible for cultural heritage, which is developed in cooperation with the competent institutions for the registration and identification of cultural properties.
3. Verification of archive documents, for which one of the interests provided in paragraph 3 of article 50 of this law exists, and for which the verification procedure and method is in any case provided in the law regulating archives, are exempt from the above provisions.
4. Verification procedure application fees are approved by joint instruction of the minister responsible for cultural heritage and the minister responsible for finance.

Article 59

Verification procedure

1. A consultation committee for the assessment and identification of cultural value in movable, immovable and intangible properties is established respectively at the NCHRI and the NCHI, by order of the minister responsible for cultural heritage. Their operation is regulated with an instruction of the minister responsible for cultural heritage, which is published in the Official Gazette.
2. The committee members are selected from the expert assessor list for cultural values in movable,

immovable and intangible properties, developed at the NCHRI, NCHI, and the NTAC. Requirements and inclusion in the list are provided for in an instruction of the minister responsible for cultural heritage, which is published in the Official Gazette. The remuneration method is provided for by decision of the Council of Ministers.

3. The verification decision provides the result of the identification and is signed by all the members of the relevant committee. The opinion of the committee must specify the following:

- a) whether the property meets the requirements to be considered as cultural asset;
- b) whether there is sufficient data to meet the requirements for a designation of “National Treasure” in case of movable properties, and “Cultural Property” in case of immovable properties,
- c) whether there are elements to determine the significance of the immovable cultural property, pursuant the provisions of article 53; of the movable property, pursuant the provisions of article 54; and of the intangible property, pursuant the provisions of article 55 of this law;
 - ç) whether there are elements to qualify the group of immovable properties as “group of cultural properties”, pursuant the provisions of article 53 of this law;
 - d) whether there are elements to qualify the group of immovable properties as “collections”, pursuant the provisions of article 61 of this law;
 - dh) whether there are elements to determine the need for preliminary preservation measures and the type of such measures.

4. The decision of the committee along with the relevant application file are communicated to the heads of the NCHRI, the NCHI, and the NTAC respectively within 7 days of it having been officially made.

Article 60

Conclusion of the verification decision

1. The verification procedure is concluded with the issuance of the NCHRI, NCHI, or NTAC head order, which makes reference to the committee decision and includes the verification of the cultural interest or lack thereof. This order is communicated to the applicant entity and specialised institutions.

2. With the purpose of preserving properties which upon verification have been identified as cultural assets, they are designated under “Preliminary Safeguarding” by order of the NCHRI, NCHI, or NTAC head, and they are subject to the provisions of this law.

3. The announcement of the head decision, provided for in paragraph 2 of this article, results automatically in the implementation of preliminary safeguard measures provided for in the provisions of this law.

4. Should the verification procedure find that the properties have on special interest, they are not subject to the provisions of this law.

5. The verification of the artistic, historic, archaeological, or ethnographic interest, which is conducted pursuant the general rules provided in this law, is the fundamental document for the designation of the object as cultural property, in line with the meaning of article 61 of this law.

6. Description cards of the state owned immovable property subject to verification and that have been evaluated positively, along with the order of the head which verifies the cultural interest, is reflected in an electronic, or any other form database managed by the NCHRI and that can be used by the ministry responsible for cultural heritage, specialised institutions in this field, and the national inspectorate responsible for cultural heritage to monitor immovable heritage and to plan interventions in the framework of the respective institutional competences.

7. The verification procedure is concluded with the expiry of a 120 day deadline from submission of the application, unless an extension is granted pursuant the procedure above. The decision of the NCHRI, NCHI, or NTAC head must be issued within this time. In exceptional cases of need the head of the institution may extend the deadline by 60 days based on a reasoned decision.

Section II - Designation

Article 61

Designation of tangible cultural properties

1. The designation confirms the presence of interest provided for in paragraph 3 of article 50 of this law for objects that has been subjected to assessment, and which have been given a positive assessment by this verification.
2. Designation is not required for properties listed under paragraph 1 of article 50 of this law. These objects remain under safeguard even when entities holding ownership over them change their legal status.
3. The designation is not awarded when after a positive assessment, there is data or facts that the property may have been illegally benefited/found/transferred or bought into the territory.

Article 62

Designation procedure

1. The designation procedure starts with a request being filed with the ministry responsible for cultural heritage by regional cultural heritage directorates or specialized institution, upon initiative or the request of local government units, other public institutions or private and other interested entities. The owner, possessor, and holder of the property are notified accordingly. The request includes the order of the relevant institution head, pursuant the provisions of article 60 of this law on the verification of cultural interest for the object subject to designation, and the associated interest verification application file, the technical property card developed by the specialized institution, and the proposal to declare the property area as a protected area in case of immovable properties.
2. The minister responsible for cultural heritage approves the designation procedure within 45 days from the filing of the request with the ministry responsible for cultural heritage.
3. The designation of the cultural property is approved by order of the minister responsible for cultural heritage, with the exception of designations for grouped immovable cultural properties pursuant the definitions and classifications provided in this law, which is approved by decision of the Council of Ministers upon endorsement by the minister responsible for cultural heritage. When the procedure concerns the grouping of immovable objects, the relevant communication is also sent to local government units.
4. The order of the minister responsible for cultural heritage contains the following:
 - a) the designation of the cultural property;
 - b) the order directed to specialised institutions to complete the property card, the definition of the protected area; to define the intervention intensity based on the “Cultural Monument Category I and Cultural Monument Category II” types; to define the property significance; to define the protection measures, where necessary; to conclude preliminary safeguarding measures.
5. By order of the minister responsible for cultural heritage, and upon endorsement of the authorized specialized institutions, intervention intensity, cultural property significance, and protection measures where necessary are defined pursuant subparagraph “b” of paragraph 4 of this article.

Article 63

Designation of cultural interest for collections

Collections, as defined by this law, are designated by order of the minister responsible for cultural heritage based on a positive verification during the verification procedure provided for in article 62 of this law, and upon proposal of the NCHRI assessment council.

2. The provisions of Section I of this Chapter and the provisions of article 62 of this law are also applied to collections.

Article 64

Designation of intangible property cultural interest

1. The designation of intangible cultural assets is done by order of the minister responsible for

cultural heritage and is recorded in the National Intangible Cultural Property Register at the NCHRI.

2. The provisions of Section I of this Chapter and the provisions of article 62 of this law are also applied to intangible properties.

Article 65

Notice of designation

1. The owner and the possessor of the object are notified about the designation provided for in article 61 of this law in one of the methods provided in the Code of Administrative Procedure.

2. Upon request of the CHRD, designated properties are registered in the relevant registers, triggering a notice to every relevant later owner, user, or borrower.

3. In addition to registration in the cultural properties register, the NCHRI coordinates data reflection with other public registers for designated properties. The competent institution establishes a both a hard copy and electronic specific database/list of designated properties.

Article 66

Administrative complaints against designation

1. The designation decision may be appealed with the competent court for administrative disputes within the timeframes provided in the applicable legislation.

2. The complaint does not suspend the execution of the administrative act.

Section III - Registration

Article 67

National cultural heritage registers

1. Pursuant the relevant sections of immovable cultural properties; movable cultural properties and collections, the NCHRI maintains and updates the national intangible and tangible property registers in compliance with the provisions of this law and the provisions in the framework of the law on cultural heritage of the time.

2. The properties recorded in this registers may be state or privately owned, independently of their registration in other registers, whether provided or not in other applicable laws.

3. Within 7 days of the notice, the registers indicated in paragraph 1 of this article include all changes to the legal status of the property, safeguarding and preservation conditions and regimes, and any other interventions on the properties.

4. Public and private institutions, including specialised institutions, if they possess cultural properties, officially recognized museums, collectors, officially recognized religious communities must maintain accurate registers of their funds in accordance with the methodology and format provided in the instruction of the minister responsible for cultural heritage, provided for in article 56 of this law.

5. The use of and access to the documents included in the registers provided for in paragraph 1 of this article guarantees the security of the properties and personal data protection.

Article 68

Registration procedure

1. Pursuant the provisions of this law, entities required to notify authorities about the registration of cultural properties, notify the NCHRI within the timeframes provided in this law.

2. The registration procedure, timeframes, relations of the owner/possessor with specialised institutions and the registration format are provided in the instruction of the minister responsible for cultural heritage, pursuant the provisions of article 56 of this law.

3. Registration procedure fees are approved by joint instruction of the minister responsible for cultural heritage and the minister responsible for finance.

Article 69

Publication of national register data

1. National cultural heritage register and national catalogue data may be publicly disclosed upon approval of the owner, and based on a decision of judicial authorities, or upon authorization of the competent authority, as provided in the instruction mentioned in article 56 of this law.
2. The data in this register are subject to the applicable legislation on data protection.

Article 70

Cultural property certificate

1. The cultural property certificate is issued by the NCHRI based on an order of the minister responsible for cultural heritage and the designation of the object as cultural property.
2. The cultural property certificate must at least contain the following identification elements:
 - a) photograph or other image of the property;
 - b) information on coordinates, type, size and weight, production/creation material and technique, and other distinguishing signs;
 - c) name of author/creator, if known;
 - ç) date and place of discovery/creation;
 - d) short description;
 - dh) instructions on preservation and relevant legal provisions;
 - e) protected area of the immovable cultural property.
3. The property certificate is not issued when after the order of the minister to designate the property, there is data or facts that the property may have been illegally benefited, found, transferred, or bought into the territory.
4. The cultural property certificate is not an ownership title for the purposes of the applicable law and does not provide for transfer of legal rights.
5. The cultural property certificate is issued in one copy for both single properties and collections and the NCHRI issues a duplicate in case of loss.

TITLE II

SAFEGUARDING AND PRESERVATION OF CULTURAL PROPERTIES

Chapter I - Technical control and inspection

Article 71

Technical control

1. In accordance with the competencies provided under this law or in other sub-legal acts adopted for its implementation, specialised institutions have the right to check the preservation conditions of cultural properties and areas subject to the provisions on indirect safeguarding.
2. Specialised institutions indicated in paragraph 1 of this article, exercise technical control of immovable cultural property preservation conditions for properties owned, possessed, or managed by private entities, local government institutions and other public local legal entities and registered religious communities.
3. Owners, possessors, registered religious communities and all other entities managing immovable cultural properties have the obligation to allow the control of the property physical conditions and

preservation conditions, by specialised institutions, pursuant paragraph 1 of this article.

4. The specialised institution initiating the technical control procedure notifies the owner, possessor, managing entity directly by way of a written notice 5 days prior to conducting the control.

5. A report is developed during the control including the identity of the owner, the possessor, or managing entity, the date, place and time of the control, a physical description of the property(ies) subject to control, and an analysis of the physical and technical situation of the property.

6. A copy of the report is made available to the owner, possessor, or managing entity within 5 days from the conclusion of the control. The owner, possessor, or managing entity have the right to submit their remarks within 10 days from the notice making the report available. If these entities do not provide remarks within the deadline provided in this paragraph, they are considered to have accepted the conclusions of the control group.

7. After the notice of the observations or expiry of the deadline provided in paragraph 6 of this article, a copy of the report and remarks submitted by the owner, possessor, or managing entity is forwarded to the head of the specialised institution, which approves the final control report.

8. Should the head of the specialised institution identify damages, threats to, use of the cultural property in violation of their historic or artistic character, or which endangers their preservation, or any unauthorized interventions in the final report after the control process, he/she notifies the state inspectorate responsible for cultural heritage.

9. If the head of the specialised institution identifies the need for required preservation interventions in the final report after the conclusion of the control process, he/she notifies the competent CHRD, when the institution in question is not the CHRD.

10. When the immovable cultural property owner, possessor, registered religious communities and all managing entities act in violation of the obligations provided in paragraph 3 of this article, the control group directly informs the state inspectorate responsible for cultural heritage, which takes measures pursuant the applicable legislation.

11. The final report is recorded in the cultural property card.

12. The technical control procedure is regulated with an instruction of the minister responsible for cultural heritage, and is published in the Official Gazette.

13. Technical control rules for movable cultural property are provided for by instruction of the minister responsible for cultural heritage.

Article 72

Safeguard and preservation intervention design, implementation, supervision, and commissioning

1. Safeguard and preservation intervention design, implementation, supervision and commissioning in tangible cultural properties is undertaken by entities licensed for these services, or by specialised state institutions, which the law charges with the safeguarding, preservation, and study of cultural heritage properties.

2. The execution of cultural property safeguarding and preservation intervention works, supervision, and commissioning are solely subject to the provisions of this law and when possible, the legislation on the control and disciplining of construction works.

3. The design, implementation of safeguarding and preservation intervention works, their supervision, and commissioning are regulated by Decision of the Council of Ministers.

Article 73

Inspection in immovable cultural property

1. NCHSI undertakes controls to verify the presence or level of preservation and safeguarding of immovable cultural properties, and the fulfillment of other obligations pursuant the provisions of this law, either *ex-officio* or upon proposal of cultural heritage specialised institutions.

2. Owners, possessors, registered religious communities and all other entities managing immovable cultural properties have the obligation to allow inspections, pursuant paragraph 1 of this article.

3. The inspector conducting the inspection develops a report at the inspection site. When the report cannot be developed at the inspection site, it is concluded in the inspection offices and it is announced to

the inspected entity within 5 days from the conclusion of the inspection.

4. The report is submitted to the chief inspector along with the proposal of the inspector, and the chief inspector makes a final decision within 10 days from the announcement of the report to the inspection subject.

5. The decision of the chief inspector may be appealed with the competent court resolving administrative disputes.

6. Inspection procedures are conducted pursuant the applicable legislation on inspection in the Republic of Albania, unless otherwise provided in this law.

Article 74

Inspection measures in immovable cultural property

1. The chief inspector makes final decisions on:
 - a) the need to undertake preservation interventions, pursuant this law;
 - b) identifying illegal interventions in immovable cultural properties, pursuant this law, and the relevant administrative sanction, pursuant the provisions of this law;
 - c) imposing citations, pursuant the provisions of this law;
 - ç) the obligation, on a case by case basis, to remedy the situation and reinstate the property at the expense of the person undertaking the illegal intervention.
2. In case of a citation decision, the chief inspector, on a case by case basis and taking into consideration the economic situation of the offender, may decide an installment payment plan for the citation based on the agreement entered into with the offender.
3. Revenue generated from the administrative citations mentioned above are divided, with 90% going to the National Fund for the Care for Tangible Cultural Heritage and 10% going to the state budget.

Article 75

Emergency security measures

1. During the inspection process, the inspector has the right to impose emergency measures with an interim decision, should they find that the owner, possessor, or another individual undertaking maintenance, works implementation and supervision in immovable cultural properties could cause immediate, severe, and irreparable damage to the cultural property:
 - a) as a result of inadequate addressing of the situation;
 - b) as a result of use or management in violation of this law;
 - c) as a result of failure to maintain.
2. The inspector may, with an interim decision pursuant paragraph 1 of this article, decide to suspend and/or terminate any type of activity related to the cultural property.
3. Pursuant paragraph 1 of this article, the inspector may decide with an interim decision to suspend the safeguarding intervention in the cultural property, if they find that the works are being done without a permit or in violation of the deadlines or conditions of the permit issued by the competent authorities.
4. The procedures for and complaints against the measures provided for in this law are implemented pursuant the applicable legislation on inspection in the Republic of Albania.

Chapter II - Safeguarding and preservation

Section I - Safeguarding measures for tangible cultural properties

Article 76

Forbidden interventions

1. Tangible cultural properties may not be destroyed, threatened, or damaged and they may not be

used for purposes unrelated to their historic or artistic character, or that can put their safeguarding at risk.

2. Any action resulting in the removal a frescos, emblems, graphical representations, headstones, inscription and other decorative elements of building whether exposed to the public or not.

3. Public and private archives which have been designated pursuant article 61 of this law may not be fragmented.

4. Threatening, destroying, damaging, separating, or using cultural property in contradiction with their historic or artistic character, or putting them at risk, constitutes a violation and persons responsible are liable pursuant this law.

5. In addition to the sanctions provided in this law, the competent organization also decides the obligation to remedy the situation and reinstate the property at the expense of the person undertaking the illegal intervention. Works for the remedy of the situation and the reinstatement of the property are undertaken under the supervision of the RCHD.

Article 77

Permitted interventions

1. Any intervention in immovable and movable cultural properties are undertaken only upon approval of the NTCHC or the minister, depending on the intervention in paragraph 3 of this article, referring to the intensity of intervention foreseen in the property card.

2. The following are permitted:

a) interventions of any type which are not strictly forbidden by this law, only with a permit from the NTCHC;

b) tangible cultural property separation, even partial separations, only with a permit from the NTCHC;

c) interventions related to the reconstruction of tangible cultural property with a permit from the NTCHC and the local government unit;

ç) excavations, restorations, use and any other action in cultural properties and any other interventions on the protected ground around them, only with a permit of the NTCHC;

d) systemic excavations for scientific research and any other archaeological purposes, only with the permit of the NTCHC.

3. The following are permitted only with a permit from the minister:

a) displacement, even if temporary, of movable cultural properties pursuant the provisions of paragraphs 4 and 5 of this article;

b) displacement of movable cultural property from assigned locations with the purpose of preservation, restoration, study, exhibition in or outside the country, or transfer of ownership;

c) splitting collections, series or selections;

4. If the holder of the cultural properties changes residence or place of business, the change of the cultural property location must be preliminarily declared with the RCHD. Within 30 days from the notice made by the RCHD, the NCHRI may foresee relevant measures to safeguard properties from damage during transport.

5. State and other public insitution archives may be moved without the permit provided for in paragraph 2 of this article. In any case, the public institution must notify the ministry responsible for cultural heritage about the move, to ensure supervision of these properties pursuant the provisions of this law.

6. Changes to the use of cultural properties are done by decision of the NTCHC or NICHC depending on the request typology. In any case, the change of use must comply with the provisions of this law.

7. Interventions undertaken in violation of this article constitute violations and the relevant entity is liable under this law. In addition to the sanctions provided in this law, the competent organization also decides the obligation to remedy the situation and reinstate the property at the expense of the person undertaking the illegal intervention.

8. Works for the remedy of the situation and the reinstatement of the property are undertaken under the supervision of the RCHD.

Article 78

Emergency interventions

1. The owner or possessor of the cultural property may, in extraordinary situations when there is risk of damage to the cultural properties, take urgent temporary or preventive measures to mitigate damage risk to cultural property. In this case, the owner or possessor immediately notifies the RCHD and makes available the design and bill of quantities, or the request for final intervention within 48 hours, with the purpose of being issued relevant permits.
2. The request, the design, and the bill of quantities filed pursuant paragraph 1 of this article are reviewed by the NTCHC, under the provisions of paragraph 2 of article 77, or the minister responsible for cultural heritage, under the provisions of paragraph 3 or article 77 of this law, based on an expedited procedure.
3. The NTCHC makes a decision within 15 days for interventions approved with an expedited procedure, within 10 days for interventions provided for in paragraph 2 of article 77 and interventions approved by the minister responsible for culture pursuant paragraph 3 of article 77 of this law.
4. Works undertaken by the owner or possessor, which exceed the emergency needs provided for in paragraph 1 of this article, and which have not been approved by the competent organization, constitute illegal intervention pursuant the provisions of this law.
5. In case of failure to act by the owner or the possessor for the purposes of avoiding damage to cultural properties, or in case of illegal interventions on their part provided under paragraph 4 of this article, the RCHD or the institution or entity authorized by the minister responsible for cultural heritage intervenes to maintain the property. In this case, the expenses are covered by the owner or the possessor.
6. Failure to act or notify pursuant the obligations of the law, constitutes violation and the owner or possessor is liable under this law.

Article 79

Permits for intervention in cultural properties

1. A permit to intervene is necessary for any intervention foreseen in article 77 of this law.
2. The intervention permit document describes all conditions for undertaking works in cultural properties, in accordance with the request associated documentation, the draft bill of quantities, and the norms and standards provided in this law.
3. The permit is signed by the head of the NTCHC and is issued to the applicant after execution of the permit fee for intervention in cultural properties.
4. The beneficiary of the intervention permit, the owner of the cultural property, the works implementer and supervisor are liable *in solido*, pursuant the provisions of this law and the legal provisions regulating construction activities in the Republic of Albania.
5. Intervention permits approved in violation of the law and/or applicable planning regulation are invalid.
6. The permit foreseen in article 77 of this law is issued for the project submitted by the applicant, or when no such project has been submitted, if the permit application is considered sufficient and includes specific conditions related to the purpose of the intervention.
7. The deadline for the start of works cannot be longer than 1 year from the approval of the intervention permit. The works conclusion deadline is defined based on the works schedule approved by the NTCHC. Extension of the works conclusion deadline and changes to the implementing entity defined in the intervention permit are done by the authority that approved the permit upon request of the entity equipped with the license. The extension of the works conclusion deadline may only be done once, for a period no longer than the initial timeframe provided in the intervention permit, on the basis of a request submitted before the permit expires, and in any case no later than 45 days before the expiry of the permit. The request for deadline extension submits the reasons that made the conclusion of the works within the initial deadline impossible and is accompanied with a new works schedule. The request for deadline extension is considered as a approved if the authority that has approved the initial permit does not notify the applicant regarding the decision within 45 days from the submission of the extension request.
8. Obtaining a new intervention permit is obligatory to complete any works that were not completed

within the relevant deadlines.

9. Entities undertaking illegal interventions or whose works have not yet been completed after 3 years in accordance with the approved project, are liable under this law. In addition to the sanctions provided in this law, the competent organization also decides the obligation to remedy the situation or to completely complete the intervention at the expense of the person undertaking the illegal intervention, or who is in breach of the permit deadlines.

Article 80

Intervention permit procedure

1. The application for permit, provided for in article 77 of this law, is submitted to the one stop shop window of the NTCHC at the ministry responsible for cultural heritage. The application template and the associated documentation are provided for in an order of the minister responsible for cultural heritage.

2. Depending on the category of property for which the intervention is requested, or on the type of intervention, the application mentioned in paragraph 1 of this article is submitted to the NCHI respectively, within 5 days from the submission of the application pursuant paragraph 1 of this article.

3. The NTCHC makes a decision within 45 days from the submission of the application, based on the NCHI technical report.

4. The NCHI may request additional information or data, to support their decision making. In this case, the timeframe provided in paragraph 2 of this article is suspended until the requested documentation is provided.

5. Should it be necessary to conduct technical verifications, depending on the intervention type, the NCHI notifies the applicants about the need to conduct said verifications. The notice includes a short description of the technical verification procedure. In this case, the timeframe provided in paragraph 3 of this article is suspended until the verification results are presented, but in no case for more than 60 days.

6. The decision to approve the permit at the NTCHC is made by an absolute vote of the members. Members voting against must reason their opinion in writing.

7. The decision of the NTCHC to approve the permit is registered with the relevant IPRDO, in the tangible cultural property register at the NCHRI, and the relevant permits register at the NCHI, and is published on the Official Gazette.

8. In the case of permits, provided for in paragraph 3 of article 77 of this law the deadline for the application review is 30 days from the submission of the request to the ministry responsible for cultural heritage.

9. The decision rejecting the granting of the permit, pursuant this article, or not issuing the decision within the deadline set in this article, may be appealed in the competent court for administrative disputes.

Article 81

Measures of preventive character

1. The NCHI orders the immediate suspension of works, *ex-officio* or upon request of specialised institutions, when it identifies works conducted in violation of articles 76, 77, and 78 of this law, or in violation of the relevant permit,

2. The NCHI has the right to order the interruption or suspension of interventions even for the properties provided for in article 50, which have not yet been subject of verification pursuant the provisions of paragraph 2 of article 57, or designation pursuant the provisions of article 61 of this law.

3. Failure to start the verification procedure pursuant article 57, or designation procedure pursuant article 61 of this law, within 30 days from the order to interrupt or suspend works provided for in paragraph 2 of this article, results in the automatic nullification of the suspension measure.

4. The effects of the interruption or suspension continue until the the competent authority reviews the illegal interventions.

5. Continuing interventions in violations of the suspension decision, pursuant this article, is a violation and the entity responsible is liable under this law.

