

**Non-binding translation*

*The Belarusian version of the Code provided by **Consultant Plus**
Registered with the National Register of Legal Acts
of the Republic of Belarus of July 27, 2016 No. 2/2412*

**CULTURE CODE
OF THE REPUBLIC OF BELARUS
of July 20, 2016 No. 413-3**

*Adopted by the House of Representatives on June 24, 2016
Approved by the Council of the Republic on June 30, 2016*

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This Code aims to regulate public relations in the field of culture and establish legal, organizational, economic and social grounds for cultural activities in order to preserve and use cultural assets, develop cultural organizations and ensure public access to cultural goods.

GENERAL PART

SECTION I PRINCIPLES OF LEGAL REGULATION IN THE FIELD OF CULTURE

CHAPTER 1 GENERAL PROVISIONS

Article 1. Main Terms Used in this Code and their Definitions

1. The following main terms and their definitions shall be used in this Code:

1.1. **“Cultural infrastructure facility”** means capital construction (building, facility), premises and other immovable property, which are destined (used) for the implementation and/or provision of cultural activities;

1.2. **“Cultural organization”** means a legal person that carries out cultural activities as the main activity;

1.3. **“Historical and cultural asset”** means a cultural asset that holds distinctive spiritual, artistic and/or documentary merits and that is granted the status of a historical and cultural asset;

1.4. **“Cultural and artistic figure”** means a cultural worker and an artistic worker who have honorary titles of the Republic of Belarus in the field of culture and/or other state awards of the Republic of Belarus for achievements in the field of culture;

1.5. **“User of the historical and cultural asset”** means a legal person for whom the historical and cultural asset is fixed on the right of economic order or operative management;

1.6. **“Culture”** means a set of cultural assets (values) and cultural activities;

1.7. **“Cultural activities”** means activities on the creation, restoration (revival), preservation, safeguarding, study, use, dissemination and/or popularization of cultural assets (values); provision of cultural goods; aesthetic education of the citizens of the Republic of Belarus, foreign citizens and stateless persons (hereinafter, unless otherwise specified, referred to as “citizens”); organization of cultural recreation (leisure time) of the population; provision of methodological assistance to the actors of cultural activities;

1.8. **“Cultural asset”** means the tangible object produced (transformed) by man or closely related to his activity and the intangible manifestation of man’s creativity of historical, artistic, scientific or other significance;

1.9. **“Cultural project”** means a set of actions aimed at achieving cultural activity results;

1.10. **“Cultural goods”** means a cultural asset that is provided; work and/or service that is performed (rendered) by a legal person, a citizen, including an individual entrepreneur, who are involved in cultural activities to meet the spiritual and aesthetic needs of citizens, for the formation and development of a personality;

1.11. **“Artistic creativity”** means the creation of works of fiction and art, their performance and/or their execution;

1.12. **“Cultural worker”** means a citizen carrying out of cultural activities in the position stipulated by the Qualifications Manual of Employees involved in culture, as well as the head of a cultural organization, a subdivision of a cultural organization, a subdivision of another legal person carrying out cultural activities and his/her deputy (deputies) whose official duties involve the issues related to carrying out of cultural activities;

1.13. **“Sphere of culture”** means a branch of the social sphere on carrying out and providing of cultural activities in accordance with the directions stipulated by this Code;

1.14. **“Creative activities”** means the direction of cultural activities that involves artistic creativity and other intellectual activity culminating in the appearance of a new product, which has not existed before, of intellectual activity in the field of culture;

1.15. **“Creative worker”** means a citizen who is involved in creative activities independently or on the grounds provided for in this Code, and regardless of whether he/she is a member of an artistic association or not;

1.16. **“Owner of a historical and cultural asset”** means the Republic of Belarus, an administrative and territorial unit of the Republic of Belarus, a legal person, a citizen, including an individual entrepreneur, who have rights to own, use and handle historical and cultural assets.

2. The content of certain terms used in this Code shall be defined in the corresponding Articles of this Code.

Article 2. Principles that Underlie Public Relations in the Field of Culture

Public relations in the field of culture shall be based on the following principles:

Recognizing culture as one of the main factors of identity of Belarusian people, national communities living in the Republic of Belarus, continuity of generations, as well as a basis for the formation and development of a personality;

Priority of development of the Belarusian national culture and recognizing the Belarusian language as one of the factors moulding the national mentality;

Free development of the cultures of all national communities living in the Republic of Belarus;

Preservation and use of cultural Assets, their dissemination and popularization for the benefit of a person and society;

Revival, preservation and development of national cultural traditions;

General availability of cultural assets, providing an opportunity for citizens living in rural settlements, disabled people and other physically weak people of accessing cultural goods;

Preservation and multiplication of the historical-cultural and archeological heritage;

Protection of copyright and related rights;

Ensuring the Constitutional right of everyone to participate in cultural life, other rights and legitimate interests of citizens in the field of culture;

Freedom of creative activity;

Variety of directions (schools), forms, types and techniques of artistic creativity;

Reconciliation of state and public interests, rights and freedoms of citizens in the field of culture;

Ensuring the equality of rights and opportunities of citizens in the creation and use of cultural assets, inadmissibility of establishing preferences and benefits in the field of culture, which are in contradiction with legislation;

Inadmissibility of monopoly in culture and monopolization of cultural activities;

Orientation on national and universal values, the best patterns of the Belarusian national and world culture that are of important social and cultural values, priority of cultural values of high artistic and high moral nature;

Interaction of the Belarusian national culture with the cultures of other nations and its integration into world culture;

Approval and dissemination of humanistic ideas, scientific knowledge and achievements of world culture, the establishment of high moral principles in public life, the formation of an aesthetic living environment.

Article 3. Actors of Cultural Activities

Actors of cultural activities:

Citizens, including individual entrepreneurs, cultural workers, creative workers, patrons of culture;

Cultural organizations, as well as educational institutions, scientific organizations, other legal persons and their subdivisions that carry out and/or ensure cultural activities;

Artistic groups that are not cultural organizations and subdivisions of legal persons;

Creative unions, other non-governmental organizations in the field of culture;

State bodies and the bodies of territorial public self-government;

International organizations and intergovernmental organizations;

Sponsors of culture;

Other legal persons that promote the preservation, development and dissemination and/or popularization of culture.

CHAPTER 2 CULTURAL LEGISLATION AND ITS EFFECT

Article 4. Cultural Legislation

1. Cultural legislation shall be based on the Constitution of the Republic of Belarus and include this Code, other legislative acts, and international treaties of the Republic of Belarus.

2. If an international treaty of the Republic of Belarus establishes the rules other than those provided for in this Code, then the rules of an international treaty shall apply.

