

CHARTER
of the
National Institute for Museums and Public Collections

Chapter 1
General provisions

§ 1. The National Institute for Museums and Public Collections, hereinafter referred to as ‘the Institute’, is a state cultural institution which operates under:

- 1) the Act of 25 October 1991 on Organising and Conducting Cultural Activities (Journal of Laws [Dz. U.] 2012, item 406), hereinafter referred to as ‘the Act’;
- 2) the Act of 21 November 1996 on Museums (Dz. U. 2012, item 987);
- 3) the Act of 23 July 2003 on the Protection of Monuments and the Guardianship of Monuments (Dz. U. 2003, item 162, item 1568, with later amendments¹);
- 4) the provisions of this charter.

§ 2. The Institute is organised by the minister responsible for culture and protection of the national heritage, hereinafter referred to as ‘the Minister’.

§ 3. The Institute is listed under number 32/92 in the register of cultural institutions maintained by the Minister and has a legal personality.

§ 4. The Institute is based in the City of Warsaw and carries out its activities in Poland and abroad.

§ 5. The Institute may be known by the acronym: ‘NIMOZ’.

Chapter 2
Scope of activities

§ 6. The Institute’s activities shall include:

- 1) promoting knowledge about museums, museum holdings, public collections and heritage assets;
- 2) setting and promoting standards for museums and public collections; raising public awareness of the value of cultural heritage and the need to protect it.

§ 7. The Institute shall fulfil the tasks set out in § 6 in particular by:

- 1) preparing policy documents regarding museum issues, including ideas for legislative changes;
- 2) being actively involved in the development of museums and the efficient realisation of their potential;
- 3) collecting, storing, processing and providing access to data about museums in Poland;
- 4) conducting research and disseminating the results of analysis and studies arising from its statutory activities;

¹ Amendments to this Act were published in Dz. U. 2004, No. 96, item 959 and No. 238, item 2390; Dz. U. 2006, No. 50, item 362 and No. 126, item 875; Dz. U. 2007, No. 192, item 1394; Dz. U. 2009, No. 31, item 206 and No. 97, item 804 and Dz. U. 2010, No. 75, item 474 and No. 130, item 871.

- 5) monitoring changes in the law pertaining to its operations and drafting opinions about the impact of these changes on museums and public collections;
- 6) initiating, organising and implementing its own museum-related national programmes and those run jointly with other bodies, including those entrusted to its management by the Minister, and by acting as an intermediary body in the implementation of the Heritage Plus project;
- 7) overseeing the process of digitisation in museums, acting as a Centre of Excellence for Digitisation in Museums as part of the long-term government programme 'Kultura +' and participating in the 'Digital Poland' programme;
- 8) running the Museum Event of the Year competition – 'Sybilla';
- 9) providing advice and consultation to museums;
- 10) providing education and training in all aspects of museum work, including issues concerning the care of collections;
- 11) supporting the educational activities of museums, including the promotion of best practice in museum education;
- 12) publishing traditional, multimedia and internet publications relevant to its activities;
- 13) supporting provenance research;
- 14) drafting periodical reports for the Minister about the status of museums and public collections in Poland;
- 15) providing consultation and issuing opinions on the protection of public collections, museums and libraries whose holdings, either in whole or in part, are classed as National Library Resources;
- 16) recording data on:
 - a) the security status of public collections,
 - b) fires and crimes affecting public collections and their causes,
 - c) the principles, methods, techniques and technical measures used to protect collections,
 - d) designers, manufacturers and installers of security systems;
- 17) maintaining a national register of stolen or illegally exported antiquities;
- 17a) carrying out activities relating to the restitution of antiquities illegally exported from a member state of the European Union, including running a European Contact Point regarding Cultural Property Illegally Exported from the territory of a Member State;
- 18) devising tactical and forensic guidelines for preventing crime against heritage assets, museums and libraries whose holdings, either in whole or in part, are classed as National Library Resources;
- 19) promoting the historical, artistic and scientific value of museum collections and antiquities, in particular those lost or stolen;
- 20) participating in the work of international organisations whose statutory activities are in line with those of the Institute;
- 21) cooperating with:
 - a) domestic and foreign cultural institutions,
 - b) educational and scientific institutions, in particular those conducting studies on museums and the care of collections,
 - c) central and local government,
 - d) law enforcement agencies and the judiciary, the Customs Service and Border Authorities,
 - e) non-governmental organisations, the media and other stakeholders.

Chapter 3

Supervision, management and organisational structure

§ 8. The Institute's supervisory authority shall be the Minister.

§9. 1. The Institute's managing authority shall be its Director.