Section II - Preservation of cultural properties

Article 82

The preservation function

1. Treatment methodology, technical norms, intervention criteria and models in the cultural property preservation domain are defined by the ministry responsible for cultural heritage in cooperation with institutions, other public entities, universities and specialised research institutes, and are approved by decision of the Council of Ministers.
2. Interventions in tangible cultural properties, interventions in decorated surfaces of tangible cultural properties, and any other interventions for the maintenance of these properties are undertaken by specialised state institutions or entities licensed pursuant this law, in accordance with with the legal provisions in the fields of architecture and works implementation in tangible cultural properties, employing the license typologies mentioned in paragraph 1 of article 83 of this law.
3. Intervention activities in tangible cultural properties undertaken by specialised institutions or private entities provided for in this law, are included in category VI.1 of the appendix of the law on licenses. This activity is licensed pursuant the following provisions in this law.
4. Special licensing conditions and criteria, associated documentation, license subcategories, issuing procedures, suspension or revocation procedures, and annual license fees provided for in paragraph 2 of this article, are regulated by decision of the Council of Ministers.
5. The education qualification requirements for individuals seeking the licenses mentioned in paragraph 2 of this article, are set at a masters level pursuant the applicable legislation on higher education.
6. Continuous training of individuals equipped with the licenses mentioned in paragraph 2 of this article is provided by the “Regional Centre for Conservation and Restoration for South-East Europe”, established at the NCHI, or by public or private entities pursuant a cooperation agreement. Requirements and quality levels for the continuous training programme are defined by instruction of the minister responsible for heritage.
7. Within 3 years from entry into effect of this law, entities licensed prior to its adoption have the obligation to gain credits, based on an intensive continuous training programme approved by order of the NCHI head. Failure to meet this obligation results in license revocation.

Article 83

License types

1. Licenses for intervention activities in tangible cultural properties are divided into design, implementation, supervision, and commissioning license types.
2. These licenses are approved by decision of the NTCHC for entities meeting the conditions and requirements defined by decision of the Council of Ministers, as provided in paragraph 4 of article 82 of this law.

Article 84

License revocation

1. Licenses to undertake intervention activities in tangible cultural properties may be revoked by decision of the NTCHC in the following cases:
 - a) when false statements have been made in the documentation associated with the request;
 - b) when the documents filed are falsified;
 - c) when the legal person undertakes intervention activities in violation of what has been

designed by the technical project leaders;

ç) in case of failure to meet the requirements of the license or when undertaking activities in violation of the legal and sub-legal requirements, which have been identified by the NTCHI;

d) when the entity has not completed the compulsory periodic continuous training, pursuant the provisions of the instruction of the minister responsible for cultural heritage;

dh) when the technical director resigns, or when the license of the technical director is revoked, pursuant the provisions of this law;

e) when a final decision in criminal proceedings related to the field of design/implementation/supervision/commissioning has been handed down against the administrator, the legal person, or the technical director;

ë) when procedures of bankruptcy or declaring a passive status for the legal person have been initiated;

f) when the inspectorate or specialised institutions have found that the technical director of a legal person is employed full time in more than one business;

g) when the annual license fee is not paid within the allotted timeframe;

gj) in any other case provided for by decision of the Council of Ministers mentioned in paragraph 4 of article 82 of this law.

2. The license revocation decision may be appealed with the competent court for administrative disputes. The complaint does not suspend the execution of the administrative act.

Article 85

Obligation to preserve

1. Public central and local institutions, and any other public institution, have the obligation to guarantee the security and preservation of cultural properties owned or managed by them.

2. Private entities, cultural property owners or possessors, and registered religious communities have the obligation to guarantee the security and preservation of their properties pursuant the conditions set forth in paragraph 1 of article 82 of this law.

3. The entities defined in paragraphs 1 and 2 of this article, develop an inventory of the cultural properties they own or manage and specify their location. The method and format of this information is defined by instruction of the minister responsible for cultural heritage.

4. The entities mentioned in paragraphs 1, 2 and 3 of this article that fail to meet the obligations of this article, are liable under this law.

Article 86

Preservation interventions in public properties

1. The ministry responsible for cultural heritage guarantees and acts to preserve cultural properties under state ownership and properties managed by third parties based on agreements with these entities.

2. The design and implementation of interventions foreseen in paragraph 1 of this article, is undertaken by the entity managing them. In any case, the abovementioned entities must comply with the procedures provided in article 80 and 88 of this law and must allow works to be supervised by competent authorities.

3. In any case, the expenses for the design and implementation of works under paragraph 2 of this article, and any other related obligations are covered by the managing entity.

4. The ministry responsible for cultural heritage announces the design and the start of works to the

interested public institutions before the implementation of works in the immovable property, pursuant the provisions of paragraph 1.

5. Local government units and public institutions take measures for the compulsory preservation of cultural properties under their ownership, pursuant articles 85, 87, and 88 of this law and the applicable local government legislation.

Article 87

Voluntary preservation intervention

Restoration and other preservation intervention in cultural properties started with the initiative of the owner, possessor, or holder are undertaken pursuant article 80 if this law.

Article 88

Approval procedure for voluntary preservation interventions

1. Upon request of the owner or possessor, the RCHD declares the need for intervention and develops a technical report.

2. Based on the RCHD technical report, the owner or possessor takes measures to develop the relevant project and bill of quantities.

3. The project, the total bill of quantities and the cultural value safeguarding cost of the cultural property are submitted for approval to the NTCHC and must include the necessary specifications and the timeframe for the start of works.

4. The NTCHC makes a decision, pursuant the procedure provided in paragraphs 1 to 7 of article 92 of this decision.

Article 89

Expenses for voluntary preservation interventions

1. Expenses for voluntary preservation interventions, foreseen in article 88 of this law, are covered by the owner or possessor of the cultural property.

2. Upon soliciting the opinion of the NTCHC, the Ministry may elect to contribute to the expenses foreseen by the owner or possessor of the cultural property, at an amount not exceeding half of these expenses.

3. When interventions are of special significance or are undertaken in properties in public use, the ministry may elect to cover all intervention expenses.

Article 90

Compulsory preservation interventions

1. Private entities owning or possessing a cultural property have the obligation to take measures and undertake necessary interventions that guarantee the preservation of the properties under their ownership or possession. The necessity for intervention is determined by the RCHD through the development of a technical report.

2. Should the entities mentioned in paragraph 1 of this article fail to meet the preservation intervention obligations, the ministry responsible for cultural heritage undertakes these interventions.

3. When investments are done with public funds, the selection procedures for entities licensed in design, implementation, supervision, or commissioning in cultural properties are defined by decision of the Council of Ministers.

4. Should there be a need to undertake publicly funded investments pursuant paragraph 3 of this article, other state institutions are obliged to obtain authorization from the minister responsible for cultural heritage.

5. The relations of the ministry responsible for cultural heritage with the owner or possessor of the cultural property are regulated by this law.

Article 91

Compulsory physical safeguard

1. The ministry responsible for cultural heritage and specialised institutions have the competence to temporarily secure and safeguard movable cultural property in public institutions, with the aim of guaranteeing their security and preservation, pursuant the provisions of article 82 of this law.

2. The relations of the ministry responsible for cultural heritage with the owner of the movable cultural property are regulated by this law.

Article 92

The approval and implementation procedure for compulsory preservation interventions

1. The RCHD develops a technical report and declares the need for intervention pursuant article 90 of this law.

2. The technical report and the notice for the initiation of the procedure are sent to the owner or possessor of the cultural property, who have the right to make their observations within 30 days of being informed about the acts.

3. The RCHD gives the cultural property owner or possessor a deadline to submit the necessary interventions project, based on the technical report. If the owner does not submit a project and relevant bill of quantities to the NTCHC within the deadline set by the RCHD, the RCHD takes measures to develop such project and immediately informs the National Cultural Heritage Inspectorate.

4. The project, the total bill of quantities and the cultural value safeguarding cost of the cultural property are submitted for approval to the NTCHC and must include the necessary specifications and the timeframe for the start of works.

5. The NTCHC make a decision on the project and bill of quantities within 45 days from submission of the request.

6. The owner is informed about the decision of the NTCHC, and a deadline is set for the implementation of works pursuant the decision of the NTCHC.

7. The NTCHC decision may be appealed with the competent court for administrative disputes. The complaint does not suspend the implementation of the NTCHC decision.

8. If the owner or the possessor of the cultural property fails to meet the obligation to submit the project, or fails to comply with the NTCHC decision within the allotted timeframe, the minister responsible for cultural heritage intervenes after the communication of the inspectorate/RCHD that the owner/possessor has failed to start works, and initiates procedures for the selection of a public or private entity that will complete the works pursuant the provisions of this law.

9. The potential interventions of the ministry are defined by instruction of the minister responsible for cultural heritage.

Article 93

Expenses for compulsory preservation interventions

1. The investment value, according to the relevant bill of quantities, and other financial obligations related to interventions in cultural properties, whether undertaken as instructed by or by the ministry responsible for cultural heritage itself, pursuant the provisions of article 92 of this law, are covered by the ministry and the owner or possessor.

2. The amount of expenses covered by the state is equal to the amount of expenses safeguarding the cultural value of the property. This amount is determined on a case by case basis by decision of the NTCHC, pursuant article 92 of this law.

3. Expenses covered by the owner are approved by decision of the NTCHC, pursuant the provisions of article 92 of this law.

4. The amount of expenses and the deadline for the owner to pay these expenses off are determined by order of the minister, which constitutes an executive title, regardless of complaints against the decision of the NTCHC decision, pursuant the provisions of paragraph 7 of article 92 of this law.

5. Failure to pay the expenses in compliance with the deadlines provided in the order of the minister, pursuant paragraph 4 of this article, charges the private entity with the obligation to pay late fees, pursuant the applicable legislation.

Article 94

Payment of expenses by the ministry responsible for cultural heritage

1. Financial contributions are paid by the ministry responsible for cultural heritage to the order of the entity undertaking the works and selected pursuant the procedures provided in paragraph 3 of article 90 of this law.

2. Financial contributions are paid upon completion of the works commissioning, based on the actual expenses of the beneficiary. An agreement may be reached for the obligations to be paid in legally controlled and verified periodic payments during the project implementation.

3. In the case of voluntary preservation interventions, the financial contribution of the ministry responsible for cultural heritage is paid through a disbursement to the owner or possessor of the property, in accordance with the relevant agreement.

Article 95

Opening cultural properties subject to preservation works to the public

1. Cultural heritage properties that are not used as residence by the owner or possessor are open to the public.

2. The period, methodology, schedule, remuneration, and rights and obligations of the owner or possessor in case of public use are defined in the agreement between the owner or possessor and the ministry responsible for cultural heritage. In any case, the length of public access cannot be longer than 50 days within a calendar year, except for cases when the owner agrees to extend this period.

3. When an agreement between the owner or possessor of the cultural property and the ministry cannot be reached, the RCHD informs the NTCHC. The NTCHC itself decides the periods, methodology, schedule, remuneration and the rights and obligations of the owner or possessor and communicates the decision to the owner or possessor.

4. The cultural property owner or possessor who fails to comply with the decision of the NTCHC or the agreement made with the ministry, is liable pursuant the provisions of the NTCHC decision or the agreement provided for in this article.

Section III - Other safeguarding and preservation forms

Article 96

Indirect safeguarding measures

1. The ministry responsible for cultural heritage in the case of immovable cultural properties, and the Council of Ministers in the case of groups of immovable cultural properties, have the competence to designate the safeguarding area, the distances, measures and other norms that will safeguard the integrity, the perspective, the light, the environmental conditions, and the landscape of single or grouped immovable cultural properties.

2. The environmental conditions and the landscape are defined in cooperation with the ministry responsible for the environment.

3. When impacting other immovable properties, these measures constitute legal servitude and are registered as such in the property cards impacted by these measures in the immovable property register and in the relevant NCHRI registers.

4. The size of the buffer zone is defined by the body designating the cultural property, based on the

study conducted by the NCHI or another specialised institution.

5. The measures foreseen in paragraph 1 of this article and which have been approved and notified pursuant the provisions of articles 61, 97, and 98 of this law, are directly implementable by central and local competent bodies in the territory planning and development field and the owners and possessor of these properties.

6. Failure to implement these indirect safeguarding measures is a violation and results in liability under this law.

Article 97

Indirect safeguarding procedure

1. Specialised institutions initiate the indirect safeguarding procedure with a direct notification to the owners or possessors of impacted cultural properties. When individual notices are impossible or extremely difficult because the large number of owners or possessors, the RCHD or the specialised institution notifies the start of the procedure in one of the adequate notification forms, pursuant the Code of Administrative Procedure.

2. In addition to the notification requirements in accordance with the Code of Administrative Procedure, the start of procedure notification includes the immovable property or properties that will be subject to indirect safeguarding measures, the type of indirect safeguarding measures, and it explains these measures in a summarised manner.

3. When making a judgment that immovable properties included in the buffer zone are being subjected to interventions that may cause severe or irreparable damage to the cultural property, the RCHD director or the head of the specialised institution makes an interim decision to stop the intervention into the immovable property, as it relates to the elements to which the measures included in the notification refer.

4. The interim decision provided for in paragraph 3 of this article expires if the NCHI does not make a final decision on the temporary safeguarding measure within the legal deadline provided in this article, or when the reason for which the measure was imposed is no longer present.

5. Cultural property owners or possessors have the right to submit their written opinion within 10 days from the day they were notified. The NCHI reviews the opinions and explanations of the owners or possessors in writing within 10 days.

6. The NCHI makes a decision on the indirect measure within 30 days from the reply to the owners, provided for in paragraph 5 of this article.

Article 98

Notification of indirect safeguarding measures and complaints

1. The decision on indirect safeguarding measures made by the NCHI pursuant the procedure provided in article 97 of this law, is notified to the relevant immovable property(ies) owner(s) or possessor(s) and the local government units through an act notification procedure pursuant the methods provided in the Code of Administrative Procedure.

2. The act deciding on the indirect safeguarding measure may be appealed pursuant the provisions of article 66 of this law. The initiation of the appeal procedure does not result in suspension of the indirect safeguarding measures.

3. The measures are recorded in the immovable property registers and the NCHRI and are applicable to any future owner or possessor of the immovable property impacted by the measure in question.

Article 99

Preservation conditions for showcasing cultural objects in exhibitions and fairs

1. The loaning of cultural objects, provided for in paragraph 2 of this article, for showcasing in exhibitions, fairs, cultural events, is only allowed when a permit is issued to the borrower by the minister

responsible for cultural heritage.

2. The following may be showcased upon approval of the minister responsible for cultural heritage:

- a) movable objects defined in paragraph 1 of article 50 of this law;
 - b) movable objects defined in paragraph 1 of article 50 of this law, when different from those included in subparagraph “a” of this article;
 - c) movable objects defined in subparagraphs “a” and “d” of paragraph 3 of article 50 of this law;
 - ç) collections or their specific elements, defined in subparagraph “a”, paragraph 2, of article 50; book collections defined subparagraph “c” paragraph 2, and subparagraph “c”, paragraph 3 of article 50;
 - d) other cultural objects provided for in the permit of the minister responsible for cultural heritage.
3. The conditions, criteria, procedures, and methodology to approve; and property preservation needs and the necessary measures to guarantee property integrity are defined by instruction of the minister responsible for cultural heritage, which is published in the Official Gazette.

4. The approval is secured by means of a guarantee provided by a commercial bank equal to 1 percent of the value of the object to be exhibited.

5. In case of exhibitions and fairs organized in the country and promoted by the Ministry, or in which state institutions participate, the guarantee issued by a commercial bank may be replaced with a declaration of the state institution organizing the event, stating that the risk will be covered by the institution in question. The procedures, methods, and conditions for issuing such a statement are defined by instruction of the minister responsible for cultural heritage, as provided in paragraph 3 of this article.

6. For the purposes of enacting fiscal concessions, the ministry responsible for cultural heritage designates a cultural or scientific interest of the exhibition or fairs and any other cultural initiatives, upon request of the interested party.

7. The exhibition of cultural objects without prior approval constitutes a violation and the borrower is liable under this law. If the cultural property has been damaged, the competent authority may also impose an obligation to compensate damages.

Article 100

Preservation conditions during cultural events

1. The organization and holding of artistic and cultural events in cultural properties or areas safeguarded as cultural properties is subject to the approval of the minister responsible for cultural heritage.

2. The ministry responsible for cultural heritage approves the cultural or scientific interest of the cultural event and any other cultural initiatives, upon request of the interested party.

3. The conditions, criteria, procedures, methodology, length, and fees to approve cultural interest, pursuant paragraph 2 of this article, are defined by instruction of the minister responsible for cultural heritage, which is published in the Official Gazette.

4. The organization of cultural events without approval pursuant this article, constitutes a violation and the event organizer is liable under this law. The competent authority may impose an obligation to compensate damages, if the cultural property has been damaged.

Article 101

Conditions for posting informative and marketing materials in cultural properties, and photographing and filming in cultural properties

1. The installation or attachment of flags, signs, or other marketing materials in immovable cultural properties, projections in these properties, filming and photography of their indoor or outdoor spaces, and the filming and photography of movable cultural objects for profit are allowed upon approval of the minister responsible for cultural heritage, who allows these activities for a reasonable amount of time, only when confirming that the interventions do not damage the look, decor, landscape, integrity, or public use of these properties.

2. The installation of flags, signs, banners, and other marketing material that can be used by the entity to cover up scaffolding and other support structures during restoration works, or any other intervention in cultural properties is only done upon approval of the minister responsible for cultural heritage. This approval cannot extend beyond the deadline of the restoration works or other preservation interventions. The request for approval includes the preservation intervention permit for the cultural property in question.

3. The conditions, criteria, procedures, methodology, length, and fees for approval pursuant this article, are defined by instruction of the minister responsible for cultural heritage, which is published in the Official Gazette.

4. Unauthorized installation or attachment of flags, signs, banners or other marketing materials, filming and photography of cultural property indoor or outdoor spaces, and the filming and photography of movable cultural objects under this article, is a violation and the person responsible is liable under this law.

Article 102

Conditions to exercise commercial activities in areas with cultural properties

1. Commercial activities in public spaces of archaeological, historic, artistic, cultural, and landscape value are exercised in compliance with the conditions and criteria defined in the relevant instruction of the minister responsible for cultural heritage.

2. The minister instruction defined in paragraph 1 of this article, is approved in consultation with local government units, the National Cultural Heritage Management Council, and is published in the Official Gazette.

3. Requests from individual entities to undertake commercial activities are approved by the minister responsible for cultural heritage, in consultation with the NCHMC and NTCHC.

4. The selection procedure of the entity undertaking commercial activities in areas with cultural properties is completed in accordance with the instruction provided for in paragraph 1 of this article.

Section IV - Safeguarding and preservation measures for intangible cultural heritage

Article 103

Preservation and safeguarding of intangible heritage

The provisions regulating the preservation and safeguarding of material heritage apply to the preservation or safeguarding of intangible cultural heritage to the extent that these measures are in line with their features.

Article 104

Preservation measures for intangible cultural heritage

1. A public financial fund within the annual budget of the ministry is established to ensure the preservation of intangible cultural heritage. Domestic and foreign funding for this purpose, which is provided by public or private organizations or natural persons, are part of this financial fund.

2. This fund is administered pursuant the rules provided in an instruction of the minister responsible for cultural heritage, after having consulted with the NICHI. Remuneration measures and criteria for activities and events in the intangible heritage field are provided in this instruction.

3. Funding of cultural activities in this cultural heritage field are not subject to public procurement rules, but to the provisions of this law.

4. For the purposes of ensuring the preservation and safeguarding of intangible cultural heritage in the Albanian territory, the following measures are taken:

a) the development of general policy aiming to showcase the function of intangible cultural heritage in the society, and to integrate the preservation of this heritage in planning programmes;

- b) the establishment or appointment of competent organizations for the preservation of intangible cultural heritage present throughout the country;
- c) the stimulation of scientific, technical, and artistic research, and the development of research methodology for the effective preservation and safeguarding of intangible heritage, especially endangered heritage;
- ç) the approval of relevant legal, technical, administrative, and financial measures aiming at:
 - i) strengthening institutions administering intangible cultural heritage and financially supporting their intangible cultural heritage preservation, safeguarding and management programmes;
 - ii) supporting proposals from central and local institutions, specialised institutions, various organisations and associations, public or private legal entities, legal and natural persons, to promote festivals, competitions, programmes, projects and activities at the national and local level in the field of intangible cultural heritage, thus favoring the transmission of this heritage to the spaces destined for its showcasing and expression;
 - iii) imposing sanctions against individuals, associations, or institutions that denigrate or damage the reputation of national intangible cultural heritage in national or local activities, pursuant the provisions of this law, and based on the monitoring of all intangible cultural heritage activities undertaken by the ministry responsible for intangible cultural heritage.

Article 105

Education through intangible cultural heritage

1. The ministry responsible for cultural heritage, in cooperation with the ministry responsible for education, takes special measures to ensure the transmission of intangible cultural heritage to and the education of the young generation and in general, and to respect the cultural diversity of national minorities, by supporting the following:
 - a) development of educational and awareness raising curricular and extra-curricular publications;
 - b) spacial educational programmes;
 - c) intangible cultural heritage knowledge, respect, and appreciation in the society, especially through:
 - i) educational, awareness raising, and informative programs for the public, especially youth;
 - ii) special education and training programmes in interested groups and communities.
3. Measures for the recognition, respect, dissemination, and appreciation of this cultural heritage field are approved by instruction of the minister responsible for cultural heritage, which is published in the Official Gazette.

Article 106

Public Cultural Properties

1. Cultural properties owned by the state, local self-government bodies and other public legal persons operating in the typology of immovable public properties, as envisaged by the applicable legislation on state immovable properties and any other similar property likely to be discovered in the future are classified as public cultural properties, pursuant to the Civil Code provisions governing property ownership.

2. Public cultural properties include as well public immovable properties similar to properties set forth under Paragraph 1 of the present article, as long as those typologies are relevant to movable properties.

3. Cultural public properties cannot be alienated, be subject to third party rights, or charged against, except for cases and manners provided for hereunder.

Article 107

Inalienable Public Cultural Properties

1. Cultural properties alienation is banned for:

- a) movable and immovable properties in archaeological sites;
- b) immovable properties designated “Natural Cultural Monuments” pursuant to the acts of the time, irrespective of changes provided for under the present law;
- c) immovable properties of special interest, according to stipulation of Subparagraph “ç”, Paragraph 3, Article 50 hereunder;
- ç) cultural property funds, museum collections, pinacothecas, galleries and libraries libraries;
- d) archives;
- dh) movable objects created by living artists, or dating more than 50 years ago, should they be part of object collections, belonging to entities set forth under Article 106 hereunder.

2. Properties set forth under paragraph 1 of the present Article may be transferred from the central power to local self-government units or other local public institutions and vice versa, in compliance with the legislation applicable to state-owned immovable public properties at local self-government units. The transfer of properties not under use by the ministry responsible for cultural heritage is notified to the former and NCHRI for registration purposes.

3. Properties set forth under Paragraph 1 of the present Articles may be used solely in manners laid down under and in compliance with Title V, Chapter II herein.

Article 108

Other Inalienable Objects

1. Objects belonging to entities set forth by paragraph 1, article 50 of the present law cannot be temporary alienated if their creators are deceased, or dating more than 50 years ago should they be movable, or more than 70 years ago should they be immovable, until the completion of the verification procedure, as foreseen by article 57 hereunder .

2. If the procedure according to paragraph 1 concludes with a negative assessment, such objects may be freely alienated, pursuant to provisions hereunder and stipulations in Article 57. If such procedure concludes with a positive assessment, the cultural property is subject to privately-owned cultural objects circulation regime, in compliance with the present law.

3. Personal documents and public institutions documents and archives cannot be alienated.

4. Cultural objects alienation infringing proscriptions laid down hereunder and in Articles 106 and 107 consists of violation and the responsible entities are held liable pursuant to the present law.

5. Movable objects, set forth under paragraph 1, article 107, and paragraph 2 of the present article may be exported in accordance with stipulations hereunder.

Article 109

State-owned non-public cultural objects alienation

1. Movable cultural objects, other than those provide for under articles 106, paragraph 1, article 107, paragraph 1 hereunder are alienated only upon alienation approval by decision of Council of Ministers and are registered with NCHRI.

2. The alienation request is attached:

a) data on cultural object use purpose;

b) program on adopting the necessary measures on cultural object preservation;

c) data on the goal and value to be achieved through property alienation, and their foreseen completion method and time frame;

ç) ways of cultural object public use.

3. Upon any request filing, the minister responsible for cultural heritage opens a public competition to select the entity the cultural object will be transferred to. The procedures and criteria of this competition are governed by a decision of Council of Ministers.

4. The public competition successful candidate is announced by the minister responsible for cultural heritage, upon consultation with specialized field institutions. Upon announcing the successful candidate, the minister the grants the transference approval, which must set forth the following among others:

a) conditions guaranteeing preservation measures;

b) object public enjoyment, by assessing the situation emerging following the change of destination;

c) manners and time frames for achieving the goal and completing the assessment aimed by the transfer. 5. The transfer approval is not granted should the proposed destination of use may pose difficulties in terms of object preservation and public enjoyment, or is incompatible with the historical and artistic character of the said object. The Council of Ministers is entitled to

determine the destinations of use in the consent refusal deed deemed compatible the object character and its preservation needs.