Article 5. Public Relations Regulated by Cultural Legislation

Public relations shall be regulated by this Code and other legislative acts on culture in the following directions:

Preservation and use of cultural assets;

Import and/or export, return of cultural assets;

Safeguarding of the historical and cultural heritage;

Safeguarding of the archeological heritage;

Library services;

Museology (museum studies);

Folk arts and crafts;

Cinematographic activity;

Organizing and holding of cultural events;

Activity of professional artistic groups;

Activity of non-professional (amateur) and authentic folklore artistic groups;

Organization of cultural recreation (leisure) of the population;

Activity on aesthetic education of citizens;

Providing methodological assistance to the actors of cultural activities;

Encouragements in the field of culture;

International cooperation in the field of culture;

Other areas related to the implementation and provision of cultural activities unless otherwise provided for in this Code.

Article 6. Effect of Cultural Legislation on a Range of Individuals

Cultural legislation, except for the cases established by the international treaties of the Republic of Belarus, shall apply to citizens of the Republic of Belarus, including individual entrepreneurs, and legal persons of the Republic of Belarus, as well as foreign citizens, stateless persons, or foreign organizations that are located or carry out activities in the Republic of Belarus, international organizations and interstate formations that carry out activities in the Republic of Belarus.

Article 7. Liability for a Violation of Cultural Legislation

Liability for a violation of cultural legislation shall be established in accordance with legislative acts.

CHAPTER 3

STATE POLICY AND STATE ADMINISTRATION IN THE FIELD OF CULTURE

Article 8. Directions of State Policy in the Field of Culture

Directions of state policy in the field of culture:

Preservation, development, dissemination and/or popularization of the Belarusian national culture and language;

Ensuring rights and freedoms, protection of the legitimate interests of citizens in the field of culture;

Ensuring the protection of the historical and cultural, as well as archaeological heritage;

Establishment of state organizations of culture and assistance in the development of their material and technical base;

Creation of conditions for cooperation in the field of culture of state bodies with commercial organizations and individual entrepreneurs;

Creation of conditions for the development of legal entities of all forms of ownership that carry out cultural activities, providing assistance in the implementation of cultural projects on a competitive basis to them;

Creation of conditions to attract the funds of sponsors and patrons of culture, other legal persons and citizens, including individual entrepreneurs, to finance culture;

Development and implementation of state and other programs aimed at the preservation, development, dissemination and/or popularization of culture;

Implementation of state minimum social standards in the field of culture;

Creation of conditions for the aesthetic education of citizens;

Protection of public morals, prevention of propaganda of pornography, violence and cruelty;

Organizing, carrying out and supporting fundamental and applied scientific research and developments in the field of culture; providing methodological assistance in the realization of cultural activities to the organizations of culture and other actors of cultural activities;

Ensuring the development of culture in rural areas, including through the rational and optimal location of cultural organizations, taking into account the peculiarities of the development of separate regions and industries, the establishment of mixed cultural organizations, the use of forms of service outside the location of cultural organizations, other legal persons whose divisions carry out cultural activities (hereinafter referred to as “non-stationary forms of service”);

Creation of cultural infrastructure facilities;

Promoting the informatization of the cultural sphere;

Supporting talented youth people and creating conditions for their productive activities;

Encouragement (motivation) of cultural workers, creative workers, cultural organizations, sponsors and patrons of culture, other legal persons and citizens, including individual entrepreneurs

who have made a significant contribution to the preservation, development, dissemination and/or popularization of culture;

Social protection of cultural workers and creative workers;

Promotion of international cooperation in the field of culture;

Ensuring general accessibility of cultural activities and cultural goods, assistance in improving their quality;

Providing certain categories of citizens with access to cultural goods on preferential terms, including free of charge, in accordance with this Code and other legislative acts;

Creation of conditions for the disabled and other physically weak persons for access and use of services of the organizations of culture, subdivisions of legal persons carrying out cultural activities, including access to information and communication resources;

Assistance in the creation, dissemination and/or popularization by the actors of cultural activities of cultural assets; organization and carrying out of cultural activities; realization of cultural projects, including by placing social and creative orders and financing state and other programs aimed at the preservation, development, dissemination and/or popularization of culture;

Creation of conditions for the revival, preservation and development of national cultural traditions, including traditions of folk arts and crafts; involvement of legal persons, citizens, including individual entrepreneurs, in cultural activities;

Assistance in conducting expert examinations, other forms of objective and independent assessment of creative activity results, as well as the development of literary and art criticism;

Formation and development of a competitive cultural environment;

Creation of the state mass media specializing in the coverage of cultural life in the Republic of Belarus and foreign countries, stimulation of publications or reports on cultural life in the mass media;

Stimulating the publication of fiction works that are important for the preservation, development, dissemination and/or popularization of the Belarusian national culture and language (works of literature on national themes, for children and young people, classic works of fiction and other works);

Regulation of import and/or export of cultural assets, prevention without legal grounds of the export from the Republic of Belarus of cultural Assets and illegal transfer of the ownership right to them, taking measures for returning to the Republic of Belarus of cultural assets exported from its territory or not returned in accordance with the established legislative procedure;

Training, advanced training and retraining of cultural workers, pedagogical workers of educational institutions in the field of culture;

Other directions of state policy.

Article 9. State and other Programmes Aimed at the Preservation, Development, Dissemination and/or Popularization of Culture

1. In order to preserve, develop, disseminate and/or popularize culture, state and other programs shall be developed.

2. Formation, financing and implementation of state and other programmes aimed at the preservation, development, dissemination and/or popularization of culture shall be carried out in accordance with the procedures established by legislative acts.

Article 10. State Administration in the Field of Culture

State administration in the field of culture shall be exercised by the President of the Republic of Belarus, the Council of Ministers of the Republic of Belarus, the Ministry of Culture of the Republic of Belarus (hereinafter referred to as “the Ministry of Culture” unless otherwise specified), local executive and administrative bodies, and other state bodies within the scope of their competence.

Article 11. Powers of the President of the Republic of Belarus in the Field of Culture

The President of the Republic of Belarus shall determine the state policy and realize state management in the field of culture in accordance with the [Constitution](#) of the Republic of Belarus, this Code and other legislative acts.

Article 12. Powers of the Council of Ministers of the Republic of Belarus in the Field of Culture

The Council of Ministers of the Republic of Belarus in the field of culture shall:

Ensure the implementation of state policy;

Approve state minimum social standards;

Approve a procedure for creating (reconstructing) and accepting of works of monumental and monumental-decorative art;

Ensure the development of international cooperation;

Exercise other powers in accordance with the [Constitution](#) of the Republic of Belarus, this Code and other legislative acts.