2. The Director shall manage the work of the Institute, represent it externally and be responsible for its operational strategy, for the effective execution of its statutory functions and for the appropriate use of the Institute's assets and financial resources.

3. The Director shall be appointed and dismissed by the Minister according to the mode and principles prescribed by existing regulations.

4. The Director shall manage the Institute with the assistance of a deputy. The deputy shall be appointed and dismissed by the Director after seeking the opinion of the Minister.

5. The Director's responsibilities shall include in particular:

- 1) management of the Institute's activities and assets;
- 2) preparation of programmes of action and financial plans for the Institute, as well as supervision and coordination of their implementation;
- 3) drafting annual narrative reports and financial reports;
- 4) issuing internal regulations and instructions in the prescribed mode.

§ 10. 1. The Institute shall have a Programme Board, hereinafter referred to as 'the Board', which will act as an advisory and consultative body on issues pertaining to the Institute's statutory activities.

2. The Board shall have nine members, appointed and dismissed by the Minister on the recommendation of the Director.

3. The term of office for Board members shall be three years.

4. Membership of the Board shall expire before the end of this term of office in the event of the member's:

- 1) resignation;
- 2) death;
- 3) deprivation of public rights or incapacitation pursuant to a final ruling on the imposition of penal measures;
- 4) dismissal by the Minister on the recommendation of the Director, after prior consultation with the Board.

5. The work of the Board shall be directed by a Chair, elected by the Board from among its members.

6. The Chair shall convene a meeting of the Board at least twice a year.

7. Board meetings shall be held with at least half of the members of the Board in attendance.

8. The Board's mode of operation is prescribed in detail in regulations passed by the Board and approved by the Director.

9. Administrative and office support for the Board shall be provided by the Institute.

§ 11. 1. The Director may set up permanent advisory panels or task teams to deal with specific assignments. When appointing an advisory panel or task team, the Director shall define its objectives and number of members.

2. Advisory panels may include members of the Institute's professional staff and persons external to the Institute, appointed and dismissed by the Director.

3. Meetings of advisory panels shall be convened by the Director.

4. Advisory panels shall be chaired by the Director or by a staff member of the Institute appointed by the Director.

5. Advisory panels shall express their opinions in the form of resolutions adopted by a simple majority vote taken in the presence of at least half of the panel members. In the event of a tied vote, the Chair shall have the casting vote.
6. The scope and detailed mode of operation of advisory panels shall be determined by the Director.
7. Administrative and office support for advisory panels shall be provided by the Institute.

§ 12. The detailed organisational structure of the Institute, including the scope of responsibilities of its organisational units and independent posts, as well as the Institute's mode of operation are defined in the organisational regulations prescribed by the Director, in the manner stipulated in article 13 paragraph 3 of the Act.

Chapter IV

Finances

§ 13. The Minister shall provide the means necessary for the maintenance and development of the Institute.

§ 14. 1. The Institute shall manage its finances according to the principles stipulated in the Act and in other relevant legislation.
2. The Institute's financial management will be based on an annual financial plan set by the Director, within the limits of the funds granted by the Minister.

§ 15. 1. The Institute shall manage its allotted and acquired assets itself and be self-sufficient within the limits of its resources, adhering to the principles of their efficient use.
2. The Institute's assets shall be used for fulfilling its statutory activities.

§ 16. The Institute's sources of financing shall encompass income generated by its activities, including the sale of movable assets, income from the rental or lease of property, core and targeted grants from the state budget or from local authorities, as well as funds received from natural and legal persons and other sources.

§ 17. The Director shall ensure the timely preparation of annual financial reports, their obligatory revision by an expert auditor and submission for approval by the Minister.

§ 18. 1. The Institute may conduct the following range of additional paid activities under the terms specified in current regulations, provided that these activities will not hinder the execution of the Institute's statutory duties:

- 1) advisory and consultancy services;
- 2) publishing services and sale of printed matter and publications;
- 3) sale of advertising space;
- 4) training services;
- 5) exhibition services;
- 6) digitisation services.

2. Revenue derived from the additional activities of the Institute will be used for financing its statutory tasks.

§ 19. 1. The Director shall be authorised to perform legal transactions on behalf of the Institute, including the submission of statements regarding its rights and liabilities.

2. The Director may appoint authorised representatives, in particular to carry out legal transactions on behalf of the Institute, defining the scope of their authority.
3. The appointment and revocation of authorised representatives is subject to disclosure in the register of cultural institutions maintained by the Minister, with the exception of representatives ad litem.

Chapter 5

Final provisions

§ 20. The merger, division or liquidation of the Institute shall be effected by the Minister in compliance with the terms and procedures stipulated in current legislation.

§ 21. Amendments to this charter may be made in accordance with the principles set out for this procedure.