6. Alienation approval brings about the removal of the object from the state cultural heritage fund. In any case, this property is object to all safeguarding and preservation provisions provided for hereunder.

7. The entity declared successful signs the cultural object purchase agreement, governed by to the Civil Code provisions and provisions hereunder.

8. The performance of interventions of any kind is subject to the permit provided for by subparagraphs 2 and 3, Article 77 hereunder.

Article 110

Infringement of alienation terms

1. Alienation terms guaranteeing preservation measures, public enjoyment, goal achievement and transfer-aimed assessment methods, as well as use in compliance with the historical and artistic character of the said object are contracting terms binding to be set forth in the alienation deed.

2. Infringement of approval terms is ground for agreement termination and parties reinstatement pursuant to paragraph 1 of the present article. The penalties imposed on the infringement of the provisions hereunder are deducted from the price refunded to the entity.

3. CHR and specialized institutions, when noting the infringement of terms set forth by the alienation deed, notify the entity the property has been transferred to on the violation of terms and give notice of agreement termination.

4. CHR or specialized institutions notify the ministry responsible for cultural heritage and the National Cultural Heritage Protection Inspectorate on the violation noted. The termination of the agreement is determined by order of the minister, in compliance with the present law.

Article 111

Cultural Objects Alienation In Favor of the State

Deeds of cultural objects alienation in favor of the state are not subject to alienation approval, according to the terms of Paragraph 1, Article 108 hereunder.

Article 112

Private Owned Object Properties

1. Private entities owned cultural properties are subject to civic circulation, in accordance with the present law.

2. Deeds completely or partly alienating the cultural object ownership with any kind of title are notified to CCHRI and its regional offices within 30 days.

3. The notification provided for under Paragraph 2 of the present article is made by:

- a) vendor or possessor, in the case of alienation and change of possession;
 - b) purchaser, in case of object transfer in the framework of a binding execution or bankruptcy procedure;
 - c) heir or legatee in case of change of ownership transfer in event of death.
4. The notification provided for under Paragraph 2 of the present article must set forth:
- a) personal data of third parties to the agreement and their signature, or their legal representatives’;
 - b) transferred object identification data;
 - c) object location identification data;
 - ç) data on transfer deed type and terms;
 - d) data on parties dwelling place in Albania for notification purposes among them, as per the provisions hereunder.
5. Default gives rise to the nullity of the alienation deed and holds liable the person responsible for transfer notification pursuant to the present law.

Section II - Right to prepurchase

Article 113

The Right to Pre-emption

1. The ministry responsible for cultural heritage or other public institutions may exercise their right to private-owned cultural objects prepurchase in event of alienation with compensation, according to the value set forth by the alienation or possession deed.
2. The right to prepurchase may be exercised even in case the object has been charged for offsetting an obligation.
3. The right to prepurchase may be exercised by adhering the Civil Code provisions on pre-emption.

Article 114

Conditions for exercising the right to pre-emption

1. The right to pre-emption may be exercised within 50 days from receiving the notification, as per Article 112 hereunder.
2. Should the notification made within the deadline foreseen by paragraph 1 be incomplete, NCHRI informs the owner on notification gaps and requests him/her to fill them out within 5 days. Deadlines for exercising the right to pre-emption are suspended until the notification is complemented with all the necessary details provided for under Paragraph 2, Article 112 hereunder. In event the notification hand over has been delayed, the deadline foreseen in paragraph 1 of the present article starts from the moment the notification is delayed.
3. Decision for cultural property pre-emption is notified to the alienator and beneficiary within the deadline foreseen by paragraphs 1 and 2 of the present article.
4. During the deadline foreseen by the present article, the alienator is banned to hand over the cultural object.
5. Except for the price, no other contractual obligation agreed upon by the parties may be demanded from the state.

Article 115

Procedure for exercising the right to prepurchase

1. Upon receiving the notification, pursuant article 112 hereunder, NCHRI publishes forthwith within 10 days in the Official Gazette a property sale notice along with a property description, including the sales price.

2. NCHRI submits with the ministry the pre-emption proposal 10 days following the notification. The proposal is submitted along with a report laying down property pre-emption reasons, property acquisition financial cost and steps to be adopted for its assessment. The report is attached as well the decision of the body competent for covering expenses.

3. The ministry responsible for cultural heritage deliberates on the decision within 30 days from its submission.

4. The ministry may refuse to exercise the right to pre-emption and may transfer such right to a public entity or legal person interested in. The interested public entity or legal person undertakes to cover the costs, start the pre-emption procedure and notify the alienator no later than 10 days from receiving the notification from the ministry. Property ownership is transferred to the institution that has exercised the right to pre-emption.

5. Should entities foreseen under paragraphs 3 and 4 of the present article fail to deliberate within the deadline, it is assumed that they have rejected the request to exercise the right to pre-emption.

6. Deadlines start lapsing the day after the competent bodies are handed down the notification or are informed about all necessary details provided for under paragraph 4, article 112 hereunder

Article 116

Cultural Objects Trade

1. Cultural objects commercial activity is exercised by commercial entities licensed pursuant to legislation applicable to licenses, authorizations and permits. The licensing of commercial entities engaged in cultural objects commercial activity is governed by the provisions hereunder and applicable bylaws.

2. Entities set forth under paragraph 1 of the present article are licensed by the minister responsible for cultural heritage. The exercise of this activity is subject to control and inspection, pursuant to the present law.

3. Special licensing terms, relevant documents, review or license revocation procedures, application fees and annual fee are set forth by decision of Council of Ministers.

4. Commercial entities trading objects set forth under paragraph 1 of the present article keep a register entering the origin of each cultural property item, suppliers names and addresses, and description and price of each sold item.

5. The cultural objects trading register, kept by the competent NCHRI office/directorate operating in the territory the commercial activity is carried out, contains information on cultural properties sale.

6. Commercial entities trading objects set forth under paragraph 1 of the present article are bound to update the register foreseen under paragraph 5 of the present article through semiannual reports. Reports, according to this paragraph, include the information necessary to the identification of object and a brief description of sold objects.

7. The set-up and functioning of the “Cultural Objects Trade Register” kept by NCHRI is governed by decision of the minister responsible for cultural heritage.

8. Assets subject to commercial actions, for which a more detailed description of cultural objects is binding, are set forth by a joint instruction of the minister responsible for cultural heritage and minister responsible for finance.

9. Cultural objects trading in non-compliance with the provisions hereunder consists of a breach and holds liable, pursuant to this article, the relevant entity.

Article 117

Licensing Criteria

The license for cultural objects commercial activity is granted to legal persons satisfying the criteria set forth by decisions of Council of Ministers.

Article 118

License Revocation

1. The license on cultural objects commercial activities may be revoked by decision of the minister responsible for cultural heritage, following the NCPMC input in the following cases:

- a) carries out commercial activities in non-compliance with the provisions hereunder;
- b) trades cultural objects in breach of the law;
- c) omits to adhere to license terms;
- ç) in case is rendered a criminal punishment;
- d) in event of bankruptcy or liquidation.

2. The decision for license revocation may be appealed against in the administrative court. The appeal does not impede the execution of the administrative deed.

Article 119

Obligations of Cultural Objects Traders

1. Whoever engaged in commercial activities in terms of picture, sculpture, graphics, antiquities, or historically significant items sales is bound to hand over to the purchaser the documentation attesting their authenticity and origin. Should it be impossible to issue such a document pursuant to the requirements hereunder, the vendor must issue a statement containing all the information necessary to attest their authenticity.

2. In any case, the commercial entity is bound to inform the cultural property purchaser that their export from the territory of the Republic of Albania is governed by the present law.

Section III - Expropriation

Article 120

Cultural Properties Expropriation

1. The ministry responsible for cultural heritage expropriates or takes over under temporary use movable and immovable cultural properties in accordance with the applicable legislation on expropriation and taking under temporary use private property use in the public's interest.

2. In addition to the specifications in the applicable legislation on expropriations, properties may be also expropriated in the public's interest for the following causes:

a) improvement of such properties' preservation, safeguarding and public enjoyment;

b) buildings and land lots when expropriation is deemed necessary so that to identify or restore immovable cultural properties, ensure light or perspective, or enhance ornament and public enjoyment and accessibility ;

c) immovable properties, aiming at carrying out archaeological interventions or searches for unearthing properties set forth under article 50 hereunder.

Chapter II- International Cultural Objects Circulation

Section I - International Circulation Principles

Article 121

Circulation Control

1. International circulation control aims at ensuring the preservation and entirety of cultural heritage designated pursuant to this law and relevant applicable bylaws.

2. Control foreseen under paragraph 1 of the present article is exercised in line with the provisions laid down under the present chapter and international agreements ratified by the Albanian state.

3. Cultural objects import, export or transfer in non-compliance with the present law and international agreements ratified by the Albanian state is banned.

4. The return to and export from the territory of the Republic of Albania of cultural objects imported or exported in non-compliance with the present law and international deeds with the Republic of Albania standing as a party is governed by bilateral or multilateral agreement between the Republic of Albania and other countries or international organizations.

Article 122

Principles on movable cultural objects illicit export from the territory of the Republic of Albania

1. Movable cultural objects illicitly removed from the territory of the Republic of Albania as stipulated by paragraph 2 and 3, are returned in the territory of the Republic of Albania according to the provisions laid down hereunder and in international agreements.

2. Cultural objects export from the territory of the Republic of Albania is deemed illicit in the following cases:

a) when removed from the territory of the Republic of Albania in breach of rules on movable cultural objects safeguarding, as set forth hereunder;

b) when not returned by the end of a specific term from the time of lawful export, or any other breach.

3. Those cultural objects for which the temporary export has been granted, but the terms and measures envisaged under the export certificate have not been implemented are considered to be illicitly removed.

Section II - Cultural objects export from the Territory of the Republic of Albania

Article 123

Permanent export

1. The permanent export of movable cultural objects set forth by paragraphs 1, 2, 3 of Article 50 hereunder from the territory of the Republic of Albania is banned.

2. Additionally, the permanent export of the following objects is banned:

a) movable objects owned by entities set forth by paragraph 1 of Article 50 hereunder, belonging to deceased artists and created more than 50 years ago, for as long as the verification envisaged by Article 57 hereunder has not been carried out;

b) Irrespective of the historical era they belong to, as categorized by paragraph 3 of Article 50 hereunder and banned to be exported for a specific time frame by the specialized institution, as indicated in the property record card, as it may harm the cultural heritage due to their origin or ownership

3. Permanent export from the territory of the Republic of Albania upon grant of certificate of free circulation according to the provisions of this chapter is allowed for:

a) designated cultural objects, according to provisions hereunder, which irrespective of the historical era they belong to, are works of deceased artists and created more than 50 years ago;

b) privately-owned archives and special documents, designated as cultural objects;

c) designated cultural objects, falling under the categories set forth by subparagraphs “dh”, “e”, “ë”, paragraph 1, article 51, hereunder, irrespective of the historical era they belong to.

4. Permanent export not needing any certificate of free circulation is allowed for objects set forth by subparagraph “ç”, paragraph 1, article 51 hereunder. In any case, the interested parties are charged with establishing to customs authorities that objects transferred abroad are works of living artists or that have not been created 50 years ago, in line with the procedures and methods set forth by decision of the minister responsible for cultural heritage.

5. Entities exporting permanently out of the territory of the Republic of Albania the specified objects in non-compliance with provisions of paragraph 1 and 2 of the present article are held liable as per the present law.

Article 124

Temporary export

1. Temporary export is banned for those cultural objects that:

a) are easily damaged during transport and from storage in inappropriate environmental conditions;

b) consist of the essential fund of an important and integral section of a museum, pinacotheca, gallery, archive or library, or artistic or bibliographic collection.

2. Temporary export from the territory of the Republic of Albania is allowed for those cultural objects set forth by paragraph 1 and subparagraph “a”, and paragraphs 2 and 3, Article 123 hereunder, given the conditions under the order issued by the minister responsible for cultural heritage, for their use in various activities, exhibitions, and fairs in the public’s interest, by guaranteeing their preservation, integrity and safety.

3. Temporary export is allowed for properties set forth under paragraph 1, subparagraph “a”, paragraphs 2 and 3, Article 123 hereunder, in event the order of the minister responsible for cultural heritage provides for that:

a) these objects are personal items of Albanian citizens on diplomatic or consular service at Albanian accredited missions abroad and international organizations, which require their transfer abroad for period no longer than their term of office;

b) these objects are furniture at diplomatic or consular headquarters abroad;

c) these objects must be subject to screening, research or interventions on preservation binding to be carried out abroad;

ç) their export is provided for by cultural agreements entered into with foreign museum institutions with a reciprocity regime and term set in the said agreement. The term of agreement in this case cannot exceed 4 years and can be renewed only once.

4. Objects are allowed to be temporarily exported from the Republic of Albania through the grant of certificate of temporary circulation.

Article 125

Certificate of Free Circulation

1. The export of movable cultural objects from the territory of the Republic of Albania to other countries is made upon the issue of certificate of free circulation, in compliance with provisions hereunder and applicable international provisions.

2. The entity seeking to permanently export from the territory of the Republic of Albania objects set forth under paragraph 3, article 123 herein is granted the certificate of free circulation, thus declaring the following at export affairs office at NCHRI:

a) purpose for object permanent export;

b) value for each object, specifying their amount in ALL.

3. Export affairs office, upon establishing the compatibility between the value declared and the certified reference value by a cultural object assessor, licensed according to the provisions hereunder, verifies whether the objects have been entered into the relevant registers. In order to carry out this assessment, the export offices rely on general specifications approved by order of the minister responsible for cultural heritage and set forth in the list of reference prices, as approved yearly by decision of the assessment commission at NCHRI.

4. Following verifications pursuant to paragraph 3 of the present article, the office for export affairs puts out a reasoned decision on the request for the grant of certificate of free circulation, thus informing the interested party no later than 40 days from request reception.

5. The certificate of free circulation is issued by the NCHRI head, based on the export office decisions for a three year term. The certificate is issued in three original copies, with the first filed with the export office at NCHRI to be entered into the Official Register of Certificates of Free Circulation, the second being handed to the interested party to go along with the asset/object and the third being sent to the customs authority.

6. The certificate of free circulation is issued based on the export statement, which is a cultural object export customs bureaucracy carried out at the competent customs office.

Article 126

Appeal against the refusal to grant the certificate of free circulation

1. Decision on refusal to issue the certificate of free circulation may be appealed against with the NCHRI head within 30 days from decision notification. In event the export office does not come out with a decision within the term provided for hereunder, the entity is entitled to the right to complaint from the next day after the termination of decision notification.

2. The administrative complaint review procedure is performed in compliance with the provisions of the Code of Administrative Procedure on administrative complaint review.

3. The NCHRI head decision refusing to issue the certificate of free circulation may be appealed in accordance with the applicable legislation on administrative courts and judicial review of administrative disputes.

Article 127

Compulsory purchase

1. The ministry is entitled to purchase the objects in the amount set forth under paragraph 2, article 125 hereunder. In such case, the term for issuing the certificate is extended by 60 days.

2. Export affairs office, given the special and/or unique values of objects for which the certificate of free circulation is requested, may propose within the time frame set forth under paragraph 4, article 125 hereunder, for as long as no decision has been made on issuing or refusing to issue the certificate, to the ministry responsible for cultural heritage to resort to compulsory purchase of objects for which the certificate of free circulation is requested.

3. The interested parties are notified the decision on compulsory purchase within the 90 days time frame from the date of request for issue of certificate request.

4. Until delivery of notification on the compulsory purchase decision, the interested party is entitled to require the suspension of the procedure for the grant of certificate and withdrawal of cultural object.

Article 128

Certificate of Temporary Circulation

1. The temporary export of movable cultural objects from the territory of the Republic of Albania to other countries is made upon the issue of certificate of temporary circulation, in compliance with provisions hereunder and applicable international provisions.

2. The entity seeking to temporarily export from the territory of the Republic of Albania properties set forth under article 124 herein lodges with the export affairs office at NCHRI the request for being granted the certificate of temporary circulation, thus declaring the following:

- a) purpose for object's temporary export;
- b) order of the minister responsible, as per the provisions under paragraphs 2 and 3, article 121 herein, if applicable;
- b) value for each object, specifying their amount in ALL.
- ç) the entity to take care of the cultural object outside the Republic of Albania.

3. Export affairs office, upon establishing the compatibility between the value declared and the certified reference value by a cultural object assessor, licensed according to the provisions hereunder, verifies whether the object have been entered into the relevant registers. In order to carry out this assessment, the export offices rely on general specifications approved by order of the minister responsible for cultural heritage and set forth in the list of reference prices, as approved yearly by decision of the assessment commission at NCHRI.

4. Following verifications pursuant to paragraph 3 of the present article, the office for export affairs puts out a reasoned decision on the request for the grant of certificate of temporary circulation, thus informing the interested party no later than 40 days from request reception. The decision sets forth the rules and necessary conditions for temporary circulation of cultural objects subject to review outside the territory of the Republic of Albania.

5. The refusal decision may be appealed with the NCHRI head.

6. The certificate of temporary circulation is issued by the NCHRI head, based on the export affairs office decision. The certificate sets forth the time frame allowed for the objects equipped with the certificate of temporary circulation to stay abroad. The term allowed for objects to stay abroad may not exceed 18 month from the day they exit the territory.

7. The certificate is issued in three original copies, with the first filed with the export office at NCHRI to be entered into the Official Register of Certificates of Free Circulation, the second being handed to the interested party to go along with the asset/object and the third being sent to the customs authority.

8. The certificate of free circulation is issued based on the export statement, which is a cultural objects export customs bureaucracy carried out at the competent customs office.

9. The certificate of temporary circulation is issued given that the cultural object be equipped with the insurance policy or bank guarantee. The interested party includes in the request for authorization the insurance policy at the set amount. In case of abroad fairs or exhibition organized by public institutions, the insurance policy/bank guarantee may be replaced with the public institution authorization, as per the provisions herein.

10. Should objects equipped with the certificate of temporary circulation be not returned in the territory of the Republic of Albania within the set time frame, the guarantee amount is transferred in favor of the relevant competent public authority.

11. The guarantee set forth under the present article is not requested for state-owned cultural objects. The ministry responsible for cultural heritage may exempt from the obligation to pay the guarantee cultural institutions of special significance.

12. The decision of the export affairs office refusing the request on the issue of certificate of temporary circulation may be appealed with the court competent for administrative disputes resolution.

Section III - Cultural objects entry into the Territory of the Republic of Albania

Article 129

Cultural objects entry into the Territory of the Republic of Albania

1. Entry of cultural objects in the territory of the Republic of Albania, as envisaged under paragraph 3, article 123 hereunder is allowed given the import license preliminary issue by the export affairs office upon interested entity request.

2. The request for import license issue is attached the documentation necessary for the identification of property and country of origin. For this purpose, the interested entity must file:

a) documentation for cultural object identification, as issued by competent authorities in the country of origin;

b) documentation evidencing and establishing the object originates from the country of origin;

c) documentation allowing the cultural object to exit from the country of origin.

3. The export affairs office must review the request and come out with a decision as per paragraphs 1 and 2 of the present article within 40 days from the filing of the request for license granting.

4. Licenses issued pursuant paragraph 1 of the present article are granted for as long as the document allowing the cultural object exit from the country of origin has been issued.

5. The decision of the export affairs office refusing the request on the issue of import license may be appealed in accordance with article 126 herein.

6. Conditions, method, procedure and way of issuing or renewing the import license are determined by an instruction of the minister responsible for cultural heritage.

Article 130

Stolen cultural objects database and its update

1. NCHRI in cooperation with specialized cultural heritage institutions sets up the database of stolen objects illicitly exported from or imported in the territory of the Republic of Albania. Database management complies with the procedures and methods set forth under decision of Council of Ministers.

2. Procedures for the return of objects classified by the Albanian state as lost, illicitly exported, or trafficked are governed pursuant paragraph 5, article 121 herein and provisions of UNESCO 1970 Convention “on the Means of Prohibiting and Preventing the Illicit Import, Export and Transport of Ownership of Cultural Objects”, as ratified by law no. 8523, dated 09.09.1999, “On Admission of the Republic of Albania in the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transport of Ownership of Cultural Objects.

3. Database is updated by NCHRI, following the requests on cultural properties inclusion filed with national or international public institutions.

4. Removal of a cultural object thereof is made upon request of public institutions, or given their voluntary hand over from the entities possessing properties included in the database, as envisaged under paragraph of the present article. In accordance with paragraph 1 of the present article, the hand over is made within a three years period from database publication and does not require the handing-over entity to declare any personal data at specialized institutions pursuant to this law. Following the three year term from the database publication lapse, the handing-over entity declares the personal data.

5. The management of cultural objects handed over pursuant paragraph 4 of the present article is made pursuant to provisions herein and other applicable provisions under the legislation in force.

6. Database update procedures and cultural objects management are envisaged by an instruction of the minister responsible for cultural heritage.

Article 131

Procedure adopted against the state in event of claims on cultural objects trafficking

1. The Republic of Albania files a request with the other state through its competent bodies claiming that a cultural object has illicitly exited the territory of the country, by identifying its possessor and/or holder. The request must set forth among others all the necessary information and special indications on the real or assumed location of the cultural object so that to facilitate search.

2. The Republic of Albania notifies the other state in case a cultural object or asset was found in its territory and there are grounded suspicions that it has been trafficked or illicitly imported by from the territory of that particular state.

TITLE IV

ARCHAEOLOGICAL CULTURAL HERITAGE

Chapter I - Ground Archaeological Properties

Section I - Archaeological Cultural Properties

Article 132

ARCHAEOLOGICAL CULTURAL PROPERTIES

1. Archaeological assets encompass all human activity movable and immovable properties belonging to past historical eras, dating more than 100 years old, located under and above ground, or underwater, the source of information of which are archaeological researches.

2. Objects set forth under paragraph 1 of the present article are public property, i.e owned by the Albanian state.

3. Assets unearthed by archaeological research are subject to categorization and registration, pursuant to the present law.

Article

Archaeological activity

1. Archaeological data are identified and designated as archaeological properties through on-site research.

2. From the methodology perspective, archaeological properties on-site research includes archaeological potential assessment, archaeological objects and sites identification and archaeological excavations.

3. From the organizational perspective, ground and underwater archaeological researches include the following:

- a) Systematic scientific research studies, as planned for a particular scientific task;
 - b) Preventive or rescue researches, due to construction works of any kind, territory regulation plans or random findings .
4. Archaeological property research and identification is made on and above ground layers and underwater .
 5. Archaeological property identification through ground and underwater research is carried out by employing nondestructive scientific techniques.
 6. Archaeological researches all over the territory of the Republic of Albania are performed exclusively by the specialized cultural heritage institutions or entities licenses pursuant to the present law, in accordance with rules drafted by specialized state institutions. The procedure for archaeological researches is regulated by decision of the Council of Ministers and NCHI proposal.
 7. Foreign institutions or entities licensed pursuant to the present law may conduct research activities by cooperating with local institutions, in accordance with bilateral or multilateral agreements. In any case, the National Tangible Cultural Heritage Council puts out a decision on such cooperations.
 8. Archaeological excavation and use of metal detecting tools from unauthorized entities is banned. The authorization of specialized institutions and licensed entities to use such tools is granted by NTCHC.
 9. Non-compliance with paragraph 5 of the present article consists of violation and the entity responsible for such non-compliance is held liable.

Article 134

Territory transformation developments

1. In event of major developments such as: roads, highways, airports, harbors, industrial works, new settlements, other works and for any territory development, including state or privately-owned mining projects, as per the applicable legislation on territorial planning and development the investor must obtain the project approval by the National Tangible Cultural Heritage Council, in accordance with the legislation in force.
2. Specialized institutions or entities licensed pursuant to this law inspect the area and prepare the relevant documentation. Should the area bear significant archaeological and ethnographic values, or ancient or traditional architecture traces, the investor must change the project.
3. Expenses for carrying out the necessary researches, preparing the documentation and making potential changes to the project are covered by the investor.

Article 135

GIS database on archaeological activity in the Republic of Albania

1. Information produced through archaeological researches will be included in the GIS database on archaeological activity in the Republic of Albania.
2. This system set-up and functioning is set forth by a decision of Council of Ministers.

Article 136

Archaeological activity license

1. Archaeological activity is carried out by specialized institutions, in line with their functions provided for herein, natural or legal persons' licenses for such purpose, in accordance with provisions hereunder.

2. In order to carry out archaeological activities, those natural and legal persons solely with the technical skills and necessary experience to ensure the following are licensed:

- a) archaeological observations;
- b) archaeological surveys;
- c) archaeological excavations.