Article 13. Powers of the Ministry of Culture in the Field of Culture

The Ministry of Culture in the field of culture shall:

Pursue the state policy;

Coordinate the activity of other republican bodies of state administration, local executive and regulatory bodies of regional and basic territorial levels;

Develop and implement state and other programmes aimed at the preservation, development, dissemination and/or popularization of culture;

Determine the general development strategy for this field;

Organize international cooperation;

Establish the state organizations of culture, promote the development of their material and technical base;

Ensure the provision of methodological assistance to the actors of cultural activities;

Organize and conduct cultural events;

Organize and promote activities for the safeguarding of the historical and cultural and archeological heritage; define a methodology for preparing and carrying out of evacuation of historical and cultural assets that are under the threat of destruction in case of emergencies or the armed conflict, including outside the Republic of Belarus;

Take measures to prevent the propaganda of pornography, violence and cruelty;

Place social and creative orders;

Provide training, retraining and advanced training of cultural workers, pedagogical workers of educational institutions in the field of culture;

Exercise other powers in accordance with this Code and other legislative acts.

Article 14. Powers of Local Executive and Regulatory Bodies, other State Bodies in the Field of Culture

1. Local executive and regulatory bodies in the field of culture shall:

1.1. Take part in the implementation of state policy;

1.2. Exercise administration in the field of culture in the territory of a corresponding administrative-territorial unit;

1.3. Develop and implement state and other programmes aimed at the preservation, development, dissemination and/or popularization of culture;

1.4. Establish the state organizations of culture, promote the development of their material and technical base;

1.5. Organize and hold cultural events;

1.6. Organize and promote activities for the safeguarding of the historical-cultural and archeological heritage;

1.7. Place social and creative orders;

1.8. Exercise other powers in accordance with this Code and other legislative acts.

2. Other state bodies shall take part in the implementation of state policy in the field of culture within the scope of their competence.

Article 15. Interaction between State Bodies and Territorial Public Self-government Bodies, Non-governmental Organizations and Other Legal Persons, Citizens, Including Individual Entrepreneurs, in the Field of Culture

1. State bodies shall exercise administration in the field of culture in cooperation with the bodies of territorial public self-government, NGOs and other legal persons, citizens, including individual entrepreneurs.

2. In order to ensure participation of territorial public self-government bodies, NGOs and other legal persons, citizens, including individual entrepreneurs, in the implementation of state policy in the field of culture, objective assessment of problems in the field of culture and

development of measures to address them, civil councils (commissions) and other advisory bodies (expert formations) on cultural issues from among creative workers, cultural workers, other citizens, including individual entrepreneurs, the representatives of territorial public self-government bodies, civil associations, state bodies, scientific organizations, and other legal persons may be established at state bodies on a voluntary basis.

3. Public councils (commissions) and other advisory bodies (expert formations) on cultural issues shall:

3.1. Prepare proposals for the implementation of state policy in the field of culture, improvement of cultural legislation on the issues related to the activity of cultural workers, creative workers, NGOs and other actors of cultural activities;

3.2. Promote the implementation of cultural projects, state and other programmes aimed at the preservation, development, dissemination and/or popularization of culture, activities for the safeguarding of the historical, cultural and archaeological heritage, the development of library services and museology, cinematography; applied, monumental, musical, theatrical, choreographic, variety, circus and other forms of art, education in the field of culture; the organization and carrying out of cultural activities; the organization of cultural recreation (leisure) of the population, development and support of local arts and crafts;

3.3. Provide methodological and expert assistance, advice on cultural issues;

3.4. Promote the development of international cooperation in the field of culture;

3.5. Perform other functions provided for by this Code and other legislative acts on culture.

4. A **composition** of public councils (commissions) and other advisory bodies (expert formations) on cultural issues shall be approved by the state body under which they have been established, unless otherwise provided for by this Code.

Public councils (commissions) and other advisory bodies (expert formations) on cultural issues shall act on the basis of regulations approved by them, unless otherwise provided for by this Code.

5. Decisions of public councils (commissions) and other advisory bodies (expert formations) on cultural issues shall be of advisory nature, unless otherwise provided for by this Code and other legislative acts.

Article 16. Cooperation of State Bodies with Commercial Organizations and Individual Entrepreneurs in the Field of Culture

1. In order to ensure the efficient use of state-owned property, including budget funds, as well as ensure the general availability of cultural goods and improve their quality, state bodies shall cooperate in the field of culture with commercial organizations and individuals, including within the framework of public-private partnership.

2. The main areas of cooperation in the field of culture of state bodies with commercial organizations and individual entrepreneurs shall be as follows:

2.1. Implementation of cultural projects, including joint film production, organization and holding of cultural events;

2.2. Design, construction and/or reconstruction, restoration, repair, modernization, as well as maintenance and/or operation of cultural infrastructure facilities;

2.3. Carrying out of activities for the safeguarding of the historical-cultural and archeological heritage.

3. Forms of cooperation in the field of culture of state bodies with commercial organizations and individual entrepreneurs shall be as follows:

3.1. Development of state and other programmes aimed at the preservation, development, dissemination and/or popularization of culture, the executors of activities of which may be commercial organizations and individual entrepreneurs;

3.2. Conclusion of a public-private partnership agreement in accordance with the procedure and under the terms established by legislation on public-private partnership;

3.3. Conclusion of concession, investment and other agreements in accordance with the procedure and under the terms established by legislative acts;

3.4. Placement of social and creative orders;

3.5. Other forms.

Article 17. Social and Creative Orders

1. In order to stimulate the creative pursuit of the actors of cultural activities, to support creative workers and address other socio-cultural challenges of the Ministry of Culture, other state bodies shall have the right to place with the actors of creative activities social and creative orders for the production of new works of fiction writing and art; carrying out, organizing and holding of cultural events; the delivery of other services and carrying out of works in the field of culture.

2. Placement of a social and creative order shall be carried out by concluding an agreement between the Ministry of Culture (other state body) and another actor of cultural activities.

Article 18. Support of Talented Young People

1. For the purposes of discovering, forming, developing, realizing and preserving the intellectual and creative potential of young people, ensuring the continuity of cultural traditions of the Republic of Belarus, the State shall implement a set of measures to support talented young people and create conditions for their fruitful activity.

2. In the Republic of Belarus, the activities, including Olympiads and competitions, aimed at discovering talented young people shall be organized, a constant analysis of work with such young people shall be carried out, and the talented young people databank shall be maintained.

3. Measures to support talented young people shall include granting the awards of the Special Foundation of the President of the Republic of Belarus for the support of talented young people, granting privileges and guarantees to citizens included into the talented young people databank in accordance with legislative acts.

4. The Ministry of Culture or a legal person authorized by it shall form and maintain the databank of talented young people.