3. The categories of licenses referenced under paragraph 2 hereunder are classified under category VI.1, as per the legislation applicable to licenses, authorizations and permits.

4. Special licensing terms, relevant documents, and license review or revocation procedures are set forth by decision of Council of Ministers.

5. Archaeological activity exercise by unlicensed entities consists of a violation and hold liable the relevant entities, as per the present law.

Article 137

Licensing Criteria

1. Licenses referenced under paragraph 2, article 136 herein are granted to entities meeting the terms and criteria set forth by decision of Council of Ministers.

2. Individuals granted the licenses referenced under paragraph 1 of the present article are provided with continuous training by NCHI or public and private entities, in line with the cooperation agreement. Continuous training quality criteria and standards are determined by an instruction of the minister responsible for cultural heritage.

3. Within 3 years from this law becoming fully effective, the licensed entities are bound to accumulate all credits prior to its approval, according to a continuous intensive training program, as approved by order of the NCHI head. Default brings about license revocation.

Article 138

License Revocation

1. The archaeological activity license may be revoked upon NTCHC decision in case:

- a) there are false statements in the documents associated with the request;
- b) documents submitted are forged;
- c) the company carried out archaeological activities other than those provided for by project technical managers;
- ç) request non-fulfillment or archaeological activity exercise in non-compliance with law and bylaws on archaeological research requirements, as noted by the National Cultural Heritage Safeguarding Inspectorate;
- d) technical manager has been dually employed;

dh) the entity has not pursued the compulsory periodical continuous training, as per the provisions laid down under the instruction of the minister responsible for cultural heritage.

2. The decision for license revocation may be appealed against with the administrative court. The appeal does not hinder the execution of the administrative act.

Article 139

Permit for carrying out archaeological research

1. Specialized institutions and licensed entities may carry out archaeological research in areas designated or non-designated as archaeological sites solely upon obtaining the permit from NTCHC, in accordance with the provisions laid down hereunder and in its relevant bylaws.

2. The categories of permits for carrying out archaeological research are classified under category VI.2, as per the legislation applicable to licenses, authorizations and permits.

3. Special licensing terms, relevant documents, and license review or revocation procedures are set forth by decision of Council of Ministers.

4. Archaeological activity exercise by licensed or any other entity in non-compliance with the present article consists of a violation and such entities are held liable pursuant to the present law.

Article 140

Permit Criteria

Permit for carrying out archaeological research is granted to those entities satisfying the following criteria:

- a) classified as natural or legal per the applicable legislation;
- b) be licensed as, or have employed as their staff, or ensure cooperation with licensed entities conducting in archaeological activities ;
- c) own or lease equipment and tools necessary for carrying out archaeological activities, which the permit request has been filed for.

Rules on archaeological research are detailedly set forth by the instruction of the ministry responsible for cultural heritage.

Article 141

Permit Revocation

1. The permit for carrying out archaeological research may be revoked upon NTCHC decision in case:

- a) there are false statements in the documents associated with the request;
- b) documents associating the request are forged;
- c) non-complying use of tools and archaeological activity exercise with permit terms and by individuals that don't have the necessary professional experience;
- ç) entity de-registration, bankruptcy or failure as per the applicable legislation;
- ç) archaeological activity exercise in non-compliance with law and bylaws on archaeological research requirements, as noted by the National Cultural Heritage Safeguarding Inspectorate;

2. The decision for permit revocation may be appealed against with the administrative court. The appeal does not hinder the execution of the administrative deed.

Article 142

Archaeological Parks Management and Coordination Units

1. Archaeological Parks Management and Coordination Units (APMCU) are technical and management institutions subordinate to the ministry responsible for cultural heritage, operating within their geographic confines, as set forth by decision of the Council of Ministers.

2. APMCUs, manage, coordinate and draft within their geographic confines detailed developmental plans and projects, in line with the type, size and needs of archaeological parks, as set forth under by the management plan.

3. APMCUs developmental plans, restoration and conservation projects, as well as scientific research projects are coordinated by NCHI and reviewed and approved by NTCHC in line with the type, size and needs of the park.

4. In line with the developmental plan and tourist activity expansion, APMCUs may propose projects on discovering archaeological values in their territory, which are in turn reviewed and approved by NTCHC.

5. APMCUs carry out maintenance works and may carry out restoration and conservation works, in the framework of preservation and safeguarding measures for cultural properties under their management.

6. APMCUs, depending on their natural, environmental, flora and fauna features, as well as their cultural property features in general and archaeological features in particular, both on the ground and underwater, cooperate and coordinate relevant fields institutions on exercising various activities in the territory under their management.

7. APMCUs supervise and coordinate the environmental effects of any intervention or development proposed within their geographic confines, based on the applicable legislation on environmental impact assessment, present law and its relevant bylaws.

8. APMCUs maintain contact and inform the central and local power bodies on different developments taking place out of their territory, that may impact them.

9. APMCUs composition and organizational chart is approved by decision of Council of Ministers, upon proposal of the minister responsible for cultural heritage.

Article 143

Archaeological research funding

1. Systematic archaeological scientific research are approved by NTCHC and funded by the state budget, donations or cooperation agreements, both in and outside the country.

2. Preventive or rescue archaeological research are approved by NTCHC and funded by the investor.

Section III- Random finds on ground

Article 144

Random finds typologies

1. Random finds are all those discoveries made due to works or any other fact unearthing monuments, ruins, structures, mosaics, treasures, ancient medieval sewerage components, ancient settlements and cemeteries traces, inscriptions, or more generally speaking, unearthing objects of interest to pre-history, history, art, archeology and ethnography
2. Random finds are movable and immovable.

Article 145

Random finds during project implementation

1. The progress of developmental project, as approved by NTCHC, is supervised by specialized institutions and monitored by licensed entities or field experts, as per the list drafted and updated by NCHI.
2. Should random finds be discovered while carrying out works, the latter are immediately terminated, in line with the provision under paragraph 1, article 144 herein.
3. The technical manager or investor notify in writing the random find within three days at the local self-government bodies and cultural heritage regional directorates.
4. CHRD makes the necessary on-site verifications and forwards them officially to NCHI.
5. NTCHI, through its own structures and in cooperation with CHRD and natural and legal persons licensed in the field, or persons listed in the archeology monitors list traces such random finds and takes the measures for rescuing such values.
6. In event of random finds, the authorized NCHI officer, the licensed entity or the monitor orders the suspension of works that may damage archaeological values until the NCHI comes out with a decisions. The authorized officer submits with the NTCHI a report on the find and its archaeological significance within 5 days from works suspension. NTCHI comes out with a decision within 10 days.
7. Depending on the values such finds bear, the NTCHC may decide:
 - a) to continue the works, when deemed there is no find pursuant paragraph 1, article 144 hereunder;
 - a) to change the scope of or permanently terminate the works, when deemed there is a finding pursuant paragraph 1, article 144 hereunder;
8. In case of decision on developmental projects implementation, the NTCHC must come out with a decision on archaeological actions necessary to preserve and safeguard the findings.
9. The technical manager or officer who discovered the random find are responsible for their preservation until NTCHC comes out with a decision.
10. Those who omit to declare or preserve the finds in compliance with this article are held liable pursuant to the present law.

Article 146

On-site Random Finds

1. Individuals who during agricultural works or any other fact encounter random finds are bound to report in writing within three days at the local self-government bodies and cultural heritage regional directorates, pursuant to paragraph 1, article 144 herein.

2. CHRD makes the necessary verifications on-site, notifies the State Police bodies and officially forwards the on-site information to NCHI.

3. NCHI, through its own structures and in cooperation with CHRD traces such random archaeological finds, drafts the relevant report and submits for review and decision-making to the nearest NTCHC meeting. NTCHI comes out with a decision within 20 days.

4. Depending on the values such finds bear, the NTCHI comes out with a decision on the procedure and archaeological actions necessary to preserve and safeguard the finds.

5. The person who discovered the random finds, and the owner of the land they were discovered are responsible for their preservation until NTCHI comes out with a decision. They may displace them in case their preservation and safeguarding cannot be insured, until the arrival of competent authorities and if deemed necessary, may seek the aid of Police State bodies. Expenses for their preservation and displacement are covered by the ministry.

6. Omission to report the competent bodies in non-compliance with this article consists of a violation and the persons responsible are held liable.

Article 147

Random Find Declaration

1. The random find declaration is made in writing by natural, legal or any other person and must provide the following information details:

- a) discovery date and venue;
- b) discovery nature and circumstances;
- c) land lot owner name and personal data;
- ç) name and personal data of the person who made the discovery;
- d) place of temporary preservation.

2. In case of works approved by NTCHC, the declaration must go along with the explanatory report by the monitoring specialist.

3. In case of random finds, the report must be signed by the land lot owner and the person who discovered the find.

Article 148

Discovered Properties Ownership and Qualification

The owner of properties set forth under article 144 herein is the state, irrespective of whether found on ground or underwater, discovery circumstances or the person who made the

Article 149

Reward for the Finding

1. The following are entitled to a reward not exceeding the 1/4 of the value of the discovered property:
 - a) owner of the immovable property the object was discovered;
 - b) the person who discovered the random find and has complied with the obligations set forth under articles 145 and 146 hereunder.
2. Those who enter into and search the property of third parties with no preliminary approval by the owner and/or possessor and/or beneficiary is entitled to no reward in case a find is discovered.

Article 150

Reward Amount

1. Reward amount on random finds is set by the assessment commission. The commission is established upon order of the minister responsible for cultural heritage and functions in compliance with the bylaws relevant to this law.
2. The reward amount is set based on the value of the find, but in no case may it exceed 1/4 of the value, as preliminary assessed for any found object. The method for assessing the finds is determined by an instruction of the minister responsible for cultural heritage.
3. Acceptance of the set amount does not imply waiver from the claims on the final value of found objects.
4. The interested party may appeal the assessment commission decision with the minister responsible for cultural heritage within 30 days from notification reception. The decision of the minister responsible for cultural heritage may be appealed against with the administrative court, as per the applicable legislation.
5. The reward envisaged hereunder is borne by the state budget funds.

Chapter I - Underwater Archaeological Properties

Article 151

Underwater Cultural Heritage Safeguarding

Archaeological and historical properties found in coastal areas extending beyond 13 miles, starting from the outer boundary of territorial waters, are safeguarded according to the provisions governing interventions in underwater cultural properties, based on UNESCO Convention “On the protection of underwater cultural heritage”.

Article 152

Marine Cultural Properties

1. All the layers, shipwreck, ruins, or any object of ethnographic, archaeological or historical interest found underwater, in the sea bed or in other underwater layers are classified

as marine cultural properties.

2. Archaeological and historical objects found in the maritime boundary, territorial or internal waters of the Republic of Albania are safeguarded pursuant to this law and ratified conventions.

3. The provisions of the present law on cultural properties preservation, safeguarding and civil and physical circulation apply also to underwater archaeological properties, for as long as they match their nature.

Article 153

Underwater Archaeological Sites

Underwater archaeological sites are determined by a decision of Council of Ministers, upon proposal of the minister responsible for cultural heritage. Underwater archaeological sites are classified into “Area A” and “Area B2, depending on the archaeological finds intensity and significance.

Article 154

Marine Cultural Properties Ownership

1. Marine cultural properties located in the sea are considered to be state-owned should the owner not be found within 1 year term from the date their discovery has been made public.

2. The public announcement procedure is determined by a decision of Council of Ministers.

Article 155

Underwater Archaeological Activities

1. The underwater archaeological activity, either in or outside of underwater archaeological sites, is carried out by specialized state institutions or licensed entities having obtained the permit referenced under article 158 herein.

2. Underwater archaeological activity exercise by unlicensed entities or persons or without the relevant permit consists of a violation and the relevant entities are held liable, as per the present law.

Article 156

Underwater Archaeological Project Development

Terms and criteria for underwater archaeological projects development and other activities directly and indirectly affecting the entirety of underwater archaeological and historical values are set forth by a decision of Council of Ministers upon proposal of the minister responsible for cultural heritage.

Article 157

License for Underwater Archaeological Activity

1. Underwater archaeological activities may be carried out solely by specialized institutions and entities licensed pursuant to the present law.

2. The licensing of natural or legal persons is made by NTCHC in compliance with the

provision laid down hereunder and relevant bylaws.

3. Those natural and legal persons solely with the technical skills and necessary experience to carry out underwater archaeological activities are licensed.

4. The categories of licenses for carrying out underwater archaeological activities are classified under category VI.1, as per the legislation applicable to licenses, authorizations and permits.

5. Special licensing terms, relevant documents, and license review or revocation procedures are governed by the bylaws pursuant to this law.

6. Licenses for carrying out and monitoring underwater archaeological activities are granted to entities satisfying the criteria set forth by decision of Council of Ministers.

7. The underwater archaeological activity license may be revoked upon NTCHC decision in case:

- a) there are false statements in the documents associated with the request;
- b) documents submitted are forged;
- c) the company carries out archaeological activities other than those provided for by project technical managers;
- ç) request non-fulfillment or archaeological activity exercise in non-compliance with law and bylaws on archaeological research requirements, as noted by the NTCHI;

dh) the entity has not pursued the compulsory periodical continuous training, as per the provisions laid down under the instruction of the minister responsible for cultural heritage. court. The appeal does not hinder the execution of the administrative act.

Article 158

Permit for Underwater Archaeological Activity

1. Activities in underwater archaeological and other areas are exercised by licensed entities and specialized institutions, as per the permits issued by the ministry responsible for cultural heritage.

2. The categories of permits for carrying out archaeological research are classified under category VI.2, as per the legislation applicable to licenses, authorizations and permits.

3. Special licensing terms, relevant documents, and license review or revocation procedures are governed by the bylaws pursuant to the present law.

4. Permit for carrying out archaeological research is granted to those entities satisfying the following criteria:

- a) is a private or public legal person;
- b) have employed a set number of archaeologist as its staff as determined by the specialized institutions;
- c) own or lease equipment and tools necessary for carrying out archaeological activities, which the permit request has been filed for.

5. The permit for carrying out archaeological research may be revoked upon NTCHC decision in case:

- a) there are false statements in the documents associated with the request;
- b) documents associating the request are forged;
- c) non-compliant use of tools and archaeological activity exercise with permit terms and by individuals that don't have the necessary professional experience;

- ç) entity de-registration, bankruptcy or failure as per the applicable legislation;
- d) archaeological activity exercise in non-compliance with law and bylaws on archaeological research requirements, as noted by the Territory Protection Inspectorate;
- 6. The decision for permit revocation may be appealed against with the administrative court. The appeal does not hinder the execution of the administrative deed.

Article 159

Maritime Random Finds

1. Any individual discovering a maritime cultural property must report its finding with the nearest port authority within 48 hours from discovery or arrival at the first port.
2. The port authority notifies forthwith the Cultural Heritage Regional Directorate and the NCHI in accordance with paragraph 1 of the present article.
3. The person discovering a cultural property is banned from displacing such object in order for it to be preserved and safeguarded. Underwater finds may be displaced only in cases in-place preservation cannot be ensured, until the arrival of competent authorities.
4. Omission to report the competent bodies in non-compliance with this article consists of a violation and the persons responsible are held liable. In case of failure to meet the obligation on finds preservation, the person responsible for the find temporary preservation is held liable pursuant to the present law.

Article 160

Maritime Random Finds During Project Implementation

1. Those individuals who following the execution of works of any other public or private activity discover underwater finds must report such find within the time frame envisaged within Article 159 herein.
2. The person discovering a cultural property is banned from displacing such object in order for it to be preserved and safeguarded. Underwater finds may be displaced only in cases in-place preservation cannot be ensured, until the arrival of competent authorities.
3. Omission to report the competent bodies in non-compliance with this article consists of a violation and the persons responsible are held liable. In case of failure to meet the obligation on finds preservation, the person responsible for the find temporary preservation is held liable pursuant to the present law.

Article 161

Find priority

In case several declarations are made by various individuals for the same property, the discovery reward is granted to the first reporter or to the one handing it over, given that such property be displaced for preservation and safeguarding purposes only.

Article 162

Reward

1. Any person having discovered or reported, as per articles 159 and 160 herein, a maritime random find in internal territorial waters, is entitled to a reward.
2. The reward terms, criteria and amount are set by the assessment commission, in accordance with articles 149 and 150 herein.
3. The reward envisaged hereunder is borne by the state budget funds.

TITLE IV

CULTURAL PROPERTIES ASSESSMENT, USE AND MANAGEMENT

Chapter I- Cultural Properties Assessment and Management

Section I- Cultural Properties Assessment

Article 163

Cultural Properties Assessment Activities

1. Cultural properties assessment activities include resources, structures or networks sustainable establishment and organization, as well as making available the technical skills/competences or financial and instrumental resources with the ultimate goal of exercising the functions and achieving the targets set forth under article 8 herein. These activities allow for private entities to cooperate or participate.

2. Cultural properties assessment activities are carried out on a public or private initiative basis.

3. Cultural properties assessment activities carried out on a public initiative basis are underpinned by the principles of freedom to participate, plurality of entities, continuance of functions, equal treatment and monetary funds effective management.

4. Privately-initiated assessment activities are socially useful and encourage social solidarity.

Article 164

State-owned Cultural Properties Assessment Activities

1. Public institutions and foundations established pursuant to article 172 herein carry out cultural properties assessment activities under their management, in full compliance with the principles laid down hereunder.

2. Public cultural properties assessment activities outside cultural institutions and places of culture are carried out in accordance with the provisions herein and such properties functions.

Article 165

Privately-owned Cultural Properties Assessment Activities

1. Privately-owned cultural properties assessment activities and structures carried out on a natural or legal person initiative basis may be supported by public institutions and other public legal entities.

2. The forms of support by public institutions and other public legal entities, provided in line with the significance of each property's cultural value is set forth upon instruction of the minister responsible for cultural heritage.

3. Such stipulations are incorporated in the agreement to be entered into with the cultural property owner or possessor.

Article 166

Quality levels of cultural properties assessment activity

Unified quality levels of state-owned cultural properties assessment activities are set forth by NCPAC, in cooperation with the structures of the ministry responsible for cultural heritage, other public legal entities or institutions, and specialized field institutions. Unified levels, as per this paragraph are periodically reviewed.

Article 167

Public Services

1. Cultural assistance and reception services are provided to the public in institutions and places of culture.

2. The services provided for under paragraph 1 of the present article include the following:
a) service of publishing and selling catalog, leaflets, other similar publications, audiovisual and computer recording, any other informational material and cultural properties reproduction ;

b) management of record labels compilations, diaphotomas and museum libraries selections;
c) management of sales points and properties commercial reproduction use;
ç) reception services, including assistance services, entrainment for children, information services, didactic guides and assistance, meeting centers ;

d) cafeteria, catering and wardrobe services;

dh) organization of fairs and cultural manifestations and promotional initiatives.

3. Services set forth under paragraph 2 of the present article may be managed in an integrated manner with the sanitation, object safety and ticket office service.

4. With reference to forms of indirect management, as set forth under articles 171 and 172 herein, such services are managed in compliance with the agreement or contract entered into with such entities.

5. Fees for such services delivery are collected and used as per the provisions of article 188 herein.

Article 168

Promotion of Study and Research Activities

1. The ministry responsible for cultural heritage, state institutions assisted by other public and private universities and entities carry out, support and promote jointly studies, researches and other publicity activities aiming at the cultural heritage.

2. The ministry responsible for cultural heritage and other public institutions cooperate to establish permanent cultural heritage and documentation centers,

in cooperation with universities and other public and private entities, aiming at guaranteeing the systematic collection and dissemination of results of studies, researches and other activities in paragraph 1 herein, including cataloging.

Article 169

Cultural heritage publicization and promotion

1. The ministry responsible for cultural heritage enters into agreement with public institutions responsible for education and science and other interested public institutions, with the view to disseminate knowledge on cultural property and ensure their good use.

2. Based on agreements foreseen under paragraph 1 of the present article, the heads of institutions and places of culture may enter into special agreements with universities, schools of any type of level and category, part of the education system, and any other education institute on processing and execution of training and updating projects. These agreements are entered into in the framework of didactic training and making available different materials and audiovisual support targeting teachers and didactic operators. Courses, materials and support are prepared in compliance with institutions specifications and different special needs that may emerge in case they are attended by people with disabilities.

Article 170

Sponsoring cultural property activities

1. Sponsorship of assessment activities and other activities in relation to cultural properties is any contribution, in goods or in services, made in terms of designing and implementing initiatives on cultural heritage safeguarding, preservation and assessment. Sponsorship aims at promoting the delivering entity name, brand, image, product and activity in line with the historical and artistic character and the cultural property decoration that must be preserved or safeguarded, according to sponsorship agreement provisions.

2. Sponsorship may be provided to initiatives of the ministry responsible for cultural heritage, local self-government units, other public entities, and other public or private non-profit entities or private entities on cultural properties under their ownership. The ministry responsible for cultural heritage or its authorized persons verify the suitability of sponsored initiatives with the needs of protection, in compliance with the provisions hereunder.

3. The ministry confirms in the sponsorship agreement, entered into between the sponsoring and the sponsored entity, regardless of the initiative initiator, the compliance of the initiative with the provisions herein. The sponsorship agreement on activities related to cultural properties is subject to provisions of the applicable legislation.

Section III- Cultural Properties Management

Article 171

Management Methods

1. State-owned cultural properties are directly or indirectly managed.
2. Direct management is made by specialized organizational structures subordinate to the state institutions or other public institutions with scientific, organizational, financial autonomy and specialized technical and scientific expert. Public institutions may carry out direct management in cooperation with other public administration bodies.
3. Indirect management is carried out through:
 - a) ad-hoc foundation, established pursuant article 172 herein;
 - b) foundations established by cultural heritage specialized institutions, in accordance with the present law;
 - c) natural and legal persons, wither public or private, the cultural property of which is placed under their management through public procedures set forth by decision of the Council of ministers and decision of NCPAC, based on the comparative assessment of submitted projects.
4. Indirect management aims at delivering the most efficient management of cultural properties. The selection between two methods of management set forth under paragraphs 2 and 3 of the present article is underpinned by a comparative assessment in financial, economic and efficiency terms, based on pre-set objectives.
5. The relations between public institutions and natural and legal persons, either public or private, pursuant letter “c”, paragraph 3 of the present article, are determined by the agreement entered into with such entities. The agreement sets forth the content of the management project, essential services that must be guaranteed for object public use, execution terms, quality levels of activities and services to be provided, and requirements for staff professional level.
6. The entity entering into an agreement in accordance with paragraph 5 of the present article may be entitled to using the necessary space for exercising such activities, by entering into a special agreement, attached to the original agreement. The agreement cancellation, as provided for under paragraph 5 of the present Article, brings about the automatic cancellation of the agreement on spaces, with no compensation rights.

Article 172

Cultural Heritage Ad-hoc Foundations

1. Cultural properties management may be carried out even by non-for-profit legal persons, co-founded through state institutions, as represented by the ministry responsible for cultural heritage and natural or legal private entities, either domestic or foreign, to rules provided for herein and in the civil legislation in force. Management, pursuant to this article, aims at protecting, safeguarding, restoring and assessing the cultural property and grant for direct use, inexhaustibly, including separately.
2. The legal person is established in the form of a foundation. The purpose and scope of its activity is cultural property management, pursuant to paragraph 1 of the present article.
3. Organization and functioning of foundations established pursuant to paragraphs 1 and 2 of the present article is subject to rules of the civil legislation in force for non-for-profit organizations organization and functioning, as well as provisions hereunder, for as long as they are applicable, thus maintaining the independence of their observance form the state.

4. Basic rules on organization and functioning of cultural heritage ad-hoc institutions are set in cooperation with the ministry responsible for cultural heritage in the ad-hoc agreement entered into between the parties.

5. The ministry responsible for cultural heritage enters into management agreement with cultural heritage ad-hoc foundations as per this article. This agreement is subject to approval by the Council of Ministers in case of cultural property management of national and local significance, and approval by the Parliament, in case of cultural properties of universal significance, as per the provisions herein. The agreement sets forth among others the deadline, fees and special cultural heritage management terms. When fulfilling the property safeguarding, preservation, restoration and management, the entities implement the principles and obligations foreseen hereunder and not to the public procurement rules.

6. Legal persons, established for such purposes, carry out their activity with their founders fund and any other funding source, pursuant to the legislation in force.

7. Pursuant to the present law, economic activity of legal entities founded and operating for such purposes are not subject to the law on income tax in the Republic of Albania and is exempt from VAT. Additionally, supplies made in the framework of such entities scope of activity are exempt from import and other customs obligations.

8. Revenues generated by the economic activity of ad-hoc foundations are managed by them, as per the provisions under the agreement mentioned in paragraph 5 of the present law.

9. Pursuant to this law, the property bearing cultural heritage values is transferred under the management of the foundation established for this purpose, in accordance with the agreement between the later and the ministry responsible for cultural heritage. In any case, the ownership title remains with the state.

Article 173

Safeguarding of Cultural Properties Whose Management Functions Have Been Transferred

1. Cultural properties whose management functions have been transferred in accordance with provisions 171 and 172 herein are subject to their legal regime, as set forth hereunder.

2. Preservation, safeguarding, technical control, inspection and supervision functions are exercised in compliance with the present law.

Chapter II- Cultural Properties Use

Article 174

Institutions and Places of Culture

1. Institutions and places of culture, for the purposes of this law, belong to public entities, are used for public purposes and are in the public service.

2. Private-owned institutions and places of culture, open to the public, provide private services for public purposes.

Article 175

Use of State-owned Institutions and Places of Culture

1. State institutions or other public entities ensure the use of properties located in institutions and places of culture as set forth hereunder.

2. The institution or public entity competent for the management of properties located in institutions and places of culture, either central or local government bodies, issues the acts regulating their use, according to basic principles. Lack of such acts does not release the public body from the obligation to guarantee the use of available cultural properties.

3. Use of public cultural properties outside institutions and places of culture is enabled in compliance with the provisions hereunder and the destination for such properties public use.

4. The ministry responsible for cultural heritage and institutions having under management cultural properties, aiming at coordination, harmonization and effective use of institutions and places of culture, enter into assessment agreements with entities provided for under articles 171 and 172 hereunder. Lack of such agreements does not release the public body from the obligation to guarantee the use of available cultural properties.

5. Pursuant to the legislation applicable to public state-owned immovable properties transfer to the local self-government units, the ministry responsible for cultural heritage may propose to the Council of Ministers the transfer of properties to local self-government units, with the ultimate goal of guaranteeing the use and assessment of cultural properties located therein.

Article 176

Open to the public of institutions and places of culture

1. Public access to public institutions and places of culture may be free of charge or pay-per-use. The ministry responsible for cultural heritage, local power and other local public entities may enter into agreements to regulate the right to access.

2. Entry to libraries and other public archives for reading, study and research purposes is free of charge.

3. In cases of pay-per-entry, the ministry responsible for cultural heritage or public institutions having under management cultural properties set forth:

a) cases or free of charge or pay-per-entry;

b) categories of tickets and pricing criteria. In event of agreements provided for under Subparagraph "c", Paragraph 3, Article 171 herein, the ticket price is included in the rights and obligations of parties entering into agreement;

c) manner of issue, distribution and sale of entry tickets.

4. In case of agreements with private and public entities pursuant to article 171 of the present article, the manner of ticket issue, distribution and sale are determined by agreements entered into for such purposes. Other new information technologies may be used for entry tickets management, enabling pre-purchase and purchase through third parties.

5. In case institutions and places of culture management is carried out by foundations, provided for under Article 172 herein, provisions of paragraph 3 hereunder are implemented by the said entity, in compliance with the agreement provided for under Paragraph 5, Article 172 hereunder.

6. Income generated through tickets and any other service are considered secondary income of cultural heritage institutions. Such income are used for learning through culture, artistic and cultural projects implementation and institution development purposes. Fee income is determined by instruction of the minister responsible for cultural heritage.

7. In case institutions or places of culture are managed by legal non-for-profit entities, established pursuant to the present law, income are completely transferred to such entities

Article 177

Use of Privately-owned Cultural Properties

1. Public access to immovable cultural properties, set forth under subparagraphs “a” and “d”, paragraph 3, Article 50 hereunder, of special interest and to designated cultural properties is regulated by an agreement between the institution managing them and the owner.

2. This article does not apply to the case provided for under article 95 hereunder.

3. The owner who omits to abide by the agreement entered into pursuant paragraph 1 of the present article, is held liable in accordance with the present law.

Chapter III- Use of Cultural Properties

Section I - Use

Article 178

Cultural Objects Ways of Use

1. Public institutions may grant for use the cultural object under their management to an interested entity, except for cult objects, if guaranteed the purpose of use compatibility with the property cultural destination and the grant for use does not infringe its values as cultural heritage.

2. Cultural properties may be granted for use, pursuant to paragraph 1 of the present article in the following ways:

- a) direct use;
- b) indirect use;
- c) revitalization purposes use.

3. Entities are selected on a public procurement basis, pursuant to paragraph 1 of the present article. Competition procedures and criteria, as well as provisions on agreement form, term and methodology of setting the fees are approved by decision of Council of Ministers.

4. Fees for all ways of use of the cultural object under the management of the ministry responsible for cultural heritage are set by a joint instruction of the minister responsible for cultural heritage and the minister responsible for finance and are used for the cultural heritage fund.

5. Fees of using cultural objects under the management of foundations, pursuant article 172 hereunder are set by this entity and are used in accordance with the agreement provided for under paragraph 5, article 172 hereunder.

Article 179

Direct Use

1. Public institutions may grant for use cultural objects under their management pursuant to article 178 herein to an entity interested in conducting cultural, social, and artistic activity, corresponding to the cultural objects function and values.

2. The ministry responsible for cultural heritage sets the rules for granting for use cultural objects, pursuant to the present article, irrespective of whether such objects are under their management or not.

3. The ministry responsible for cultural heritage approves the grant for use of cultural objects, both for properties under its management and objects under other public institutions management.

Article 180

Cultural Objects Indirect Use and Reproduction

1. Public institutions allow for the reproduction and indirect use of cultural objects under their own management, adhering to the provisions of paragraph 2 under the present article and provisions under the legislation on copyright. Detailed rules on cultural objects reproduction and indirect use are approved by decision of the minister responsible for cultural heritage

2. The reproduction of cultural heritage objects and materials they are made of through moulded copies i.e impressions of the original pieces and relief works in general is banned. Such reproduction is allowed for solely in extraordinary exceptional cases, as set forth under a special instruction of the minister responsible for cultural heritage.

3. Reproduction of cultural heritage objects in non-compliance with paragraph 2 under the present article consists of a violation and the responsible entities are to be held liable pursuant to the present law.

Article 181

Cultural Properties Photographic Images and Footage

In case the takeover under use scopes cultural objects reproduction aiming at producing a photographic images selection or catalog, or for overall documentation purposes, the grant of use decision includes:

- a) obligation to hand over the copy of any frame or photography;
- b) reinstate the original photo color with the relevant code after use.

Section II - Public-Private Partnership in the Field of Cultural Heritage Immovable Cultural Properties Revitalization

Article 182

Cultural Properties Revitalization

1. Immovable cultural properties under central or local institutions management may be granted for use for revitalization purposes, management, social and cultural functions, provided that the revitalization project keeps the cultural property value intact.

2. Immovable cultural properties revitalization projects approval and implementation must adhere to cultural property value preservation and safeguarding regimes, as well as terms and conditions for performing integrated conservation.

3. Privately-owned cultural properties are granted for use for revitalization purposes following the preliminary approval of the minister responsible for cultural heritage.

4. Cultural properties, a set of cultural properties or separate pieces thereof not constituting in their entirety a territorial unit registered as cultural heritage. With reference to properties of universal significance, territorial units registered as cultural heritage are those properties enlisted in UNESCO world heritage list.

5. Revitalization project includes a detailed territory development plan, subject to revitalization, by adhering to the cultural special value preservation and safeguarding regime.

6. The revitalization territory includes the territorial extension of the property subject to revitalization, as per the property planimetry and card issued by the immovable property registration office. Depending on decision of the revitalization commission, functioning pursuant to provisions under article 184 herein, this territory may even include a support area, which is a surface area necessary for the management, maintenance and operation of the property subject to revitalization. The need for a support area and its designation will be included in the detailed development plan, pursuant to paragraph 5 under the present article.

Article 183

Revitalization Restrictions

The following immovable cultural properties are banned from being granted for use:

A) territorial unit entirety, registered as a cultural property of universal significance, as per the its designation in UNESCO world heritage list;

b) territorial unit entirety, registered as a cultural property “of national significance”, except for those set forth by NTCHC decision;

C) archaeological reserves or parts thereof, except for those set forth under NTCHC decision;

ç) cultural properties of religious significance.

Article 184

Revitalization Procedure

1. Immovable cultural properties are granted for use for revitalization purposes upon decision of an ad hoc commission, composed of 7 members and established by order of the minister responsible for cultural heritage.

2. The commission established pursuant to paragraph 1 under the present article is chaired by the minister responsible for cultural heritage and is composed by:

a) one representative from the structure responsible for revitalization affairs at the ministry responsible for cultural heritage;

b) one representative from the local power body, in case the property is owned by the local power ;

- c) one representative from the NCHI;
- ç) one representative from the CHRD the immovable property is located at;
- d) one licensed expert, pursuant to the present law, depending on the cultural property typology;
- dh) one representative from the NCHI archeology sector, in case the revitalized property bears archaeological values.

3. The minister responsible for cultural heritage decides to open the competition procedure on grant for revitalization following consultations with NCPAC, NCHSC and NCHI, and for NCHI and for immovable archaeological cultural properties upon interested entity individual request.

4. Competition procedures are developed pursuant to decision of Council of Ministers, pursuant Paragraph 3, Article 178 herein.

5. Competing entities must ensure among others basic annual resources for immovable cultural values preservation and maintenance of the property under revitalization and in case there are archaeological values or data about archaeological sites or objects, must ensure resources for archaeological studies, until the full exploration of the conceded area.

6. In any case, the request on revitalization must be associated with the following documents:

- a) revitalization project and territory development plan;
- b) detailed project analysis;
- c) documentation evidencing participation in other projects.

7. The commission sets forth the procedure for signing and implementing the revitalization agreement in its decision on the grant for revitalization. With regards to central power owned properties, the authority responsible for the procedure will be the ministry responsible for cultural heritage. With regards to local power owned properties, the authority responsible for the procedure will be the municipality the property to be revitalized is located at.

Article 185

Revitalization Project

The revitalization project must contain the following:

- a) intervention projects for cultural property rehabilitation;
- b) associated technical report;
- c) cultural property and its territory management plan;
- ç) needs analysis and request for institutional support;
- d) typology of services to be delivered;
- dh) guarantees for cultural property well-management.

Article 186

Revitalization Agreement

1. The revitalization agreement may not change the cultural value preservation and safeguarding regimes imposed upon the immovable cultural property consisting of its scope, as set forth herein .

2. General and special revitalization agreement terms are approved by decision of the Council of Ministers.

3. In case the soliciting entity will build the new relevant infrastructure, including support buildings and installations in free archaeological areas within the supported area, the agreement must consider the technical conditions for building such infrastructure.

4. Prior to agreement signing, the successful entity must guarantee its implementation by lodging with the authority responsible for procedure the bank guarantee issued by a second tier bank, at the 5% of the project.

5. The revitalization agreement is entered into for a 20 year term tops and can be renewed only if the entity has fulfilled duly all contracting obligations, based on the Cultural Heritage National Inspectorate report.

6. Preservation, safeguarding, technical control, inspection and supervision functions of properties granted for revitalization are exercised in compliance with the present law.

Section III - Fees

Article 187

Use and reproduction fees, and guarantee

1. Other obligations on cultural properties reproduction except for fees, are set by the NCPMC based on:

- a) type of activity for which it has been granted for use;
- b) reproduction execution tools and ways;
- c) type and time for using the premises and the properties;
- ç) use and destination of reproductions, as well as the economic benefit its brings to the solicitor.

2. In principle, use fees and other obligations related to reproductions are preliminary determined.

3. The obligation to settle the payment on cultural properties reproduction does not apply to individuals when the reproduction is solicited for personal use or study purposes, and to entities when the reproduction is solicited for assessment activity, provided that no profit purposes be involved. In any case, reproduction administrative expenses are borne by the solicitors.

4. In case there is high likelihood for the cultural property to be damaged when being used, the grant for use is insured by a guarantee issued by a second tied bank or an insurance company. The guarantee value is determined by the institution or public entity granting it for use. The guarantee foreseen under this paragraph is solicited even in case of activities exempt from fee payment.

5. The guarantee is returned when attested that no damage has been inflicted upon objects granted for use and all relevant dues have been settled.

6. Other cultural properties reproduction minimal fees and expenses minimum values are determined by instruction of the institution or competent public entity having under management the cultural property.

Article 188

Income collection and distribution

1. Specialized institutions, institutions and places of culture, and museums transfer in the account of entities having under management institutions and places of culture and special properties, the income generated from entry tickets sale and prices/fees of use, services and

reproduction, pursuant to provisions under the agreement mentioned in paragraph 5, article 171, and paragraph 5, article 172 hereunder.

2. Income, as provided under paragraph 1 of the present article, generated from cultural properties under indirect management:

a) are transferred to the non-for-profit legal person, as established pursuant to article 171, paragraph 3, subparagraphs “a” and “b” hereunder;

b) are managed pursuant to provisions under paragraph 4, article 20 herein if no legal person has been established, pursuant to provisions herein.

3. Income mentioned in subparagraph “a”, paragraph 2 under the present article are used exclusively for carrying out preservation and safeguarding interventions, and for the functioning of state-owned or state-used institutions and places of culture, as well as in support of education programs.

4. Income, for the purposes of subparagraph “b”, paragraph 2 under the present article are used for cultural heritage enrichment and assessment by the National Fund of Care for Cultural Heritage, as established at the ministry responsible for culture, pursuant to provisions hereunder.

PART THREE

MUSEUMS

TITLE I

GENERAL PROVISIONS

Chapter I - Responsibilities and functions in the domain of museums

Article 189

Definition of relations in the domain of museums

The third part of this law defines relations and rules for the establishment, accreditation, operation, and organization of public and private museums in the Republic of Albania, with the purpose of preserving, safeguarding, administering, and exhibiting museum collection objects, and controlling their activity and assessment.

Article 190

The museum concept

A museum is a permanent, non-profit, educational institution in the service of society and its development, open to the public, which acquires, researches, communicates and exhibits the tangible and intangible heritage of humanity and its environment for the purposes of education, study and enjoyment by the society. As such, museums are institutions representative of the natural and cultural diversity of humanity, playing a fundamental role in the safeguarding, preservation, and transmission of cultural heritage.

Article 191

Responsibilities related to museum activities

1. Museums have the obligation to acquire for their funds, and to preserve, safeguard, and

promote the cultural and natural, tangible and intangible heritage in their collections.

2. Museums have special responsibility with regard the caring for, access to, and interpreting of data collected and kept in their collections.

3. Museums have a responsibility in developing the education role and in attracting the general public.

4. Museums are responsible for showcasing museum collections of the cultural and natural heritage of the communities to which they belong, in respect of national, local, ethnic, religious, or political identity.

Article 192

Main museum functions

The main museum functions under this law, are to:

a) preserve and safeguard cultural heritage, which includes activities related to the administration of collections, risk analysis and development of capacities for readiness and emergency plans, security, preventive and improving conservation, and restoration of museum objects to ensure the integrity of museum collections;

b) acquire for the fund, exhibit and research collections, which can be undertaken in cooperation with third parties in order to gain deeper knowledge, to reflect on history in a contemporary context, to interpret, to represent, and to present collections to the public;

c) directly and indirectly administer and to cooperate with public or private institutions, with the purpose of establishing new revenue generation streams and identifying funding resources to improve services for the public;

ç) educate, which includes formal and non-formal learning, the development and dissemination of educational and pedagogical programmes through culture, raising social awareness about cultural heritage preservation and safeguarding, stimulating cultural artistic creativity, in cooperation with education institutions;

d) identify and communicate, which includes active interpretation and dissemination of knowledge about museum collections, cultural objects, organization of exhibits and promotional activities for all ages, as the case may require and by any potential public communication channel.

Article 193

Museum classification

1. With regard to the entity proposing the museum establishment, they are classified into:

a) central museum;

b) local museum;

c) autonomous museum;

ç) private museum.

2. Based on their theme, museums are classified into:

a) general, where the themes of events cover domains of knowledge or art, and where the main fund is related to cultural values of a variety of classifications and types;

b) specialised, where the themes of events cover a specific domain of knowledge or art, a specific theme of the development of society or nature, and where the main fund is related to cultural values consistent with this theme.

3. Based on the fund ownership, museums are classified into:

a) public museums, which are central museums, pursuant subparagraph “a” of paragraph 1 of this article, local museums, pursuant subparagraph “b” of paragraph 1 of this article, and autonomous museums, pursuant subparagraph “c” of paragraph 1 of this article and subparagraph

“a” of paragraph 3 of article 214 of this law;

b) private museums, which are autonomous museums, pursuant paragraph 1 of this article, and subparagraph “b” of paragraph 3 of article 214 of this law, and private museums, pursuant subparagraph “ç” of paragraph 1 of this article.

Article 194

International cooperation

1. Within their field of activity, museums cooperate with museums in other countries, become members of international museum organizations, and have all the rights and obligations stemming from cooperation and membership.

2. Financial effects related to the participation of public museums in international organizations are covered from the budget of the institution or the body administering the museum, or any other legal sources.

Article 195

Public museum financing and generated revenue

1. Public museums are financed by public funds and any other funds.

2. Public museums may benefit additional financial resources from other sources and donations.

3. Public museums generate secondary revenue from use, administration, and service provision, which are transferred into their accounts in accordance with the joint instructions on secondary fees of the minister responsible for cultural heritage and the minister responsible for finances, and are used only for the functions of the museum.

Chapter II - Institutions in the domain of museums

Section I - General provisions

Article 196

Competences of the ministry responsible for cultural heritage

In the domain of museums, the ministry responsible for cultural heritage has the following competences:

a) developing national strategies and policies in the museum domain;

b) developing active policies for the preservation, research, education, and communication of museum funds, adapting them to cultural and social contexts;

c) developing strategies for acquiring for museum funds, and forecasting funds in the state budget to this end;

ç) undertaking procedures to approve and transpose international acts into the national legislation for the development of museum standards and policies;

d) assisting with museum access to technology and with capacity development for the acquiring of knowledge and skills of effective technology use;

dh) stimulating and approving cooperation and partnership between museums and cultural and scientific institutions at all levels, including their participation in professional networks, associations supporting such cooperation, and collection international exhibitions, exchanges and mobility.

Article 197

National Museum Council function, composition, and competences

1. The National Museum Council (NMC) is a collegial decision making body under the ministry responsible for cultural heritage, established with the purpose of making decisions related to the national strategy in the museum field regarding the establishment, preservation, and functioning of museums, and the promotion and cooperation with institutions.

2. The NMC is composed of 11 members and is chaired by the minister responsible for cultural heritage. Its members are representatives of the specialised institutions and renowned museology figures.

3. The NMC has the following competences:

a) defining technical professional and methodological norms for services, preservation, maintenance and physical security of museum funds, in compliance with international standards and applicable regulations on archival funds. These norms are approved by instruction of the minister responsible for cultural heritage and are binding for all museums active in the Republic of Albania regardless of type;

b) deciding on the establishment, reorganisation, accreditation and closure of museums;

c) advising the ministry and local government units in relation to parts of the state budget and local draft budgets that are concerned with museum funding, and in relation to other issues concerning museum functioning;

ç) coordinating the work of the Museum Accreditation Board, pursuant the provisions of this law;

d) stimulating the development and cooperation of public and private museums;

dh) undertaking any other function provided for in this law.

4. The functioning, organization, meeting and remuneration of NMC members are defined by decision of the Council of Ministers, pursuant the provisions of article 41 of this law.

Article 198

General museum competences

1. In undertaking their activities, museums:

a) contribute to the preservation and safeguarding of the community cultural and natural heritage;

b) cooperate with education organizations, providing individuals of all ages the opportunity to learn by contact with original material;

c) ensure cultural access for all age groups by way of access to exhibition spaces, meeting rooms, websites;

ç) organise cultural events and social and cultural activities;

d) act as professional objective expertise centres;

dh) provide opportunities for community engagement, through volunteer programmes, groups of friends, or training programmes;

e) work in partnership with other cultural entities, such as libraries, archives, theaters, art centres, for the development of joint programmes and projects;

ë) ensure availability of museum collections for visitors and researchers;

f) provide services and use revenue generated from them for the functioning of the museum, the acquiring into the fund, the preservation, and the safeguarding of museum collections; for restoration, the improvement of staff professional knowledge, and to stimulate and ensure research work;

g) respect copyrights of museum collections under their administration, pursuant the applicable legislation on copyright;

gj) obtain funds from the state budget or international partners and bodies to implement

cultural and historic arts and fine arts projects, and other nationally significant programmes;

h) are party to civil legal transactions, to promote the assessment, completion, and research of museum collections, and to other transactions necessary to ensure museum functioning;

i) receive methodological support from the National Museum Council;

j) develop an annual report of their activities and submit information to the ministry responsible for cultural heritage;

k) establish legal persons with the purpose of safeguarding, measuring, assessing, and administering the museum fund under their administration;

l) organise temporary circulation outside the Republic of Albania after relevant certificates and authorizations, pursuant applicable legal provisions, have been issued

2. Central and local museums may not alienate or remove museum objects and collections from the museum collections, without the permission of the ministry responsible for cultural heritage, pursuant the provisions of this law.

3. Specific museum rights and obligations are defined in sub-legal acts, internal regulations, or relevant museum contracts.

4. A museum may conduct scientific activities and enroll in the scientific institutions register, in compliance with the procedures defined in the applicable legislation on education and science.

Article 199

Appointment of the museum director

1. The central museum director is appointed by the minister responsible for heritage for a three year mandate, in accordance with the requirements approved by the National Museum Council.

2. The local museum director is appointed by the head of the local government unit for a three year mandate, in accordance with the requirements approved by the National Museum Council.

3. The private and autonomous museum director is appointed by the legal founding/proposing entity, considering the requirements approved by the National Museum Council.

4. The central and local museum director selection procedure consists of a public competition, organized by the ministry responsible for cultural heritage or the local government unit respectively.

Article 200

Conflict of interest for museum staff

1. Central, local, and autonomous museum directors and staff are barred from benefiting or possessing museum funds, or museum cultural property in the museums where they are employed.

2. The provision of paragraph 1 of this article, is not applicable when the cultural property is a legal or willed inheritance of the entities mentioned in paragraph 1, provided that this inheritance is proven by relevant legal documentation.

3. No later than 30 days from being appointed or employed, the entities mentioned in paragraph 1 of this article, fill out the conflict of interest declaration, the template of which is approved by the minister responsible for cultural heritage. Current staff fill out this declaration no later than 30 days from entry into effect of this law.

4. The entities mentioned in paragraph 1 of this article are barred from participating in for profit activities in the thematic field to which their cultural property belongs.

Section II - National status museums

Article 201

National museums

1. A national museum meets all the requirements provided below:
 - a) it possesses a museum fund of cultural and historic value of national significance;
 - b) it conducts research and ensures complete research of museum collections and study in scientific disciplines;
 - c) it organizes permanent and temporary exhibits, which along with other avenues of communication related to museum functioning, educate and develop society ensuring the availability and complete use of museum collections;
 - ç) it has the required professional, administrative, and management capacities and expertise for adequate museum activities.
2. The “National Museum” status is also afforded to museum institutions subordinate to the ministry responsible for cultural heritage and private museums.

Article 202

National status museums

For the purposes of this law, national status museums, subordinate to the ministry responsible for cultural heritage, are:

- a) The National History Museum;
- b) The National Fine Arts Museum;
- c) The National “Marubi” Photography Museum;
- ç) The National Medieval Art Museum;
- d) The National “House of Leaves” Interceptions Museum
- dh) The National Independence Museum;
- e) The National Coexistence Museum;
- ë) The Kruja Museum Centre - “The National Skënderbeu Museum, the Kruja Ethnography Museum”;
- f) The Berat Museum Centre - The “Onufri” Iconography Museum, the Berat Ethnography Museum;
- g) The Durrës Museum Centre - The Durrës National Archaeology Museum and Archaeological Park.

National status museums comply with the provisions of this law with regard to their functions of keeping, preserving, safeguarding, and assessing cultural objects under their administration.

Upon proposal of the minister responsible for cultural heritage, the Council of Ministers may approve the establishment of new national status museums, pursuant the provisions of this law.

Article 203

Museums without the national status

All museums failing to meet all the requirements provided for in article 201 of this law, are museum institutions that comply with the provisions of this law.

Article 204

The National History Museum

1. The National History Museum is the main cultural heritage museum in Albania. The NHM is a scientific and archiving institution for cultural heritage and museums, with the national museum status, and subordinate to the ministry responsible for cultural heritage, seated in the city of Tirana.

2. The fundamental function of the NHM is to transmit the history of the country, which is of special significance for the safeguarding of the national identity, to develop the educational role, and to transmit this image to visitors; and to study, research, conceptualise, design, supervise, conserve, restore, promote, publish, consult, and cooperate with public and private, Albanian and foreign entities within its thematic domain.