A procedure for the formation, maintenance and use of the talented young people databank shall be established by the President of the Republic of Belarus.

CHAPTER 4

CONTROL, CIVIC CONTROL IN THE FIELD OF CULTURE

Article 19. Control in the field of Culture

1. Control in the field of culture shall be carried out to ensure the implementation of legislation on culture by state bodies, other organizations, citizens, including individual entrepreneurs.

2. A list of state bodies authorized to carry out control in the field of culture, the order and periodicity of control in the field of culture shall be established by the Acts of the President of the Republic of Belarus and other legislative acts on control (supervisory) activities.

Article 20. Civic Control in the Field of Culture

1. Civic control in the field of culture shall be carried out to ensure compliance with the requirements as follows:

1.1. Conservation obligations;

1.2. Regime for the maintenance and use of protection zones of immovable tangible historical and cultural assets;

1.3. Restriction of rights of the owner (user) of a tangible historical and cultural asset, the land user on whose land lot an immovable material historical and cultural asset is located;

1.4. Installation of protection boards on immovable tangible historical and cultural assets;

1.5. Implementation of works on tangible historical and cultural assets.

2. Civic control in the field of culture shall be carried out by public supervisory commissions for the safeguarding of historical and cultural heritage established at the Ministry of Culture and local executive and regulatory bodies of regional and basic territorial levels.

3. Public supervisory commissions for the safeguarding of the historical and cultural heritage may include the representatives of NGOs in the field of culture dealing with historical and cultural heritage issues and the representatives of state bodies where they were established.

4. Members of public monitoring commissions for the safeguarding of historical and cultural heritage shall have the right to:

4.1. Take part in the sessions of the Belarusian Republican Scientific and Methodological Council on Historical and Cultural Heritage at the Ministry of Culture of the Republic of Belarus (hereinafter referred to as “the Council” unless otherwise specified) and Regional (Minsk city) Councils on Historical and Cultural Heritage with the right to a consultative vote;

4.2. Take part in activities for the safeguarding of historical and cultural heritage;

4.3. In coordination with the owner (user) of a tangible historical and cultural asset, the land user on whose land lot an immovable tangible historical and cultural asset is located, visit such an immovable tangible historical and cultural asset and carry out its visual inspection;

4.4. With the consent of the owner (user) of a tangible historical and cultural asset, the land user on whose land an immovable tangible historical and cultural asset is located, obtain information and explanations from them on the issues related to the implementation of requirements

provided for in [Paragraph 1](#) of this Article;

4.5. Make proposals to the owner (user) of a tangible historical and cultural asset, the land user on whose land lot an immovable tangible historical and cultural asset is located for the elimination of a violation of the requirements provided for in [Paragraph 1](#) of this Article;

4.6. Inform state bodies about a violation by the owner (user) of a tangible historical and cultural asset, the land user on whose land lot an immovable tangible historical and cultural asset is located of the requirements provided for in [Paragraph 1](#) of this Article;

4.7. Exercise other functions provided for by this Code and other legislative acts on culture.

CHAPTER 5 FINANCIAL AND MATERIAL-TECHNICAL SUPPORT IN THE FIELD OF CULTURE

Article 21. Funding Sources in the Field of Culture

1. Financing in the field of culture shall be carried out to secure the rights of citizens in the field of culture and general availability of cultural goods and improve their quality, realize the directions of a state policy in the field of culture.

2. Funding in the field of culture shall include the sources as follows:

2.1. Republican and/or local budget funds;

2.2. Funds of the Special Fund of the President of the Republic of Belarus for the Support of talented young people, the Fund of the President of the Republic of Belarus for the Support of Art and Culture;

2.3. Sources of funds established by legal persons and/or citizens in accordance with the civil legislation to finance cultural activities;

2.4. Sources of cultural activity actors, including the sponsors and patrons of culture, founders of cultural organizations, owners/users of tangible historical and cultural assets, land users on whose land lots immovable tangible historical and cultural assets are located, other legal persons and organizations that are not legal entities, including foreign and international ones, and other citizens, including individual entrepreneurs, – both own funds, including the funds obtained as a result of revenue-generating activities, and the borrowed funds;

2.5. Other sources not prohibited by law.

Article 22. Specifics of Financing of State Organizations of Culture

1. Financing of state organizations of culture shall be carried out of the funds of Republican and/or local budgets, the funds of founders, the funds obtained as a result of revenue-generating activities, gratuitous (sponsor) assistance, from the donations of the patrons of culture and other sources allowed by legislation.

2. Financing of state organizations of culture shall be carried out taking into account state minimum social standards in the field of culture, the implementation of state and other programmes directed at the preservation, development, dissemination and/or popularization of culture.

Article 23. Financing in the Field of Culture out of the Funds of the Special Purpose Fund of the President of the Republic of Belarus for the Support of Talented Young People and the Fund of the President of the Republic of Belarus for the Support of Culture and Art

Financing in the field of culture shall be implemented out of the sources of the Special Fund of the President of the Republic of Belarus for the Support of Talented Young People and the Fund of the President of the Republic of Belarus for the Support of Culture and Art in accordance with the procedure established by the President of the Republic of Belarus.

Article 24. Activity of Profitable Cultural Institutions

1. Cultural Institutions may carry out revenue-generating activities in accordance with legislative acts.

2. Carrying out of revenue-generating activities by the State Institutions of Culture shall not be a basis for a decrease in their financing out of the sources of Republican and/or local budgets.

Article 25. Material and Technical Support in the Field of Culture

1. Material and technical support in the field of culture shall stipulate the creation of the material and technical base required for the realization and/or provision of cultural activities by the organizations of culture, other legal persons, citizens, including individual entrepreneurs, which carry out cultural activities.

2. Unjustified reduction or deterioration of the material and technical base of cultural organizations shall not be allowed.

3. The material and technical base of the organizations of culture, other legal persons that carry out cultural activities shall be formed on the basis of the directions of cultural activities and shall include land lots, capital constructions (buildings, facilities), premises, the equipment, technical and other means, other property needed to carry out and/or provide cultural activities.

4. State bodies shall promote the development of material and technical base of the state organizations of culture.

5. Specifics of the formation of the material and technical base of certain types of organizations of culture, other legal persons that carry out cultural activities shall be determined by this Code and may stipulate requirements for the provision of certain property required for the realization and/or provision of cultural activities. In the cases stipulated by this Code, the material and technical base of certain kinds and types of the organizations of culture, other legal persons that carry out cultural activities should include the funds of cultural assets, as well as ensure the conditions for their preservation and use.