3. The NHM drives the dialogue between citizens about the past, the present and future of Albania. To this end, it obtains, preserves and studies all tangible and intangible evidence of the Albanian historic and cultural heritage, which are communicated and exhibited in an environment that stimulates education and enjoyment.

4. The exhibition of the NHM fund, the organization of exhibition events, and the opening of temporary exhibits are regulated by the provisions of this law and the law on arts and culture, as applicable.

5. The NHM functions as the technical secretariat to the NMC and the Museum Accreditation Board, pursuant the provisions of this law and sub-legal acts issued for its implementation.

6. All national museums of any type are under the thematic supervision of the NHM. Supervision procedures are regulated with an instruction of the minister responsible for cultural heritage, which is published in the Official Gazette.

7. The NHM may establish the friends of the museum association, which aims at providing moral and financial contribution for the development of education through art activities and projects undertaken by the institution, and for any other types of projects. The relations between the members and the institution is provided for in the association act of establishment and relevant decisions.

Article 205

The National Fine Arts Museum

1. The National Fine Arts Museum is a cultural heritage, scientific, and archiving institution, with the “national museum” status, and subordinate to the ministry responsible for cultural heritage, seated in the city of Tirana.

2. The main function of the National Fine Arts Museum is to administer, safeguard, preserve and promote the national fine arts fund, to study, research, conceptualise, design, supervise, conserve, restore, promote, publish, consult and cooperate with public and private, Albanian and foreign institutions in the fine arts domain.

3. The exhibition of the museum fund, the organization of exhibition events, and the opening of temporary exhibits are regulated by the provisions of this law and the law on arts and culture, as applicable.

4. The Fine Arts Restoration and Research Centre is established and functions at the National Fine Arts Museum, and it is also established as a centre for the restoration of visual arts materials and works, with the aim of training future visual arts restorers, pursuant the provisions of this law. The functioning, organisation, and activity of this centre are defined by decision of the Council of Ministers.

5. All art museums and galleries are under the thematic supervision of the National Fine Arts Museum. Thematic supervision procedures are regulated with an instruction of the minister responsible for cultural heritage, which is published in the Official Gazette.

6. The National Fine Arts Museum may establish the friends of the museum association, which aims at providing moral and financial contribution for the development of education through art activities and projects undertaken by the institution, and for any other types of projects. The relations between the members and the institution is provided for in the association act of establishment and relevant decisions.

Article 206

The National “Marubi” Photography Museum

1. The National “Marubi” Photography Museum, herein after referred to as the “Marubi” museum, is a scientific and archiving institution, with the “national museum” status, and subordinate to the ministry responsible for cultural heritage, seated in the city of Shkodra.

2. The fundamental duty of the “Marubi” Museum is to study, research, conceptualise, design, supervise, conserve, restore, promote, publish, consult, and cooperate with public and private, Albanian and foreign institutions in the domain of photography.

3. All museums, galleries, photography galleries, and other entities in the domain of photography are under the thematic supervision of the “Marubi” museum. Supervision procedures are regulated with an instruction of the minister responsible for cultural heritage, which is published in the Official Gazette.

4. The “Marubi” Foundation is established and functions at the “Marubi” museum, which is also established as a centre for photography restoration, with the aim of training future restorers of photography materials, in compliance with the provisions of this law. In addition, the “Marubi” Foundation exercises other functions provided in the decision of the Council of Ministers and the act of establishment.

Article 207

National Medieval Art Museum

1. The National Medieval Art Museum is an archiving institution, with the “national museum” status, subordinate to the ministry responsible for cultural heritage, seated in the city of Korça.

2. The fundamental duty of the National Medieval Art Museum is to study, research, conceptualise, design, supervise, conserve, restore, promote, publish, consult, and cooperate with public and private, Albanian and foreign institutions in the domain of iconography.

3. The Icons Restoration and Research Centre is established and functions at the National Medieval Art Museum, and it is also established as a centre for the restoration of iconography materials and works, with the aim of training future iconography restorers, pursuant the provisions of this law. The functioning, organisation, and activity of this centre are defined by decision of the Council of Ministers.

Article 208

The National “House of Leaves” Interceptions Museum

1. The National “House of Leaves” Interceptions Museum is a specialised institution in the museum domain, with the “national museum” status, and subordinate to the ministry responsible for cultural heritage, seated in the city of Tirana.

2. The fundamental function of this museum is the remembrance of the psychological violence of the communist regime and the control of citizens through the interceptions conducted by the

former Sigurimi i Shtetit (State Intelligence), of interest to domestic and foreign visitors.

3. The functioning, organisation, and activity of this museum are defined by decision of the Council of Ministers.

Article 209

National Independence Museum

1. The National Independence Museum is an archiving institution subordinate to the ministry responsible for cultural heritage, seated in the city of Vlora.

2. The fundamental function of the National Independence Museum is to study, research, archive, promote, publish, consult and cooperate with public and private, Albanian and foreign entities in regard to the historic period of the Albanian declaration of independence.

3. The functioning, organisation, and activity of this museum are defined by decision of the Council of Ministers.

Article 210

National Coexistence Museum

1. The National Coexistence Museum is an archiving institution subordinate to the ministry responsible for cultural heritage, seated in the city of Tirana.

2. The fundamental function of the National Coexistence Museum is to study, research, preserve, safeguard, assess, administer, promote, publish, consult and cooperate with public and private, Albanian and foreign entities in the field of religious coexistence and tolerance in Albania.

3. The functioning, organisation, and activity of this museum are defined by decision of the Council of Ministers.

Article 211

The Kruja Museum Centre

The National “Gjergj Kastrioti - Skënderbeu” Museum and the National Ethnography Museum in Kruja

1. The Kruja Museum Centre is an archiving institution, with the “national museum” status, subordinate to the ministry responsible for cultural heritage, which administers the National “Gjergj Kastrioti - Skënderbeu” Museum and the National Ethnography Museum in Kruja.

2. The fundamental function of the “Gjergj Kastrioti - Skënderbeu” Museum is to transmit the role and the relations of the Albanian world during the period of Gjergj Kastrioti Skënderbeu with European countries and the Ottoman Empire, with Albanian principalities, the war against the Ottoman Empire and Albanian resistance in Medieval times, thus playing an important role in the safeguarding of the national identity, the development of its educational role and the transmission of this image to visitors.

3. The fundamental function of the Kruja National Ethnography Museum is to showcase material evidence of the lifestyle, artisanship, knowledge, rituals and beliefs in the area of Kruja.

Article 212

The Durrës Museum Centre

The National Archaeology Museum and the Archaeological Park in Durrës

1. The Durrës Museum Centre (DMC) is “national museum” status institution, subordinate to the ministry responsible for cultural heritage, seated in the city of Durrës, administering the National Archaeology Museum and the Archaeological Park in Durrës, the borders of which are defined by

decision of the Council of Ministers, and which has a code of ethics defining the fundamental values and principles for its activity.

2. The fundamental function of the Durrës Museum Centre is to preserve, safeguard, research, administer, and exhibit cultural heritage in the National Archaeology Museum and the Archaeological Park in Durrës.

3. The Archaeological Park in Durrës is a clearly delineated territory in the City of Durrës including significant archaeological evidence and presence of cultural, historic, architectural, urban planning, and cultural landscape evidence organised with elements of a natural museum.

4. The National Archaeology Museum has the duty to improve and further add to the exhibition through research of its rich archaeological and museum fund.

5. The DMC has the duty to exhibit and actively interpret the knowledge about artifacts of the Illyrian, Ancient Greece, Roman, and Medieval periods uncovered in archaeological excavations, mainly in the Durrës region, but not only. It organises promotional exhibitions and events with any potential public communication method.

6. The DMC cooperates and coordinates its activity with the Durrës RCHD and the structures of the local government unit.

Article 213

The Berat Museum Centre *The “Onufri” Iconography Museum and the Berat Ethnographic Museum*

1. The Berat Museum Centre is a specialised and archiving institution, with the “national museum” status, subordinate to the ministry responsible for cultural heritage, seated in the town of Berat, which administers the “Onufri” Iconography Museum and the Berat Ethnographic Museum.

2. The core function of the “Onufri” Iconography Museum is to transmit the works of Onufri interpretation, thus playing a significant role in the preservation of the national identity, the development of an educational role, and the transmitting of this image to visitors and abroad.

3. The core function of the Berat Ethnography Museum is to showcase material evidence of the lifestyle, artisanship, skill, rituals and beliefs in the area of Berat.

TITLE III

ESTABLISHMENT, ACCREDITATION AND CLOSURE OF MUSEUMS

Article 214

Establishment and closure of museums

1. A central museum is the public institution established, organized, reorganized and closed by decision of the Council of Ministers, upon proposal of the ministry responsible for cultural heritage and approval of the National Museum Council. The organizational structure is approved by order of the Prime Minister.

2. A local museum is the public institution established, organized, reorganized and closed by decision of the municipality council, upon proposal of the head of the local government unit and approval of the National Museum Council. The organizational structure is approved by order of the municipality council.

3. An autonomous museum is:

a) the public institution established, organized, reorganized, and closed by decision of the Council of Ministers upon proposal of a public institution other than the ministry responsible for

cultural heritage and other than the local government unit, and upon approval of the National Museum Council. The organizational structure is approved by order of the Prime Minister;

b) The private legal person, established, organized, reorganized, and closed with public funds by decision of the Council of Ministers, upon proposal of the central or local public legal person, or another private legal person with a public legal person as member or founder, and upon the approval of the National Museum Council. The organizational structure is approved by order of the Prime Minister.

4. A private museum is a legal person established, organized, reorganized and closed by order of the minister responsible for cultural heritage, upon proposal of natural or legal persons, owning or possessing museum collections, and upon approval of the National Museum Council. The administrative structure shall be approved by decision of the founder.

Article 215

Museum establishment and registration procedure

1. Central and local institutions, natural and legal persons may submit their request and the associated relevant documentation for a preliminary decision on museum establishment, to the National History Museum, in its quality as the National Museum Council technical secretariat. The request template, the associated documentation and the documentation review procedure conducted by the technical secretariat are regulated by instruction of the minister responsible.

2. The documentation for the establishment of a museum must, inter alia, prove the following:

- a) the existence of museum objects, collections and associated documentation issued by the NCHRI;
- b) the existence of adequate facilities for object preservation and safeguarding and the development of museum activities;
- c) human and financial resources ensuring museum sustainability;
- ç) strategy for the development of museum activity and museography.

3. Should the National Museum Council consider the information submitted by the entities in paragraph 1 of this article complete, within 60 days from submission, it makes a preliminary decision on the request compliance with the legal provisions of this law. The decision of the NMC sets the deadline within which the applicant has the obligation to complete legal actions for the establishment of the museum and a nonprofit organization.

4. Applicant failure to meet the obligations related to the deadlines or any other conditions decided by the NMC, results in the revocation of the decision. Entities subject to paragraph 1 of this article, may request an extension of the deadline for a period no longer than the period provided in the decision, prior to its expiry. Should deadlines lapse, the entities under paragraph 1 resubmit a request to the NMC.

5. The decision of the National Museum Council on museum compliance or request rejection is announced to the proposing parties. The decision may be appealed with the competent court reviewing administrative disputes.

6. The National History Museum establishes and maintains the National Museum register. Applicants should prove compliance with the conditions and deadlines set by the decision of the NMC and the legal status as a non-profit organization in the request for registration.

Article 216

Museum accreditation

1. Museums are accredited by the ministry responsible for cultural heritage, upon proposal of the National Museum Council, and based on the verification report of the Accreditation Board, established at the National Museum Council.

2. Museum accreditation is a periodic process undertaken every 5 years, and in special cases when indications that a museum is non compliant with specific conditions, it is undertaken by order of the minister responsible for cultural heritage on a case by case basis.

3. The accreditation process includes the following three phases:

- a) verification process by the Accreditation Board;
- b) review procedure by the NMC;
- c) registration in the accredited museums list.

4. A museum established under the conditions of article 215 of this law may be accredited if, inter alia it meets the following general conditions:

- a) the general conditions for museum establishment;
- b) has undertaken a museum collection inventory;
- c) has facilities, safety equipment and systems ensuring the preservation of museum collections;
- ç) ensures museum collection availability for the society;
- d) has developed a museum functioning and development strategy.

5. Public museums have the obligation to be accredited no later than 5 years from the adoption of this law or their establishment. Private museums apply for accreditation upon their own initiative.

6. The ministry responsible for cultural heritage establishes and updated a special section in the National Museum Register for accreditation.

Article 217

Museum Accreditation Board

1. Museum Accreditation Board is composed of 5 members, each appointed for a 2-year term by order of the minister responsible for cultural heritage, as follows:

- 1 representative from the ministry responsible for cultural heritage;
- 1 expert selected from the NCHRI movable objects assessment experts lists;
- 1 expert selected from the NCHI immovable properties assessment experts lists;
- 1 expert selected by NMC;
- 1 expert selected by NCPMC;

2. Museums Accreditation Board is established and functional at NMC. The functioning manner is regulated by provisions under Article 41 herein. Museum Accreditation Board members remuneration is determined by Decision of Council of Ministers.

Article 218

Museum accreditation procedure

1. Interested entities or the ministry responsible for cultural heritage my file with NMH the museum institution accreditation request in the capacity of the NMC technical secretariat, pursuant to provisions laid down under Article 194 herein. The NMH submits within 15 days with the Museum Accreditation Board the report on formal request compliance, along with the form and documentation associating the request, as approved by an instruction of the minister responsible for cultural heritage.

2. Following report an associating documentation submission, the Accreditation Board starts the verification process, concluding into a preliminary report. The report is forwarded to interested entities, which must pass their own remarks within 30 days. The final report - building on interested parties remarks- is submitted with NMC not later than 8 months from request submission. Museums Accreditation Board proposes to the National Museums Council

whether to accredit the museum or not in the end of the report.

3. The National Museum Accreditation decision to accept or refute accreditation request is notified to the proposing party and the ministry responsible for cultural heritage, which issues the museum accreditation certificate should the proposal be positive. The NMC decision may be appealed with the court competent for reviewing administrative disputes.

4. Accreditation certificate form is approved by order of the minister responsible.

Article 219

Accredited museum rights

1. Accredited museums are entitled to the following:
 - a) Receive support by the ministry responsible for cultural heritage in terms of education programs;
 - b) Be promoted by central and local institutions in the field of tourism and enjoy support to participate in international networks;
 - c) Pre-empt museum funds from museums about to close doors or under liquidation
 - ç) benefit reimbursement by the ministry responsible for cultural heritage for the tax on building the museum activity will be conducted.
2. The accredited museum fund is included in the National Museum Fund.

Article 220

Museum closing procedure

1. Museums close their doors in event they:
 - a) Cease to meet the special conditions they were established for;
 - b) Carry out the activity they were established for no longer;
 - c) Have no interest in carrying out activities.
 - ç) any other reason.
2. The entity proposing museum establishment requests the National Museum Council to close the museum should the cases under paragraph 1 in this Article be verified. The National Museums Council decides to close the museum within 60 days from request submission and deliberates on museum funds allocation and destination.
3. In the case of public museums, the National Museums Council determines in the close down decision the museum objects and museum collections to a central museum, which meet the criteria on museum objects storing and safeguarding.
4. In case of private museums, the entity requiring their close down must specify in the request the location such museum object will be stored, in event of re-location. In its decision, the NMC, upon obtaining the opinion of the museum, which for the purposes of this law is responsible for the thematic supervision of museum typology CHRDs, as per provisions of Part II herein, provide their opinions on the new location compliance with the museum objects preservation and safeguarding regime. Should the new location not comply with the objects preservation and safeguarding regime, the NMC decides to store them temporarily in public museums.
5. The museums close down process is put to an end within 60 days from the NMC decision by DCM for central museums, municipal council decision for local museums, collegial body or head decision for autonomous museums and legal person decisions or natural person declaration for private museums.
6. Within 30 days from receiving the decisions of the bodies referenced under Paragraph 4 and 5 under this article and the natural person declaration, the decision is published in the Official Gazette, Official Bulletin and notification corners, as per the provisions under Administrative Procedure Code. These decisions are notified within 30 days from the NMH publication and NCHRI for national registers update purposes.

7. Should the owner decide to sell museum objects at the close down time, public museums and accredited museums are entitled to pre-empt collections and museums objects, in accordance with the provisions under Part II herein.

TITLE III

MUSEUM FUNDS AND THE NATIONAL MUSEUM FUND

Chapter I - Museum Collections

Article 221

Collections registration

1. Museum objects and collections, part of cultural heritage are entered into special registers held by institutions administering them and NCHRI, pursuant to provisions under Part II hereunder, this part and applicable bylaws.

2. Museum objects, part of museum collections, are deregistered from the museum register if:

- a) Depreciated or damaged;
- b) Stolen;
- c) Permanently exported;
- ç) Exchanged;
- d) Their administration has been transferred.

3. Special collection data are kept by museums in chronological order and are catalogued on a professional processing and scientific assessment basis, so that to be museum objects, part of collections be identified, or their cultural, artistic, historical or scientific value be determined. Such registers are subject to control and monitoring by the museum responsible for thematic supervisions and cultural heritage specialized institutions.

4. An immovable cultural property, connected or not to a museum collection, is entered into NCHRI register as an object connected to the collection, upon approval of the assessment committee at NCHRI. The collection owner is notified on such registration via a notice.

Article 222

National Museum Fund

1. Movable cultural assets funds classified as accredited museum funds, for the purposes of this law are to make up the National Museum Fund, under state protection pursuant to the provisions herein.

2. The National Museum Fund is made up by the entirety of central and local, autonomous an private accredited museum collections.

3. National Museum Fund collections and objects are to be included in the National Museum Fund Catalog, a database containing information on museum objects an collection, kept and updated by NCRI. National Museums Council determines the rules and procedures on National Museum Fund Catalog establishment, fill-out, and update.

4. A museum object or collection deregistered from the National Museum Fund may still be

subject to movable assets preservation and safeguarding regimes, as per the provisions hereunder in event the object or collection:

- a) Has been considerably damaged and cannot be restored;
- b) Has been lost, or naturally dismantled;
- c) Has been obtained unlawfully;
- ç) Has lost the value in relation to the museum.

5. Upon NCHRI and NCHI joint proposal and NMC approval the measures for museum collection objects preservation, safeguarding, maintenance, administration, alienation and circulation.

Article 223

Museum objects collection

1. museum objects are collected through on-site research, purchase, donations, exchange or any other method, in compliance with the present law, following the verification of each object origin.
2. Museums establish a 5-year program for museum objects collections.
3. Museums cooperate and approximate their collection programs in accordance with the fields and museum objects collection limits.

Article 224

Museum objects enrichment

1. Public or private museums enrich their museum funds in accordance with their professional profile, typology and pursuant to the general provisions under Chapter I, Title III, Part II herein.
2. Museum fund enrichment related expenses are foreseen to be covered by public and private museums financial resources.
3. The public museum request for museum fund enrichment and associated documentation is submitted with NCHRI in order for it to determine the maximum transaction amount. Request for museum fund enrichment, submitted by public and private museums is reviewed and approved by the National Museums Council, which in turn confirms the collection's financial value by the time of their purchase, following NCHRI opinion.
4. Rules applicable to museum collections enrichment originating from the territory of the Republic of Albania and abroad, are set forth by an order of the minister responsible for cultural heritage.
5. Museums may not enrich the museum fund if:
 - a) Objects' origin is rather suspicious;
 - b) The certificate of the purchased, donated, inherited or exchanged object is missing;
 - c) Is unlawfully possessed or exported by the country of origin or any other intermediate country, where it could have been under ownership;
 - ç) there are reasonable grounds of suspicion that their restoring brings about cultural assets, archaeological or geological sites, species of natural habitats destruction or damaging;
 - d) Objects are biological or geological samples collected, sold, or transferred in non-compliance with the legislation in force on wildlife protection and natural history preservation.
6. Collections of mortal remains or of sacred objects may become part of the museum fund only if safely placed and compliant with the professional standards, interests and beliefs of the community members, and ethnic or religious groups the objects originate from, when widely-known.
7. Collections including botanical or zoo living samples may become part of the museum fund only if special assessments are made on the natural or social environment they originate from, and in accordance with the legislation in force on wildlife protection and natural history preservation.

Article 225

Museum funds alienation/exchange

1. Cultural assets, part of museum funds, may be alienate solely pursuant to provisions under Chapter I, Title III, Part II herein.
2. Museum funds may be exchanged in between museums on an exchange agreement basis, entered into between heads of museum institutions, following the approval of founding institutions and NMC.
3. Museum collections exchange agreement must determine among others:
 - a) Value of the museum objects/collections or connected objects to be exchanged;
 - b) Exchange aim and need;
 - c) Term;
 - ç) Responsibilities for adopting preservation and safeguarding measures during the agreement term;
 - d) Sanctions and grounds for termination.
4. Parties may not export, import or circulate exchanged objects in the territory during the term of the agreement provided for under paragraph 3, without a written approval of the entity owning or possessing the museum collection.

Article 226

Museum objects inventory and re-assessment

1. Museum objects inventory report contains the number and condition of museum objects, their documentation, as well as preservation and safeguarding measures.
2. The museum performs the regular technical re-assessment of museum objects depending on the type and aim no less than once a year.
3. During the technical re-assessment a report on destroyed or damaged museum objects is drafted.
4. The method and procedure for re-assessing the museum objects is determined by an instruction of the minister responsible for cultural heritage.
5. The final museum objects re-assessment report updates the inventory report.

Chapter II - Preservation and Safeguarding measures in the field of museums

Article 227

Preservation and safeguarding measures in relation to the National Museum Fund

1. Public institutions and private persons whose assets are part of the National Museum Fund implement general provisions on preservation measures stipulated under Part II herein an ensure public measures are adopted in accordance with the rules provided for hereunder.
2. Pursuant to the provisions made under Part II herein, the following apply to museum objects and collections, part of National Museum Fund:
 - a) In event of alienation of museum objects included in the National Museum Fund, accredited museums are entitled to pre-emption;
 - b) Museum objects or collections included in the National Museum Fund may not be placed a burden, lien or encumbrance upon.
3. If a museum cannot guarantee the preservation of a collection or an object included in its museum fund in compliance with the regulation approved by the National Museums Council, pursuant to provisions under Paragraph 5, Article 199 herein, or if the museum object or collection is established to have been considerably damaged due to museum owner/administrator default, a verified by th technical control by the CHRD competent for the territory the museum is located in, the CHRD proposes the adoption of immediate or necessary measures for their preservation or safeguarding. In such case, the relevant provisions herein apply.

Article 228

Objects conservation and restoration and museum documentation

1. Museums ensure museum objects and documentation preventive and permanent conservation carried out in storage facilities, exhibition premises, seminar halls, libraries, archives and during transport.

2. Processes provided for under paragraph 1 herein may be carried out upon authorization of the minister responsible for cultural heritage in the restoration centers laid down herein and in the listed restoration and conservation centers- the list is drafted and updated by the NCHRI.

3. Preventive conservation activities include adoption of measures with the view of ensuring an optimal microclimate and light, as well the exercise of disinfection controls and other preventive procedures.

4. The museum object and the inventory book microfilm must be photographed every 5 years as a safeguarding measure.

Article 229

Museum objects and collections safeguarding measures

in order to ensure museum objects and collections safeguarding, museum implement the provisions under Part II herein, in relation to movable assets safeguarding measures, as well as:

a) Adopt all the necessary measures to ensure the safeguarding and safety of buildings and facilities the collections are placed in;

b) Adopt all measures for collections special safeguarding in the form of basic treatment, conservation, preservation and restoration;

c) Ensure special preventive safeguarding and deposit of collections;

ç) Undertake to guarantee collections safeguarding during transport, exhibits and use;

d) Perform collections categorization and assessment.

Article 230

Control and Inspection

1. Technical control and museum activity supervision is exercised by specialized institutions, according to their competencies, and museums for thematic supervision, in compliance with the provisions herein.

2. Activity provided for under Paragraph 1 under this Article replaces by no means the function of National Cultural Heritage Safeguarding Inspectorate inspection in the field of museums.

Chapter III - Administration and use

Article 231

Museum administration

Museums are directly and indirectly administered, as per the provisions under Section II, Title IV hereunder.

Article 232

Access to collections and their use

Museums use collections and make them accessible to the public through:

a) Permanent exhibitions;

b) Long-term, short-term and moving exhibitions;

- c) Publications and editorial activities;
- ç) Cultural and educational activities in museum and museum objects;
- d) Activities on scientific and research topics related to museum fund.