**CHAPTER 6
INTERNATIONAL COOPERATION IN THE FIELD OF CULTURE**

Article 26. Objectives of International Cooperation in the Field of Culture

Objectives of international cooperation in the field of culture shall be as follows:

Establishment of international relations in the field of culture;

Familiarization of the global community with the Belarusian national culture and its popularization;

Enrichment of cultural life, involvement of citizens living in the Republic of Belarus in the cultural assets of world culture;

Strengthening and developing of cultural ties between the Republic of Belarus and the Belarusians abroad;

Preservation of the national and cultural identity of the Belarusians abroad;

Integration of the Belarusian national culture into the world culture and the global information space.

Article 27. Principles of International Cooperation in the Field of Culture

The actors of cultural activities in the implementation of international cooperation in the field of culture shall be guided by the following principles:

Recognition and respect for the dignity, value and need to preserve each culture; consideration of all national cultures and languages in their diversity as an integral part of the common good of mankind;

Equality of national cultures and their equal value for global culture;

Service of culture to the development of peaceful and friendly relations between the countries and peoples;

Mutual benefits resulting from cultural cooperation;

Obligation to protect historical and cultural assets both in peacetime and in the event of an armed conflict.

Article 28. Legal Bases for International Cooperation in the Field of Culture

Legal bases for international cooperation in the field of culture shall be the [Constitution](#) of the Republic of Belarus, this Code, International Treaties of the Republic of Belarus, agreements between the actors of cultural activities of the Republic of Belarus and foreign countries; international, state and other programs aimed at the preservation, development, dissemination and/or popularization of culture; decisions of international organizations the Republic of Belarus is a member of and other international legal acts that are binding on the Republic of Belarus.

Article 29. Areas of International Cooperation in the Field of Culture

Areas of international cooperation in the field of culture shall be as follows:

International cultural exchange;

Participation in the creation and activity of international bodies and legal persons in the field of culture;

Expansion of cultural cooperation with the Belarusians abroad and providing assistance to them;

Protection of historical, cultural and archeological heritage;

Joint activities on the creation and use of cultural assets, creation of copies of the cultural assets which are maintained in a museum, a library, archival and other funds of the Republic of

Belarus and foreign countries;

Scientific-research activities;

Joint implementation of cultural projects, including film production, organization and holding of cultural events;

Development and improvement of the contractual base of international cultural cooperation.

Article 30. International Cultural Exchange

1. International cultural exchange shall incorporate all areas of cultural activities and shall be carried out between the Republic of Belarus and foreign countries in the following forms:

1.1. Organizing and holding of national culture days, movie days, touring, exhibitions and other cultural events;

1.2. Establishing of cultural centers;

1.3. Establishing of contacts between the actors of cultural activities;

1.4. Sending students and pedagogical workers of educational Institutions in the field of culture and cultural workers for training (internship);

1.5. Organizing language and local history courses (schools); holding workshops on culture; language, history, master classes and other activities in this field;

1.6. Exchange of information on carrying out of international cultural activities; activities on the safeguarding of historical, cultural and archeological heritage; ensuring participation of representatives of foreign countries in such activities;

1.7. Exchange of printed publications and other materials on cultural activity-related issues.

2. International cultural exchange may also be carried out in other forms provided for by the International Treaties of the Republic of Belarus, international legal acts constituting the normative legal basis of the Customs Union and the Single Economic Space and/or the Law of the Eurasian Economic Union, agreements concluded between the actors of cultural activities of the Republic of Belarus and foreign countries, as well as international, state and other programmes aimed at the preservation, development, dissemination and/or popularization of culture.

Article 31. Support of the Belarusians Abroad in the Field of Culture

1. In order to support the Belarusians abroad in the field of culture, the Republic of Belarus shall promote the following:

1.1. Opening and operation of cultural centers of the Republic of Belarus in the countries of residence of the Belarusians abroad;

1.2. Activity of existing and establishment of new cultural organizations;

1.3. Cultural exchange between the Republic of Belarus and public associations (organizations) of the Belarusians abroad;

1.4. Publication of works by foreign and domestic authors on the history and culture of Belarus and the Belarusians abroad;

1.5. Holding of cultural events in the Republic of Belarus with the involvement of the Belarusians abroad and in the countries of residence of the Belarusians abroad – with the participation of Belarusian artistic groups, individual performers, and other creative workers;

1.6. Providing practical assistance to the Belarusians abroad in preserving their national and cultural identity (providing stage costumes and musical instruments, state symbols, Belarusian-language publications, dictionaries, photo, audio and video products, audio- and video equipment etc.);

1.7. Organization of joint work of state bodies, non-governmental organizations of the Republic of Belarus and public associations (organizations) of the Belarusians abroad upon return of the cultural assets of Belarusian people to the Republic of Belarus;

1.8. Acquaintance of the Belarusians abroad with the Belarusian national culture, history of Belarus and study by the Belarusians abroad of the Belarusian language in the Republic of Belarus and abroad;

1.9. Implementation of other measures in accordance with legislation on the Belarusians abroad.

2. An Advisory Board for the matters of the Belarusians abroad may be established at the Ministry of Culture in accordance with legislation on the Belarusians abroad to discuss the issues related to cooperation with the Belarusians abroad.

SECTION II ACTORS OF CULTURAL ACTIVITY

CHAPTER 7 CITIZENS

Article 32. Rights of Citizens of the Republic of Belarus in the Field of Culture

Citizens of the Republic of Belarus in the field of culture shall have the right to:

Participate in cultural life;

Decent standard of cultural life;

Aesthetic education;

Obtain, store and disseminate full, accurate and timely information on cultural life;

Freedom of creative activity;

Cultural identity, revival, preservation and development of national cultural traditions;

Freedom of association in the field of culture;

Establishment of cultural organizations;

Appeal against the actions of cultural organizations and their employees that violate the rights of citizens in the field of culture;

Protection of copyright and related rights;

Import and/or export of cultural assets, including the results of personal creative activities, in accordance with the procedure provided for by this Code, other legislative acts on culture, legislation on foreign economic activity, legislation on customs regulation, the International Treaties of the Republic of Belarus, international legal acts constituting the normative legal base of the Customs Union and the Single Economic Space and/or the Law of the Eurasian Economic Union;

Other rights in accordance with this Code and other legislative acts.

Article 33. Obligations of Citizens of the Republic of Belarus in the Field of Culture

1. Citizens of the Republic of Belarus in the field of culture shall be obliged to:

1.1. Preserve historical, cultural and archeological heritage;

1.2. Respect the state languages of the Republic of Belarus and national cultural traditions;

1.3. Treat cultural assets, library and museum funds with due care;

1.4. Respect and not to violate the rights of others in the field of culture, including respect for the cultural traditions and languages of national communities;

1.5. Observe the rules of visiting (rules of use) of cultural organizations and other legal persons involved in cultural activities;

1.6. Perform other duties provided for by this Code and other legislative acts.

2. Parents and other legal representatives shall be obliged to take care of the aesthetic education and cultural development of children, their introduction to cultural benefits and cultural activities.

Article 34. Rights and Obligations of Foreign Citizens and Stateless Persons in the Field of Culture

Foreign citizens and stateless persons in the territory of the Republic of Belarus shall enjoy the rights and perform duties in the field of culture along with the citizens of the Republic of Belarus unless otherwise provided for by the [Constitution](#) of the Republic of Belarus, this Code and other legislative acts, and International Treaties of the Republic of Belarus.

Article 35. Right to Take Part in Cultural Life

1. The right to participate in cultural life shall be exercised through carrying out of cultural activities, access (introduction) to cultural assets and their use.

2. Implementation of cultural activities shall stipulate:

2.1. Freedom of choice of directions of cultural activities, directions (schools), forms, kinds and techniques of artistic creativity according to the needs, interests and abilities (opportunities);

2.2. Possibility of carrying out cultural activities independently or jointly with other actors of cultural activities.

3. Access (introduction) to cultural assets and their use shall stipulate:

3.1. Freedom of choice of the type of cultural assets, as well as the forms of introduction to

them;

3.2. Possibility of visiting (using the services of) cultural organizations, objects of cultural infrastructure for the purpose of acquaintance with cultural assets, their study and mastering, including the cases provided for by this Code and other legislative acts, on preferential terms, as well as free of charge;

3.3. Possibility of familiarizing with cultural assets using information recorded on the material media or disseminated through the mass media;

3.4. Possibility of familiarizing with cultural assets, their study and mastering by means of direct perception;

3.5. Possibility of using cultural assets and working with them in accordance with this Code and other legislative acts;

3.6. Establishing of conditions for the disabled and other physically weak persons to provide access to (familiarize with) cultural assets and their use.

4. Ensuring access to (familiarization with) cultural assets shall apply in relation to:

4.1. Tangible cultural assets belonging to the state and/or are in the foundations of cultural organizations, fully or partially financed out of Republican and/or local budgets;

4.2. Intangible cultural assets, exclusive rights to the use of which belong to the state, cultural organizations fully or partially financed out of Republican and/or local budgets, as well as intangible cultural assets that have been passed into the public domain.

5. Provision of access to (familiarization with) the cultural assets provided for in [Paragraph 4](#) of this Article may be restricted in accordance with this Code based on the specifics of cultural assets and/or in the event of a threat to their continued existence or preservation.

6. The possibility of access to (familiarization with) the cultural assets not provided for in [Paragraph 4](#) of this Article, as well as the conditions and procedure for such access (familiarization with) shall be established by the owner or holder of exclusive rights to cultural assets unless otherwise provided for by this Code and other legislative acts.

Article 36. Right to a Worthy Standard of Cultural Life

Citizens shall have the right to a decent level of cultural life that shall be ensured by a variety of cultural activities, kinds and types of cultural organizations aimed at different population categories, a variety of cultural infrastructure, a quality level of cultural goods, as well as the creation of an aesthetic living environment.

Article 37. Right to Aesthetic Education

1. Citizens shall have the right to aesthetic education regardless of their age in accordance with legislative acts on culture and education.

2. Aesthetic education of citizens shall be aimed at the formation of their aesthetic taste, the development of a sense of beauty.

Article 38. Right to Obtain, Store and Disseminate Complete, Accurate and Timely Information on Cultural Life

Citizens shall be guaranteed with the right to obtain, store and disseminate complete, accurate and timely information on cultural life, including the content of cultural activities, cultural goods and cultural infrastructure, except for information the dissemination and/or provision of which is limited in accordance with legislative acts.

Article 39. Right to Cultural Identity, Revival, Preservation and Development of National Cultural Traditions

1. Every citizen shall be guaranteed with the right to cultural identity, revival, preservation and development of national cultural traditions.

2. Citizens that reside in the Republic of Belarus and are the representatives of national communities or are people coming from other cultural environments shall have the right to preserve and develop their national culture, bring up children in national cultural traditions, use their native language, establish cultural ties with the representatives of related national communities living in foreign countries, provided that this is in line with legislative acts.

Article 40. Right to the Freedom of Association in the Field of Culture

1. Citizens of the Republic of Belarus shall have the right to establish public associations in the field of culture, including creative unions, and also join acting public associations in the field of culture.

2. Foreign citizens and stateless persons may join active public associations in the field of culture, including creative unions, provided that it is stipulated by their Statutes.

3. Foreign citizens may act as founders of international public associations in the field of culture, including creative unions established in the territory of the Republic of Belarus.

4. The activity of public associations in the field of culture shall be regulated by this Code and legislation on public associations.

Article 41. Creative Specialists

1. Creative specialists may carry out creative activities:

1.1. Independently, or on the basis of the employment agreement (contract) or the civil law contract, or on the basis of participation (membership) or audience (appointments);

1.2. On a professional basis (as a rule, as the main occupation that brings income) or on a non-professional (amateur) basis (as a rule, as an additional occupation that may bring income);

1.3. In a collective or individually.

2. Creative workers shall have the right to:

2.1. Pseudonym;

2.2. Use the results of their creative activities;

2.3. Protection from the distortion of creative activity results by other persons;

- 2.4. Receive income from their creative activities;
- 2.5. Implement creative activities together with other citizens;
- 2.6. Protect professional skill secrets;
- 2.7. Other rights in accordance with this Code and other legislative acts.

3. In order to stimulate creative specialists, popularize personal results of their creative activities, increase the prestige of creative professions in a society, and also reveal and encourage talents, Republican and regional exhibitions, and other cultural activities shall be regularly carried out.

4. In order to realize and develop the creative potential of creative specialists, ensure the continuity of national cultural traditions, Houses of Creativity, Houses of Writers (Composers, Architects and other Creative Workers), Palaces and Houses of Arts, as well as creative laboratories, art studios and parlors may be established.

Article 42. Confirmation of the Status of a Creative Specialist

1. The status of a creative specialist who is a member of the creative union shall be confirmed by the creative union in accordance with the procedure established by the Statute of the creative union.

The status of a creative specialist who is not a member of the creative union shall be confirmed by the professional Certificate of a creative specialist, which is issued by an Expert Commission for the confirmation of the status of a creative specialist in accordance with [legislation](#) on administrative procedures.

The [form](#) of the professional Certificate of a creative specialist shall be established by the Ministry of Culture.

2. The Expert Commission for the confirmation of the status of a creative specialist shall be established at the Ministry of Culture.