TITLE IV

MUSEUM SERVICES

Article 233

Public access to museum

1. Public access to museum is free-of charge or pay-per-entry. The ministry responsible for cultural heritage, local self-government units and other public institutions, ad-hoc foundations or those established for the purposes of the present law may enter into agreements to regulate the right to public access to accredit museums.

2. The following are determined by order of the minister responsible for cultural heritage or public institutions decision-making and foundations administering the cultural objects:

a) cases of free of charge or pay-per-entry

b) categories of tickets and pricing criteria. In event of agreements provided for under Paragraph 1 under this Article, the ticket price is included in the rights and obligations of parties entering into agreement;

c) c) manner of issue, distribution and sale of entry tickets.

3. Museums enable the public to visit them towards a set price as indicated in the museum ticket. Ticket form and price:

a) for national museums are approved by order of the minister responsible for cultural heritage;

b) for local museums, are approved by the municipal council of the local self-government unit the museum is subordinate to;

c) for public institutions, are determined by the institution's governing body, the museum is subordinate to;

ç) for private museums, are determined by the private museum governing body.

Article 234

Typologies of services

1. Museums perform activities and provide services important to the museum and users' exercise of rights, as provided for under the deed of establishment and in the NMC decision on museums reorganization.

2. Museums provide services foreseen under the deed of establishment, related to the museum activity type, as well as cultural assistance, educational and reception services in line with the provisions herein.

3. Service fees and the use of revenues generated from public museums service provision are determined by a joint instruction of the minister responsible for cultural heritage and the minister responsible for finance, and provisions under Article 20 herein.

Article 235

Research in museum

1. Research as a museum service is systematic, professional and scientific and is carried out for museum objects collection, assessment and exhibition purposes.

2. Research is carried out in a way so that to allow all participants during data collection to act in

compliance with their profession standards in order to prevent any type of unethical or unlawful action.

3. Research and museum objects collection is made in compliance with cultural objects legal adjustments and environmental protection.

Article 236

Museum documentation

1. Museums keep data on museum objects accessible to the public.
2. Museums keep an inventory record, data for museum objects entries and exits, museum collection catalogs, electronic database and other data laid down hereunder.
3. The instruction of the minister responsible for cultural heritage determines the format and method of keeping museum documentation.

Article 237

The service of museum objects placement under temporary safeguarding or storage

1. Public museums provide the service of another museum objects temporary safeguarding, for which safeguarding is no longer possible in their own museum, or objects related to a collection under possession or movable asset, owned by a natural or legal person, either public or private, provided that such service be in compliance with the nature, activity and functioning of the host museum and if the host museum guarantees the meeting of conditions for the cultural heritage asset preservation and safeguarding.
2. The instruction of the minister responsible for cultural heritage determines the necessary acts, conditions, deadlines, guarantees and methodology for setting the fees for the provisions of museum objects temporary storage/stocking.
3. Fees for such activities are used in accordance with the legislation in force.

Article 238

Museum objects exhibition

1. Museums organize standing and temporary exhibitions of museum objects pursuant to the provisions under Article 95 herein in particular and Part **II** herein in general.
2. The standing exhibition catalog is published no later than 1 year after its opening, while the temporary exhibition catalog is published before its opening.
3. Central government institutions, upon proposal of the ministry responsible for cultural heritage, may provide the guarantee for museum objects damage compensation and exhibitions organized outside the territory of the Republic of Albania if:
 - a) Entry of museum objects to be exhibited abroad in scientific, cultural, natural, artistic and historical exhibitions in the other state is conditioned by security provision;
 - b) Expenses of the insurance company are extremely high due to the museum object declared value.
4. The guarantee mentioned under paragraph 3 in this article may be granted only if exhibition organizers ensure:
 - a) Museum objects physical protection continuity from their reception up to their hand over;
 - b) Storage in an appropriate climate and the satisfaction of other conditions, depending on the type of the museum object;
 - c) Buildings and exhibition rooms do not jeopardize museum objects safety.
5. The guarantee may not be granted for museum objects or exhibitions organized for business purposes.

6. The export office at NCHRI monitors the meeting of requirements mentioned in this article.

Article 239

Museum objects reproduction and authorized copy

1. Museum objects may be reproduced/modeled for sale purposes in compliance with the provisions herein in general and Part II in particular.
2. An authorized copy of a museum object is a new modeled object reconstructing a museum object with its fundamental features.
3. An authorized copy is made when:
 - a) Necessary, for safety purposes;
 - b) A museum object downgrades on an ongoing basis due to its exposure;
 - c) There is a need for the museum object to be displayed outside the premises of the exhibition in the museum;
 - ç) museum object disappeared, but its associated documentation still exists in the museum.
4. An authorized copy of the museum object is made only for museum needs, is possessed by the entity possessing the museum object and cannot be used for profit purposes.
5. The museum is obligated to:
 - a) Label every single authorized copy of the museum object reading “museum copy”;
 - b) Keep and enter in its register the list of museum objects authorized copies and request the NCHRI to issue an attestation for each museum objects authorized copy.
6. The method for keeping the register of museum objects copies and the attestation for of a museum object authorized copy are determined by an instruction of the minister responsible for cultural heritage.

Article 240

Copy for sale

1. A copy for sale is an object modeled according to a special museum object to a different scale from the museum object, reproduced for sale or use purposes under the provisions in Article 169 herein.
2. The copy mentioned under paragraph 1 in this article may be reproduced by natural persons or licensed legal persons in compliance with the conditions and method determined in the instruction of the minister responsible for cultural heritage.
3. Entities mentioned under paragraph 2 in this article are bound to label every single copy for sale, containing:
 - a) the “copy” sign.
 - b) the museum object title;
 - c) period and object location;
 - ç) origin of the object;
 - d) author’s name;
 - dh) name of museum possessing the museum object.
4. The instruction of the minister responsible for cultural heritage sets the fees for museum objects reproduction under the terms in this article.

PART IV

CULTURAL LANDSCAPE ASSETS

TITLE II

PRESERVATION AND ASSESSMENT

Chapter I- General Provisions

Article 241

Cultural Landscape

1. Cultural landscape safeguarding, for the purposes of this law, aims to acknowledge, preserve when possible and ensure the safeguarding of cultural values consisting of landscape expressions. In event of interventions in the landscape, implementing entities ensure the safeguarding of its special aspects or features.

2. Cultural landscape assessment contributes to culture development promotion. For such purposes, the public administration encourages and supports within its competencies provided for by the law special activities on landscape acknowledgment, information treatment, re-qualification and use. Cultural landscape assessment activity is carried out in line with safeguarding needs.

Article 242

International agreements

1. The Republic of Albania acts in compliance with cooperation obligations and principles among states, as determined in international agreements in the field of cultural landscape preservation and assessment.

2. Competencies allocation in the field of landscape is made in line with the constitutional principles and country's administrative organization.

Article 243

Cooperation among public authorities on cultural landscape preservation and assessment

1. The ministry responsible for cultural heritage and central and local government units determine and coordinate the policies for cultural landscape preservation and assessment, taking into account researches, analysis and proposals forwarded by specialized bodies in cooperation with the ministry responsible for environment and the ministry responsible for urban and territory development.

2. The ministry responsible for cultural heritage and local self-government units cooperate on determining policies and criteria related to territory planning activity, as well as management of interventions deriving from them, with the view to guarantee preservation, recovery and assessment of landscape features and characteristics, pursuant to provisions under Paragraph 1, Article 241 herein. Policies and criteria set forth above aim also at the territory sustainable development.

3. Local self-government units exercise the planning activity in compliance with the policies and criteria set forth under Paragraph 2 in this Article and adopt measures on adjusting existing planning documents with such policies.

Chapter II- Landscape planning

Article 244

Cultural landscape planning

1. Central and local self-government bodies adopt measures so that the entire territory be acknowledged, planned and administered appropriately based on different values expressed from different component contexts. For this purpose, the ministry responsible for cultural heritage, in the framework of its own sectoral plans, according to its field of responsibility and in cooperation with the ministry responsible for environment and the ministry responsible for territory development, drafts national landscape plans in accordance with the provisions herein, in line with territory planning and international agreements on landscape cultural heritage, as ratified.

2. The development of national landscape plan is limited to landscape properties, as provided for under subparagraphs “b”, “c” and “d”, Paragraph 1, Article 245 herein, and form laid down by this article. National landscape plans recognize the special territory features and characteristics and determine the fields for action, by imposing specific rules for the purposes laid down under Articles 241 and 243 herein.

3. Landscape plans determine special rules and provisions for this purpose for each field, more specifically:

a) Preservation of protected landscape property component elements and morphology, taking into account architectonic typologies, construction techniques and materials, as well as landscape values restoration needs.

b) Re-qualification of damaged or degraded areas;

c) Preservation of landscape characteristics of other territorial fields, ensuring the most limited territory use possible;

ç) identification of urban and construction development lines, at the function of their suitability with the different designated and protected landscape values, dedicating special care to agricultural landscape preservation and sites listed in the UNESCO world heritage list.

Article 245

National Landscape Plan

1. The National Landscape Plan contains:

a) Assessment of the territory subject to assessment by analyzing landscape characteristics, fixed by nature, history and their interaction, for the purposes of article 244 up to 244 herein;

b) Assessment of cultural landscape properties, designated as of special public interest, pursuant to Article 250 herein, their limitation and representation at a more suitable scale to be identified, and the determination of rules on their use, as per the provisions under Articles 249 and 250 herein;

c) Assessment of territories set forth under Article 247 herein, their limitation to a more suitable scale for identification and determination of specifications of use, with the goal of ensuring the preservation of such areas' distinctive characteristics, and in compliance with such characteristics and assessment;

ç) potential identification of immovable properties, or areas of special public interest, according to provisions under Subparagraph “c”, Paragraph 1, Article 246 hereunder, their limitation to a suitable scale for identification and the determination of specifications of use, for the purposes of provisions under Article 250 herein;

d) Identification of other potential contexts, different from those provided for under Article 246 herein, subject to specific preservation and use measures;

dh) Analysis of territories transformation dynamics, with the goal of identifying risk factors and more sensitive landscape elements, as well as comparison to other programming, planning and land

protection documents;

e) Identification of interventions for re-qualifying or bringing back to identity severely damaged or degraded territories, as well as other revitalization activities, appropriate to protection needs;

ë) identification of measures necessary to the correct involvement in the landscape intervention context for territory transfer, with the goal of achieving involved areas sustainable development

f) Identification of different areas and quality objectives, in compliance with the provisions under Paragraph 3, Article 224 herein.

2. The plan may foresee the identification of the following areas:

a) Landscape subject to protection, pursuant to Article 247 herein and cultural landscape properties, designated in compliance with the provisions under this Chapter, which interventions may be performed to only after compliance between interventions and landscape and local plan provisions control has been conducted.

b) Severely damaged or degraded areas for which interventions aiming at recovery and re-qualification does not require any permit, pursuant Article 252 hereunder.

3. Landscape plan may identify guidelines for areas preservation, recovery, re-qualification, assessment and management at the local level, thus indicating implementation tools an including potential stimuli.

4. The National Landscape Plan is approved by a decision of Council of Ministers.

5. No intervention at immovable properties and areas laid down under Article 247 herein contradicting safeguarding measures, foreseen in the landscape plan may be performed after the landscape plan approval date. Rules set forth by the National Landscape Plan become immediately mandatory and binding for local planning documents following the former's approval.

Chapter III - Identification of Cultural Landscape Properties

Article 246

Cultural landscape properties

1. The following are classified as cultural landscape properties:

a) Immovable properties and areas, pursuant to Article 248, verified and designated as such as per articles 249 and 250 hereunder;

b) Areas set forth under Article 247 hereunder;

c) Other immovable properties and specifically identified areas, pursuant to Article 248 hereunder, subject to safeguarding based on the National Landscape Plan.

2. Cultural landscape properties are considered areas and objects of national significance, for the purposes of the legislation in force on territory planning.

Article 247

Landscape areas protected by law

The following properties of special landscape interest consist in any case landscape areas and are subject to provisions under this chapter:

a) Coastal territories, involved in the band of 300 m away from the seashore and terrains raised above the sea;

b) Lake border territories, involved in the band of 300 m away from the shore and terrains raised above the lake;

c) Rivers, streams, other water sources;

ç) mountains 1 600 m above the sea level;

d) Parks and national and local reserves, as well as protected areas outside parks;

- dh) forest areas;
- e) Areas of archaeological interest.

Article 248

Immovable properties and areas of special public interest

The following are classified as cultural landscape properties and subject to the provisions under this chapter due to their public interest:

- a) Immovable properties having considerable features of a natural beauty, geological peculiarity or historical memory, including monumental trees;
- b) Manors, gardens and parks not subject to protection, in line with the provisions under Part II herein, distinctive for their unusual beauty;
- c) Immovable properties complexes, bearing features of aesthetic and traditional values, including historical centres;

Panoramic beauties, and observation points or natural terraces open to the public, through which such beauties may be contemplated.

Article 249

Special interest verification procedure of cultural landscape properties

1. The NCHI, initiates ex officio or upon the proposal of central and local government units specialized institution the appraisal procedure, verifying the existence of special public interest, as provided for in Article 248 herein, for immovable properties and areas for which the initiative was taken.

2. The proposal for designating special public interest, mentioned in Paragraph 1 under this article, along with the planimetric drawing drawn at a scale enabling accurate identification of immovable properties and relevant areas, is published for 60 days in the local and central government unit, competent specialized institutions office premises, and is notified to the public through public consultation tools.

3. For cultural properties laid down under subparagraphs “a” and “b”, Paragraph 1, article 248 herein the procedure commencement is notified to the property owner, possessor or holder. The notification forwards the cultural property distinctive mortgage elements and the requester’s proposal.

4. Within 30 days from the publication notice, foreseen in subparagraphs 2 and 3 under this article, local self-government bodies and interested associations, including other interested entities may forward their remarks. Property owners, possessors or holders may submit their observation and the documentation serving as the basis for their observations not later than 30 days from receiving the notification, as provided for in paragraph 3 in this Article.

5. The NTCHC decision made within 90 days from proposal submission takes into account historical, cultural, natural, morphological and aesthetic values expressed by the special features or characteristics of the immovable properties or areas taken into account, the value of their identity in relation to their location and contains proposals for the rules of use that guarantee expressed value preservation.

6. The legal effects laid down in paragraph 1, Article 251 herein start from the first publication day, set forth in paragraph 2 under this article and owner notification, mentioned in paragraph 3 under this article. The NTCHC negative decision is subject to the publication and notification procedure.

Article 250

Procedure for designating cultural landscape properties

1. Designation of cultural landscape properties for immovable properties and areas of special public interest is made upon order of the minister, based on NTCHC positive decision for the verification of such special properties and areas special interest and is published in the Official Gazette.

2. The designation of special public interest for cultural landscape property foresees the special discipline to be implemented, with the view of ensuring and preserving the values expressed by special features or characteristics of the said territory.

3. Properties designated as “cultural landscape property” are an integral part of the National Landscape Plan and of local planning documents and are not subject to change or elimination during the plan drafting or review process.

4. Designation statement of cultural landscape property, when having as subject the immovable property, laid down in subparagraphs “a” and “b”, paragraph 1, Article 248 herein is notified to the owner, possessor or holder, submitted with the municipality and registered in the immovable property register under IPRO administration.

Chapter IV - Control and administration of objects under protection

Article 251

Cultural landscape permit

1. Owners, possessors and holders of cultural landscape properties designated as per provisions of Article 250 herein and of properties in the areas foreseen in the National Landscape Plan may not destroy or make changes that may damage the property, subject to protection.

2. Pursuant to paragraph 1 in this article, entities are bound to submit with the competent public authorities the project of interventions that they seek to perform, along with the relevant documentation and avoid carrying out works for as long as they have not been granted the necessary authorization.

3. Documentation attached to the project aims to enable the protected landscape interest compliance control with the intervention proposed to be performed.

4. Cultural landscape permit is a prerequisite for building permit grant. In no case and for no reason may the authorization be issued once the construction works have commenced, even if partially, or with the purpose of partly regulating the consequences deriving from them. The authorization is valid for a 1-year period, upon the lapse of which the works execution according to the project must be subject to a new permit.

5. The permit is issued by the NCHI within 120 calendar days from the date of approval request, after the project having been first approved by a NTCHC decision, which verifies the compliance between the concrete intervention and the provisions of landscape regulation plans; ensures the observance of designated landscape values, compliance between building or area administration criteria, coherence with landscape quality objectives.

6. The permit may be appealed with the administrative court by organizations having interests and acting in the environment or landscape field, as well as any other public or private interested entity, according to the provisions and deadlines foreseen in the Code of Administration Procedures.

7. An updated list is drafted and kept by the NCHI, which may be consulted with the noted on the date of permits for interventions on landscape properties. A copy of such list is submitted for information to CHRD, NCHRI and National Cultural Heritage Safeguarding Inspectorate.

8. The provisions under this article apply also to the requests for mining activities in cultural landscape areas and properties.

Article 252

Interventions without permit

Except for provisions under Subparagraph “a”, Paragraph 2, Article 242 herein no permit is required for:

- a) Interventions for landscape ordinary, extraordinary, static consolidation maintenance, or restoration, that do not change its state and buildings facade;
- b) Interventions performed for exercising the agricultural, forestry, and livestock activity that do not bring about any change in the landscape status where buildings and other civil works are located, provided that the works do not change the territory’s hydrogeological structure.
- c) Vegetation cut out, afforestation, re-afforestation, bonification works, works against fire carried out in the woods, when provided for and authorized based on applicable provisions.

Article 253

Interventions subject to special conditions

In case of road paving, hole digging, or trench excavation for laying industrial or civil networks at the service of areas set forth under Subparagraphs “c” and “ç”, Article 247 herein, or nearby facilities set forth under Subparagraphs “a”, and “b” ibid, the NCHI, pursuant to the procedure set forth under Paragraph 5, Article 251 herein, and taking into account the economic functioning of works to be or already carried out, recommends the NTCHI to determine the distances, measures/spaces and the variants of the project at execution stage, necessary to safeguard the values expressed in the properties provided for herein.

Article 254

Promoting materials

1. Nearby landscape properties laid down under Article 246 herein, the placement of billboards or other publicity tools if the competent bodies authorization has not been granted.
2. Across the streets or properties laid down under paragraph 1 in this article, the placement of billboards or other advertising tool is banned, except for cases authorized by the legislation on road safety and street marketing, following NCHI approval and CHRD affirmation on the placement and advertising typology compliance with the landscape buildings or areas values, subject to safeguarding.

Article 255

Color of building facade

1. In case facades of buildings located in properties designated as cultural landscape properties that need painting, are subject to the obligation to obtain the relevant permit, pursuant to provisions under article 251, the NCHI, following the NTCHC affirmation, except for cases provided under Article 253 herein, may decide for the facades to be painted in the same color, in harmony with the set of buildings and environment/landscape.
2. In case the owners, possessor and holders of immovable properties laid down in paragraph 1 herein meet the obligation within a reasonable timeframe, the NCHI or CHRD, if delegated by him, takes measures on works execution, wither ex officio or through licensed entities. Intervention expenses are covered by the owner/possessor.
3. Provisions under Part II herein apply for immovable properties set forth under subparagraphs “a” and “ç”, paragraph 3, article 50 herein, designated s of cultural interest, for the purposes of Article 61 and immovable objects, laid down under paragraph 1,

Article 50.

Article 256

Monitoring

1. Monitoring function of the landscape properties safeguarded by this part are jointly exercised by the ministries responsible for cultural heritage and local self-government units.

2. Local self-government units are tasked with ensuring the functioning of the provisions herein by institutions exercising their competency in the landscape filed. In event of default, irrespective of the notification, such competencies may be exercised directly by the ministry responsible for cultural heritage.

PART FIVE

ADMINISTRATIVE OFFENSES

Article 257

Inspection-related administrative offenses

Failure to execute the inspection measures, in accordance with Subparagraph “b”, Paragraph 1, Article 74 hereunder for those cases not consisting of a criminal offense is deemed an administrative offense punishable by fine ranging from ALL 200 000 up to ALL 4 000 000.

Article 258

Administrative offenses related to cultural heritage preservation and safeguarding

1. The following offenses, when not consisting of a criminal offense, are deemed administrative offenses punishable by fine ranging from ALL 200 000 up to ALL 4 000 000:

- a) carrying out interventions in non-compliance with provisions under Article 76 herein;
- b) carrying out interventions in non-compliance with provisions under Article 77 herein;
- c) carrying out interventions in non-compliance with provisions under Article 79 herein;
- ç) furthering the works in non-compliance with the preventive measures in non-compliance with the preventive measures, pursuant to Article 81 herein;

d) default to guaranteeing cultural heritage safety, preservation and inventory in accordance with provisions under Article 85 herein.

2. Activity suspension exceeding a 90 days time period from entities exercising economic activities in immovable cultural properties, in accordance with provisions under paragraph 3, article 20 herein consists of an administrative offense punishable by fine ranging from ALL 10 000 up to ALL 40 000.

3. Failure to execute the inspection measures, in accordance with Paragraph 6, Article 96 hereunder for those cases not consisting of a criminal offense is deemed an administrative offense punishable by fine ranging from ALL 200 000 up to ALL 800 000.

4. Cultural heritage exhibition with no prior permit, in accordance with Paragraph 7, Article 99 hereunder for those cases not consisting of a criminal offense is deemed an administrative offense punishable by fine ranging from ALL 10 000 up to ALL 800 000.

5. Organization of cultural activities in the premises of cultural properties or protected areas

classified as cultural heritage without the approval of the minister responsible for cultural heritage, in compliance with provisions under Article 100 herein, consists of an administrative offense punishable by fine from ALL 100 000 up to ALL 600 000.

6. Placement of informative or promotional materials, photographing or recording for profit purposes without prior approval of the minister responsible for cultural heritage pursuant to Article 101 herein consists of an administrative offense punishable by fine from ALL 50 000 up to ALL 300 000.

Article 259

Administrative offenses related to cultural heritage circulation

1. Alienation of cultural heritage in non-compliance with the prohibitions under article 107 and 108, for those cases not consisting of a criminal offense, is deemed an administrative offense punishable by fine ranging from ALL 200 000 up to ALL 300 000.

2. Default to NCHRI notification on cultural heritage object alienation consists of an administrative offense punishable by fine from ALL 20 000 up to ALL 50 000, in accordance with the provisions under article 112 herein.

3. Exercise of commercial activities in cultural properties without relevant license, for those cases not consisting of a criminal offense, is deemed an administrative offense punishable by fine ranging from ALL 200 000 up to ALL 400 000, in accordance with article 116 herein. The entity punished previously for committing the same offense within a 10-year time span is punished by a fine at an amount twice as many.

4. Exercise of commercial activities in cultural properties in default of obligation to monthly report, as provided for under Article 116 herein consists of an administrative offense punishable by fine ranging from ALL 10 000 up to ALL 400 000.

5. The following offenses, when not consisting of a criminal offense, are deemed administrative offenses punishable by fine ranging from ALL 200 000 up to ALL 4 000 000:

a) Cultural object permanent export from the territory of the Republic of Albania, in non-compliance with the prohibition provided for under Paragraphs 1 and 2, Article 123 herein;

b) Cultural object permanent export from the territory of the Republic of Albania with no free circulation license, in non-compliance with Article 125 herein;

c) Cultural object temporary export from the territory of the Republic of Albania with no temporary circulation license, in non-compliance with Article 128 herein;

Cultural object import in the the territory of the Republic of Albania with no prior license, in non-compliance with Article 129 herein;

d) omission to adopt the right measures cultural national objects preservation or transfer, in non-compliance with the requirement set forth under the temporary circulation license, in compliance with Article 128 herein;

dh) non-possession of certificate of origin, in accordance with the present law.

6. Violations under Paragraph 5 are punished by a fine twice as many as the fine foreseen for the relevant violation in case the entities have been punished previously for the same offense.

Article 260

Administrative offenses related to cultural heritage research and finds

The following offenses, when not consisting of a criminal offense, are deemed administrative offenses punishable by fine ranging from ALL 500 000 up to ALL 4 000 000:

a) unauthorized archaeological excavation and use of metal detecting tools from unauthorized entities, in non-compliance with the prohibition of Article 133 herein; The punishment may include the seizure of any metal detector or other technical tools, as well as all equipment used to detect

archaeological remains;

b) unlicensed entities carrying out interventions in non-compliance with provisions under Article 136 herein;

c) licensed entities or other entities carrying out interventions in non-compliance with provisions under Article 139 herein;

ç) omission to report or preserve the finds in compliance with Article 145 herein;

d) Discoverer and technical manager's omission to preserve random finds until NTCHC puts out a decision, in compliance with provisions under Article 145 herein.

dh) omission to report competent bodies and omission to temporarily preserve random finds on-site, pursuant to Article 146 herein.