3. The Expert Commission for the confirmation of the status of a creative specialist shall:

3.1. Organize the examination of materials confirming creative activity results;

3.2. Involve in the examination of representatives of state bodies, creative unions, other organizations, specialists in the field of culture, cultural and artistic figures who are not members of the Expert Commission;

3.3. Submit to state bodies, creative unions, and other organizations inquiries to obtain documents and/or data required for the confirmation of the status of a creative specialist from them;

3.4. At its meetings, hear the representatives of state bodies, creative unions, and other organizations on the issues related to the confirmation of the status of a creative specialist;

3.5. Make decisions on the issuance (rejection of issuance) of the professional Certificate of a creative specialist, cancellation of the professional Certificate of a creative specialist;

3.6. Exercise other powers in accordance with legislation on administrative procedures.

4. In order to confirm the status of a creative specialist, a citizen shall apply to the Expert

Commission for the confirmation of the status of a creative specialist with an application according to the [form](#) established by the Ministry of Culture to which the materials provided for by legislation on administrative procedures shall be attached.

A citizen shall provide access to creative activity results, where appropriate.

5. In order to confirm the status of a creative specialist, creative activity results:

5.1. must:

Refer to the works of fiction writing and art;

Appear as new, which did not exist before, intellectual activity results;

Be created at a high artistic level;

5.2. Be published, publicly performed, and otherwise made available to the public in the past three years.

6. Grounds for the rejection of the issuance of the professional Certificate of a creative specialist shall be as follows:

6.1. Non-compliance of creative activity results with the requirements provided for in [Paragraph 5](#) of this Article;

6.2. Submission of documentation and/or information that fail to meet the requirements of this Code, other legislative acts, including the submission of forged, counterfeit or invalid documentation.

7. A basis for the cancellation of the professional Certificate of a creative specialist shall be the decision of court that the citizen is not the author (performer) of works of fiction or art.

A copy of the decision on the cancellation of the professional Certificate of a creative specialist shall, no later than five calendar days from the date of decision-making, be directed to the citizen in relation to whom a decision on the cancellation of the professional Certificate of a creative specialist has been made.

Information on the revocation of the professional Certificate of a creative specialist shall be open and posted on the official website of the Ministry of Culture over the global computer network Internet.

The citizen shall be obliged to return the professional Certificate of a creative specialist, no later than three calendar days from the date of receipt of the copy of the decision on the cancellation of the professional Certificate of a creative specialist, to the Ministry of Culture.

8. In case of loss of the professional Certificate of a creative specialist, its duplicate shall be issued in accordance with legislation on administrative procedures.

Article 43. Specifics of the Legal Status of Cultural Workers

1. Rights and duties of cultural workers shall be determined in accordance with this Code, other legislative acts, local normative legal acts, an employment agreement (contract) and shall depend on the direction of cultural activities carried out by a cultural worker.

2. Cultural workers, apart from the figures of culture and art, shall be subject to attestation no

less than every five years unless otherwise provided for by legislative acts.

An attestation procedure for cultural workers shall be determined by legislative acts.

3. Training, advanced training and retraining of cultural workers shall be carried out at educational institutions, other organizations in accordance with legislation on education.

A procedure for training, advanced training and retraining of cultural workers, assignment of qualification categories to them shall be established in accordance with legislation on education and labour.

4. In order to enhance their professional competence, cultural workers may be sent away on business trips outside the Republic of Belarus.

A procedure for sending cultural workers away on business trips outside the Republic of Belarus shall be determined by the Council of Ministers of the Republic of Belarus, unless otherwise established by the President of the Republic of Belarus.

CHAPTER 8 ARTISTIC GROUPS

Article 44. Concept and Types of Artistic Groups

1. “Artistic groups” means associations of citizens jointly engaged in artistic creativity.

2. Types of artistic groups:

2.1. Professional artistic groups;

2.2. Non-professional (amateur) artistic groups;

2.3. Authentic folklore artistic groups.

3. “A professional artistic group” means a group consisting of citizens jointly engaged in artistic creativity on a professional basis.

4. “A non-professional (amateur) artistic group” means a group consisting of citizens jointly engaged in artistic creativity on a non-professional basis, except for the head of a non-professional (amateur) artistic group, who is, as a rule, engaged in artistic creativity on a professional basis.

5. “Authentic folklore artistic group” means a group consisting of citizens associated with a natural folklore environment of a certain locality that have obtained and impart folklore knowledge and skills as an oral tradition, are jointly engaged in artistic creativity on a non-professional basis.

Article 45. Genres and Forms of Artistic Groups

1. By genres, artistic groups shall be divided into:

1.1. Theatrical (drama, musical, puppet, prose and poetry, satire and humor, pantomime, miniatures and other theatrical genres);

1.2. Vocal and choral (with academic, folk, pop style of performance and other vocal and choral genres);

- 1.3. Choreographic (folk, classical, ballroom, pop dances and other choreographic genres);
 - 1.4. Vocal-instrumental (folk, percussion, wind instruments, wind, ancient, classical, chamber, pop music and other vocal-instrumental genres);
 - 1.5. Folklore (different types and genres of folklore);
 - 1.6. Decorative and applied (willow weaving, straw weaving, ceramics, woodworking, embroidery, weaving and other decorative and applied genres);
 - 1.7. Fine (painting, graphics, sculpture and other fine genres);
 - 1.8. Circus;
 - 1.9. Design;
 - 1.10. Photo, slide, film art;
 - 1.11. Groups combining different genres (vocal-instrumental, song and dance, arts and crafts and fine art);
 - 1.12. Other genres.
2. According to the forms, artistic groups shall be divided into:
 - 2.1. Chorus;
 - 2.2. Orchestra;
 - 2.3. Theater;
 - 2.4. Ensemble;
 - 2.5. Circus;
 - 2.6. Studio;
 - 2.7. Other forms.

Article 46. Status of Artistic Groups

1. Professional artistic groups and non-professional (amateur) artistic groups may be created as a legal entity and be cultural organizations or be created as a subdivision of a legal entity and not be cultural organizations. Non-professional (amateur) artistic groups may also be club formations.
2. Professional artistic groups and non-professional (amateur) artistic groups, which are created as a legal entity, shall operate on the basis of the Charter and/or the Constituent Agreement.
3. Professional artistic groups, which are created as a subdivision of a legal entity, and non-professional (amateur) artistic groups, which are created as a subdivision of a legal entity or a club formation, shall operate on the basis of the provision approved by their founder.
4. The status of a non-professional (amateur) artistic group shall be confirmed by the Certificate (passport) of a non-professional (amateur) artistic collective, which shall contain the basic information on this collective. The Certificate (passport) of a non-professional (amateur) artistic group shall be drawn up by the founder of an artistic group according to the [form](#) established

by the Ministry of Culture.