Article 261

Administrative offenses related to underwater archaeological activity

The following offenses are deemed administrative offenses punishable by fine ranging from ALL 500 000 up to ALL 4 000 000:

a) Underwater archaeological activity exercise by unlicensed entities or persons, or without the relevant permit, as per Article 155 herein;

b) omission to report the competent bodies or default to the obligation to temporarily preserve the find, pursuant to provisions under Article 159 hereunder;

c) default to obligation to declare the maritime finds discovered when carrying works within the foreseen legal term, in accordance with Paragraph 1, Article 60 herein and default to their temporarily preservation, in compliance with Paragraph 3, Article 160 herein.

Article 262

Administrative offenses related to cultural objects use, exploitation and revitalization

Reproduction of cultural heritage objects in non-compliance with the provisions under Article 180 herein, when not consisting of a criminal offense, is deemed an administrative offense punishable by fine from ALL 10 000 up to ALL 60 000.

Administrative offenses collected revenues are transferred to the National Fund of Care for Tangible Cultural Heritage.

PART SIX

TRANSITORY AND FINAL PROVISIONS

TITLE II

FINAL PROVISIONS WITH REGARDS TO FIRST PART

Chapter I - Final Provisions

Article 263

Issue of bylaws by the Council of Ministers, upon proposal of the minister responsible for cultural heritage

The Council of Ministers, upon proposal of the minister responsible for cultural heritage is charged with

a) approving the decision on adoption of measures for cultural heritage preservation in event of natural disasters and armed conflicts, pursuant to paragraph 3, Article 11 herein within 12 months from the present law becoming effective;

b) approving the decision on approval of cultural heritage objects management and legal entities functioning rules for cultural properties assessment and revitalization purposes, pursuant to paragraph 4, Article 12 herein within 12 months from the present law becoming effective;

c) approving the decision on adoption of measures for cultural heritage preservation in event of natural disasters and armed conflicts, pursuant to paragraph 3, Article 19 herein within 12 months from the present law becoming effective;

ç) approving the decision on National Cultural Heritage Safeguarding Inspectorate organization and functioning manner, pursuant to paragraph 4, Article 27 herein within 12 months from the present law becoming effective;

d) approving the decision on specialized institutions functioning and operation manner, pursuant to Subparagraphs “a”, “b”, “c”, “ç”, Paragraph 2, Article 28 herein within 12 months from the present law becoming effective; Pursuant to this paragraph, their composition and organizational chart is approved by a Prime Minister’s Order within 3 months from the decisions referenced under this paragraphs becoming effective;

dh) approving the decision on Regional Conservation and Restoration Center (RCRC) functioning, organization and operation manner, pursuant to paragraph 9, Article 29 herein within 18 months from the present law becoming effective;

e) approving the decision on Film Restoration Center organization, functioning and operation manner, pursuant to paragraph 4, Article 34 herein within 24 months from the present law becoming effective;

ë) approving the decision on Library Materials Restoration Center organization, functioning and operation manner, pursuant to paragraph 5, Article 35 herein within 24 months from the present law becoming effective;

f) approving the decision on cultural heritage collegial bodies membership, functioning manner, competences and remuneration, pursuant to paragraph 2, Article 37 herein within 9 months from the present law becoming effective;

g) approving the decision on cultural immovable properties management plan extent, structure, content and development methodology, pursuant to paragraph 3, Article 46 herein within 12 months from the present law becoming effective;

Article 264

Issue of bylaws by the ministry responsible for cultural heritage

The minister responsible for cultural heritage is charged with:

a) issuing the commentary and the definitions manual pursuant to the present law within 12 months from the present law becoming effective;

b) approving the national strategy on culture, pursuant to Paragraph 2, Article 9 herein within 12 months from the present law becoming effective;

c) approving the instruction on criteria and standard procedures pursuant to paragraph 3, Article 10 herein within 9 months from the present law becoming effective;

ç) approving the instruction on rules of monitoring and assessing the entities having under administration cultural objects, pursuant to paragraph 3, Article 12 herein within 12 months from the present law becoming effective;

d) approving the instruction National Fund of Care for Cultural Heritage administration, pursuant to paragraph 1, Article 19 herein within 12 months from the present law becoming effective;

dh) approving the regulation on NTCHC activity, technical secretariat and front office, pursuant to paragraph 4, Article 38 herein within 6 months from the present law becoming effective;

e) approving the regulation on NICHC activity and technical secretariat, pursuant to paragraph 4, Article 39 herein within 6 months from the present law becoming effective;

ë) approving the regulation on NCPMC activity and technical secretariat, pursuant to paragraph 4, Article 40 herein within 6 months from the present law becoming effective;

f) approving the order on NMC, Museum Accreditation Board and technical secretariat activity regulation, pursuant to paragraph 5, Article 41 herein within 6 months from the present law becoming effective;

Article 265

Issue of joint bylaws by the ministry responsible for cultural heritage and other ministries responsible for other fields

1. The minister responsible for cultural heritage and the minister responsible for finance are charged with approving the joint instruction on collection of fees for NCHI delivered services, pursuant to paragraph 10, Article 29 herein within 12 months from the present law becoming effective.

2. The minister responsible for cultural heritage and the minister responsible for finance are charged with approving the joint instruction on collection of fees for CHRD delivered services, pursuant to paragraph 6, Article 31 herein within 12 months from the present law becoming effective.

3. The minister responsible for cultural heritage and the minister responsible for finance are charged with approving the joint instruction on collection of fees for NCHRI delivered services, pursuant to paragraph 7, Article 32 herein within 12 months from the present law becoming effective.

TITLE III

TRANSITORY AND FINAL PROVISIONS WITH REGARDS TO PART TWO

Chapter I - Transitory Provisions

Article 266

Transitory Provisions

1. Pursuant to Paragraph 7, Article 82 herein all natural or legal entities licensed on carrying out intervention and design activities in tangible cultural objects prior to this law approval are bound to acquire the credits by attending an intensive continuing training program, as approved by the NCHI head, within three years from this law becoming effective.

2. Pursuant to Article 116 et seq. herein, all entities exercising commercial activities in cultural properties are bound to obtain an activity exercise license in compliance with the provisions herein within 24 months from this law becoming effective.

3. Pursuant to Article 136 and 157 et seq. herein all natural or legal entities licensed on carrying out intervention and design activities in tangible cultural properties prior to this law approval are bound to acquire the credits by attending an intensive continuing training program, as approved by the NCHI head, within 3 years from this law becoming effective. Provisions under Paragraph 3, Article 136 and Paragraph 4, Article 157 herein enter in force upon amendments to applicable legislation “On Licenses, Authorizations and Permits in the Republic of Albania”, as amended, become effective

Chapter II - Final Provisions

Article 267

**Issue of bylaws by the Council of Ministers, upon proposal of the minister responsible for
cultural heritage**

The Council of Ministers, upon proposal of the minister responsible for cultural heritage is charged with:

a) approving the decision on remuneration of members of advisory commissions for the assessment and identification of movable object values, pursuant to paragraph 2, Article 59 herein within 12 months from the present law becoming effective;

b) approving the decision on preservative and safeguarding intervention works execution, supervision and commissioning, pursuant to paragraph 3, Article 72 herein within 12 months from the present law becoming effective;

c) approving the decision on treatment methods, technical norms and intervention models in the field of cultural heritage preservation, pursuant to paragraph 1, Article 82 herein within 12 months from the present law becoming effective;

ç) approving the decision on licensing terms and special criteria, associated documents, license sub-categories; license grant, suspension or revocation procedures; and the annual fee for having intervention activities performed upon tangible cultural properties, pursuant to paragraph 4, Article 82 herein within 12 months from the present law becoming effective;

d) approving the decision on the selection of public funds investment, pursuant to paragraph 3, Article 90 herein within 6 months from the present law becoming effective;

dh) approving the decision on designation of buffer zones, distances, measures and other norms keeping the integrity of grouped immovable cultural properties, perspective, light, premises and landscape intact, pursuant to paragraph 1, Article 96 herein within 18 months from the present law becoming effective;

e) approving the decision on competition procedures and criteria for state-owned non-public cultural properties alienation, pursuant to paragraph 3, Article 109 herein within 12 months from the present law becoming effective;

ç) approving the decision on licensing special terms, associated documents, license review or revocation procedures, annual fee for carrying out commercial activities in cultural properties, pursuant to paragraph 3, Article 116 herein within 12 months from the present law becoming effective;

f) approving the procedure for creating and administering the stolen cultural objects database, pursuant to paragraph 1, Article 130 herein within 12 months from the present law becoming effective;

g) approving the decision on procedures for archaeological researches, pursuant to paragraph 6, Article 133 herein within 6 months from the present law becoming effective;

gj) approving the decision on creation and functioning of GIS database for archaeological activity in the Republic of Albania, pursuant to paragraph 2, Article 135 herein within 24 months from the present law becoming effective;

h) ç) approving the decision on licensing special terms, associated documents, and archaeological activity license review or revocation procedures, pursuant to paragraph 4, Article 136 herein within 12 months from the present law becoming effective;

i) approving the decision on permit issue special terms, associated documents, and archaeological research permit review or revocation procedures, pursuant to paragraph 3, Article 139 herein within 12 months from the present law becoming effective;

j) approving the decision on APACUs geographic territory confines, composition and organizational chart, pursuant to paragraph a and 9, Article 142 herein within 12 months from the present law becoming effective;

k) approving the decision on designation of underwater archaeological areas, pursuant to Article 153 herein within 12 months from the present law becoming effective;

l) approving the decision on designation of maritime cultural properties, pursuant to paragraph 2, Article 154 herein within 12 months from the present law becoming effective;

11) approving the decision on terms and criteria for carrying out underwater archaeological projects and other activities affecting directly or indirectly the entirety of underwater archaeological and historical values, pursuant to Article 156 herein within 12 months from the present law becoming effective;

m) approving the decision on setting forth license criteria and special terms for carrying out and monitoring underwater archaeological activities, pursuant to paragraph 5 and 6, Article 157 herein within 12 months from the present law becoming effective;

n) approving the decision on setting forth the public procedures for granting under administration cultural properties, pursuant to subparagraph “c”, Paragraph 3, Article 171 herein within 12 months from the present law becoming effective;

nj) approving the decision on competition procedures and criteria, agreement type and term, and methodology for determining the fees on granting for use cultural properties, pursuant to paragraph 3, Article 178 and paragraph 4, Article 184 herein within 12 months from the present law becoming effective;

o) approving the decision on setting forth the general and special revitalization agreement terms, pursuant to paragraph 2, Article 186 herein within 12 months from the present law becoming effective.

Article 268

Issue of bylaws by the ministry responsible for cultural heritage

The minister responsible for cultural heritage is charged with:

a) approving the instruction on immovable cultural assets categorization terms and conditions, pursuant to paragraph 6, Article 53 herein within 18 months from the present law becoming effective;

b) approving the instruction on cultural properties inventory, registration and cataloging procedures and methods , pursuant to paragraph 2, Article 56 herein within 12 months from the present law becoming effective;

c) approving the instruction on cultural objects database digital system functioning, pursuant to paragraph 8, Article 56 herein within 24 months from the present law becoming effective;

ç) approving the instruction on criteria and ways of filing verification requests, fees methodology, advisory bodies, criteria on decision-making and associated application documentation, pursuant to paragraph 1, Article 58 herein within 12 months from the present law becoming effective;

d) approving the instruction on criteria for drafting state-owned immovable cultural properties lists, ways of editing the description cards and sending them for verification, pursuant to paragraph 2, Article 58 herein within 12 months from the present law becoming effective;

approving the instruction on the functioning of advisory board for the assessment and identification of cultural values in movable, immovable and intangible properties, pursuant to paragraph 1, Article 59 herein within 12 months from the present law becoming effective;

e) approving the instruction on criteria and admission in the list of assessment experts of cultural values in movable, immovable and intangible properties, established at the NCHRI, NCHI and NTAC, pursuant to paragraph 2, Article 59 herein within 12 months from the present law becoming effective;

ë) approving the instruction on the procedure for exercising technical control upon immovable cultural properties, pursuant to paragraph 12, Article 71 herein within 12 months from the present law becoming effective;

f) approving the instruction on movable cultural objects technical control procedure , pursuant to paragraph 13, Article 71 herein within 12 months from the present law becoming effective;

g) approving the order on the request form and associated documentation for issuing the permit to perform interventions in cultural objects, pursuant to paragraph 1, Article 80 herein within 12 months from the present law becoming effective;

gj) approving the instruction on criteria and levels of quality that the continuing training program of persons equipped with a license for carrying out intervention activities in tangible cultural objects and

license for carrying out archaeological activities must have, pursuant to paragraph 6, Article 82 and paragraph 2, Article 137 herein within 12 months from the present law becoming effective;

h) approving the instruction on the way and method of storing information from public or private entities on cultural objects under their ownership or administration, pursuant to paragraph 3, Article 85 herein within 24 months from the present law becoming effective;

i) approving the instruction on ways of performing mandatory preservation interventions, pursuant to paragraph 9, Article 92 herein within 12 months from the present law becoming effective;

j) approving the instruction on terms, criteria, procedures and ways of granting approval for cultural objects exhibition, necessary measures for maintaining and guaranteeing their integrity, as well as procedures, ways and terms of issuing the risk assumption statement, pursuant to paragraph 3 and 5, Article 99 herein within 12 months from the present law becoming effective;

k) approving the instruction on terms, criteria, procedures, ways, time frame and fees for granting the approval and declaring the cultural interest, pursuant to paragraph 3, Article 100 herein within 12 months from the present law becoming effective;

l) approving the instruction on terms, criteria, procedures, ways, time frame and fees for granting approval, pursuant to paragraph 3, Article 101 herein within 12 months from the present law becoming effective;

11) approving the instruction on terms and criteria for exercising commercial activities in public areas of archaeological, historic, artistic, cultural and landscape values and entities selection procedure, pursuant to paragraph 1 and 4, Article 102 herein within 12 months from the present law becoming effective;

m) approving the instruction on the administration of intangible cultural assets preservation fund, criteria and amount of artistic reward for activities in intangible objects, pursuant to paragraph 2, Article 104 herein within 12 months from the present law becoming effective;

n) approving the instruction on the measures for publicizing, respecting, disseminating and assessing the intangible cultural heritage, pursuant to paragraph 2, Article 105 herein within 24 months from the present law becoming effective;

nj) approving the instruction on the establishment and functioning of the cultural objects trading register, pursuant to paragraph 7, Article 116 herein within 18 months from the present law becoming effective;

o) approving the instruction on procedures and ways of exporting cultural objects, pursuant to paragraph 4, Article 123 herein within 24 months from the present law becoming effective;

p) approving the general provisions, pursuant to Paragraph 3, Article 124 and paragraph 3, Article 128 herein within 24 months from the present law becoming effective;

q) approving the instruction on terms, way, procedure and method of issuing or renewing the import license, pursuant to paragraph 6, Article 129 herein within 12 months from the present law becoming effective;

r) approving the instruction on database update procedures and stolen cultural objects administration, pursuant to paragraph 6, Article 130 herein within 12 months from the present law becoming effective;

rr) approving the instruction on detailed rules on archaeological research permit, pursuant to Article 140 herein within 12 months from the present law becoming effective;

s) approving the instruction on way of assessing the random finds of archaeological objects, pursuant to paragraph 2, Article 150 herein within 24 months from the present law becoming effective;

approving the instruction on forms of supporting the activities and structures for privately-owned cultural objects assessment, pursuant to paragraph 2, Article 165 herein within 12 months from the present law becoming effective;

t) approving the fees for revenues from tickets and any other service for pay-for-entry cases in institutions and places of culture, pursuant to paragraph 7, Article 176 herein within 12 months from the present law becoming effective;

approving the instruction on determining the rules of granting for direct use cultural objects,

pursuant to paragraph 2, Article 179 herein within 12 months from the present law becoming effective;

u) approving the instruction on detailed rules for the reproduction and indirect use of cultural objects, pursuant to paragraph 1 and 2, Article 180 herein within 12 months from the present law becoming effective;

Article 269

Issue of joint bylaws by the minister responsible for cultural heritage and other ministers responsible for other fields

The minister responsible for cultural heritage and the minister responsible for finance are charged with:

a) approving the joint instruction on the fees of application for the cultural interest verification procedure, pursuant to paragraph 4, Article 58 herein within 12 months from the present law becoming effective;

b) approving the joint instruction on the assets a more detailed description of cultural objects is mandatory, pursuant to paragraph 8, Article 116 herein within 12 months from the present law becoming effective;

c) approving the joint instruction on fees for all forms of cultural objects use, pursuant to paragraph 4, Article 178 herein within 12 months from the present law becoming effective;

Article 270

Issue of bylaws by the ministry responsible for cultural heritage and other cultural objects administration institutions

1. The minister responsible for cultural heritage is charged with approving the provisions on buffer zones, distances, measures and other norms keeping the integrity of separate immovable cultural properties, perspective, light, premises and landscape intact, pursuant to paragraph 1, Article 96 herein within 18 months from the present law becoming effective.

2. Public institutions having under administration cultural objects are charged with determining upon instruction the minimum value of fees and other expenses related to the reproduction of cultural objects, pursuant to paragraph 6, Article 187 herein within 18 months from the present law becoming effective;

TITLE III

TRANSITORY AND FINAL PROVISIONS WITH REGARDS TO PART THREE

Chapter I - Transitory Provisions

Article 271

1. Provisions on museums laid down under subparagraphs “a”, “b”, “c”, “ç”, “d”, “dh”, “ë”, “f”, and “g”, paragraph 1, Article 202 herein become effective once their structures start functioning.

2. Pursuant to letter “dh”, paragraph 5, Article 259 herein, the obligation to hold possession of the certificate of origin comes into effect upon the lapse of the deadline set forth under Article 130 herein.

Chapter II - Final Provisions

Article 272

Issue of bylaws by the Council of Ministers, upon proposal of the minister responsible for cultural heritage

The Council of Ministers, upon proposal of the minister responsible for cultural heritage is charged with:

a) approving the decision on NMC functioning, organization, convocation manner and members remuneration, pursuant to paragraph 4, Article 197 herein within 12 months from the present law becoming effective;

b) approving the decision on Fine Arts Restoration and Study Center functioning, organization and activity, pursuant to paragraph 4, Article 205 herein within 12 months from the present law becoming effective;

c) approving the decision on “Marubi” foundation exercise of functions, pursuant to paragraph 4, Article 206 herein within 12 months from the present law becoming effective;

ç) approving the decision on Icons Restoration and Study Center organization, functioning and activity, pursuant to paragraph 3, Article 207 herein within 12 months from the present law becoming effective;

d) approving the decision on National Surveillance Museum “House of Leaves” functioning, organization and activity, pursuant to paragraph 3, Article 208 herein within 12 months from the present law becoming effective;

dh) approving the decision on National Museum of Independence organization, functioning and activity, pursuant to paragraph 3, Article 209 herein within 12 months from the present law becoming effective;

e) approving the decision on National Museum of Coexistence organization, functioning and activity, pursuant to paragraph 3, Article 210 herein within 12 months from the present law becoming effective;

ë) approving the decision on designation of Durrës Archaeological Park borders, pursuant to paragraph 1, Article 212 herein within 12 months from the present law becoming effective;

f) approving the decision on the establishment, re-organization, composition and functions of central museums, upon proposal of the ministry responsible for cultural heritage, following the Museums National Council approval, pursuant to paragraph 1, Article 214 herein within 12 months from the present law becoming effective; The administrative organizational structure of such museums is approved by a Prime Minister’s Order within this deadline;

g) approving the decision on the establishment, re-organization and closure of autonomous museums following NMC approval, pursuant to subparagraph “a”, Paragraph 3, Article 214 herein within 12 months from the present law becoming effective; The organizational structure of such museums is approved by its head within this deadline;

gj) approving the decision on remuneration of museums accreditation board members, pursuant to paragraph 2, Article 217 herein within 12 months from the present law becoming effective;

Article 273

Issue of bylaws by the minister responsible for cultural heritage

The minister responsible for cultural heritage is charged with:

a) approving the format of declaration in relation to cultural objects under possession of entities laid down under article 200, pursuant to paragraph 3, Article 200 herein within 12 months from the present law becoming effective;

b) approving the instruction on supervision procedures, pursuant to paragraph 6, Article 204 herein within 12 months from the present law becoming effective;

c) approving the instruction on supervision procedures, pursuant to paragraph 5, Article 205 herein within 12 months from the present law becoming effective;

ç) approving the instruction on supervision procedures, pursuant to paragraph 3, Article 206 herein within 12 months from the present law becoming effective;

d) approving the instruction on request form, associated documentation and procedure of documentation review by the technical secretariat, pursuant to paragraph 1, Article 215 and paragraph 1, Article 218 herein within 24 months from the present law becoming effective;

dh) approving the certificate of accreditation form, pursuant to paragraph 4, Article 218 herein within 12 months from the present law becoming effective;

e) approving the rules on enrichment of museum collections originating from the territory of the Republic of Albania and abroad, pursuant to paragraph 4, Article 224 herein within 12 months from the present law becoming effective;

ë) approving the instruction on museum objects re-assessment procedure and method, pursuant to paragraph 4, Article 226 herein within 12 months from the present law becoming effective;

f) approving the order on public access to museums or the public institutions and foundations having under administration cultural properties comes out, pursuant to paragraph 2, Article 233 herein within 12 months from the present law becoming effective.

g) approving the instruction on setting forth the form and method of storing museum documentation, as well as fees for public services, pursuant to paragraph 3, Article 236 herein within 12 months from the present law becoming effective.

gj) approving the instruction on determining the necessary acts, terms, deadline, guarantee and fees for the service of museum objects temporary storing/stocking, pursuant to paragraph 2, Article 237 herein within 12 months from the present law becoming effective.

h) approving the instruction on the method of keeping the museum objects register of copies, as well as the attestation form for a museum object authorized copy, pursuant to paragraph 6, Article 239 herein within 12 months from the present law becoming effective;

i) approving the instruction on setting the terms and fees for museum objects reproduction, pursuant to paragraph 2 and 4, Article 240 herein within 12 months from the present law becoming effective;

Article 274

Issue of joint bylaws by the minister responsible for cultural heritage and other ministers responsible for other fields

The minister responsible for cultural heritage and the minister responsible for finance are charged with:

a) approving the joint instruction on museums secondary fees, pursuant to paragraph 3, Article 195 herein within 12 months from the present law becoming effective;

b) approving the joint instruction on the amount of fees of services and use of revenues generated by services delivered by public museums, pursuant to paragraph 3, Article 12 herein within 12 months from the present law becoming effective;

Article 275

Issue of bylaws by other institutions

1. The local self-government units councils, academy of Science and institutions having museums under their dependency are charged with re-organizing and approving their subordinate museums' articles of association, and their administrative organizations structure, pursuant to paragraph 2, Article 214 herein within 12 months from the present law becoming effective.

2. Specialized institutions and collegial bodies are charged with drafting and/or updating the deeds of foundation and deeds of internal functioning pursuant to the provisions hereunder within 12 months from the present law becoming effective.

TITLE IV

TRANSITORY AND FINAL PROVISIONS WITH REGARDS TO PART FOUR

Article 276

Drafting of National Landscape Plan

The ministry responsible for cultural heritage is charged with drafting the National Landscape Plan and proposing its approval to the Council of Ministers, pursuant to paragraph 4, Article 245 herein within 24 months from the present law becoming effective.

Article 277

Issue of bylaws by local self-government units

Local self-government units are charged with taking measures on adapting current planning documents, pursuant to paragraph 3, Article 243 herein within 36 months from the present law becoming effective;

TITLE IV

REPEALED ACTS

Neni 278

Repeals

1. Law No. 9048, dated 7.4.2003, "On Cultural Heritage", as amended, is repealed upon the present law becoming effective.

2. Law No. 9386, dated 4.5.2005, "On Museums", as amended, is repealed upon the present law becoming effective.

3. Bylaws of law no. 9048, dated 07.05.2003 "On Cultural Heritage", as amended, and law no. 9386, dated 4.5.2005, "On Museums", as approved prior to the present law becoming effective and compliant to it are to be implemented since the bylaws relevant to the present law have not been approved.

4. Bylaws issued pursuant to Law no. 9048, dated 07.05.2003 "On Cultural Heritage", as amended, and law no. 9386, dated 4.5.2005, "On Museums" remain in force until new bylaws be approved pursuant to the present law, for as long as they are not in non-compliance with the provisions hereunder.

TITTLE VI

ENTRY IN FORCE

Article 279

Entry in force

The present law enters in force 15 days upon its publication in the Official Gazette.

SPEAKER OF PARLIAMENT

Gramoz RUÇI

Approved on 17.05.2018