In case of a change of the data entered in the Certificate (passport) of a non-professional (amateur) artistic group, the founder of an artistic group shall be obliged to introduce a new Certificate (passport) of a non-professional (amateur) artistic group within two months from the date the grounds for its change arise.

5. Authentic folklore artistic groups may be club or other formations.

Authentic folklore artistic groups, which are club formations, shall operate on the basis of a provision approved by their founders.

Article 47. Procedure for the Creation and Liquidation (Termination of Activity) of Professional Artistic Groups and Non-professional (Amateur) Artistic Groups

1. A procedure for the creation and liquidation of professional artistic groups and non-professional (amateur) artistic groups, which are cultural organizations, shall be established by the Civil Code of the Republic of Belarus and other legislative acts.

2. A procedure for the creation of professional artistic groups and non-professional (amateur) artistic groups, which are not cultural organizations, shall be established by their founder.

3. The founder of a professional artistic group, which is not a cultural organization, shall be a legal entity this group was created within the structure of.

4. The founder of a non-professional (amateur) artistic group, which is not a cultural organization, shall be a legal entity this group was created within the structure of or on the basis of which it functions.

A legal entity on the basis of which a non-professional (amateur) artistic group functions shall be a legal entity that provides organizational, financial and logistical support for the creative activities of a non-professional (amateur) artistic group without establishing a subdivision in the structure of this legal entity.

5. Termination of the activity of professional artistic or non-professional (amateur) artistic groups, which are not cultural organizations, shall be carried out by decision of their founder.

Article 48. Grounds for Carrying out of Activities by the Members of Professional Artistic Groups, Non-professional (Amateur) Artistic Groups and Authentic Folklore Artistic Groups

1. Members of a professional artistic group shall carry out their activities on the basis of an employment agreement (contract) or a civil law contract.

2. Members of a non-professional (amateur) artistic group, apart from the head of a non-professional (amateur) artistic group, shall carry out their activities on the grounds of participation (membership) or admission (joining) on the basis of freely expressed will, including on the basis of preliminary selection (competition).

The head of a non-professional (amateur) artistic group, which is a cultural organization, shall carry out his/her activity on the basis of an employment agreement (contract) or a civil law contract concluded with the founder of the group, or on other grounds provided for by legislative acts.

The head of a non-professional (amateur) artistic group, which is not a cultural organization, shall carry out his/her activities on the basis of an employment agreement (contract) or a civil law

contract concluded with the founder of a group, or on the basis of participation (membership) or admission (joining) on the grounds of the freely expressed will, including according to the results of preliminary selection (competition).

3. Members of an authentic folklore artistic group shall carry out their activities on the basis of participation (membership).

The head of an authentic folklore artistic group, which is a club formation, may carry out his/her activities on the basis of an employment agreement (contract) or a civil law contract concluded with the founder of a group.

Article 49. Management in a Professional Artistic Group or a Non-professional (Amateur) Artistic Group, which are Not Cultural Organizations

1. Management in a professional artistic group or a non-professional (amateur) artistic group, which are not cultural organizations, shall be carried out by the founder of a group and the head of a group in accordance with the constituent document of the founder of a group and the provision approved by the founder.

2. In the case where the head of a professional artistic group or a non-professional (amateur) artistic group, which are not cultural organizations, carries out his/her activity on the basis of an employment agreement (contract), he/she shall be appointed and dismissed by the founder of a group and shall hold responsibility for the group's operation before him/her.

CHAPTER 9 CULTURAL ORGANIZATIONS AND SUBDIVISIONS OF LEGAL ENTITIES

Article 50. Cultural Organizations and Subdivisions of Legal Entities

1. Cultural organizations and subdivisions of legal entities, including separate ones, may be established to carry out cultural activities.

2. Libraries, museums, theaters, circuses, philharmonic societies, ensembles, choirs, orchestras, studios and other artistic groups, clubs, palaces (Houses, centers) of culture (art), cinemas, cinema Houses, cinema centers, cinema salons, folk art (folklore) centers (Houses), craft centers (Houses), youth cultural centers, centers of national cultures; picture, art galleries and galleries of art, exhibition halls, panoramas, parks of culture and recreation, city gardens, zoos, zoological gardens, artistic workshops (studios), methodological centers for folk art (cultural and educational activities) and other May be both the organizations of culture and subdivisions of legal entities, including separate ones.

Article 51. Forms and Main Types of Cultural Organizations

1. Cultural organizations shall be divided into state and private ones according to the form of ownership; according to the main purpose of activity – into commercial and non-commercial.

2. Cultural organizations may be established in the form of the following commercial organizations:

2.1. Business associations (Open or Closed Joint-stock Company, Limited Liability Company and Additional Liability Company), full and limited partnerships;

2.2. Unitary Enterprises.

3. Cultural organizations may be established in the form of the following non-profit organizations:

- 3.1. Funded by the owners of cultural institutions;
- 3.2. Associations (unions);
- 3.3. Other forms provided for by legislative acts.

4. Cultural organizations, depending on the areas of cultural activities, shall be divided into the main types as follows:

- 4.1. Libraries;
- 4.2. Museums;
- 4.3. Organizations of folk arts and crafts;
- 4.4. Cinematographic organizations;
- 4.5. Theaters;
- 4.6. Circuses;

4.7. Philharmonic societies, ensembles, choirs, orchestras, studios, concert halls and other concert organizations;

4.8. Clubs, Palaces (Houses, Centers) of Culture (Art), Folk Art (Folklore) Centers (Houses), Craft Centers (Houses), Youth Cultural Centers, National Cultures Centres and other club organizations;

4.9. Picture, art galleries and galleries of art, exhibition halls, panoramas and other exhibition organizations;

- 4.10. Parks of culture and recreation, city gardens, zoos, zoological gardens;
- 4.11. Creative workshops;
- 4.12. Methodological Folk Art Centres (Centres for Cultural and Educational Work);
- 4.13. Organizations for holding of cultural events;
- 4.14. Production studios;
- 4.15. Restoration organizations;
- 4.16. Other types.

5. Theatrical and entertainment organizations shall be cultural organizations that ensure the creation of performances of works of theatrical art and their public performance. Theatrical and entertainment cultural organizations shall include theaters, circuses, concert organizations, and other types of cultural organizations that carry out these cultural activities.

6. Cultural organizations that provide access of citizens to the cultural assets that constitute the funds of these organizations, or create conditions for crafts and arts and artistic creativity, self-education, as well as cultural development, shall be considered as cultural and educational

organizations. Cultural and educational organizations of culture shall include museums, libraries, club organizations, and other types of cultural organizations that carry out the specified cultural activity.

7. In order to ensure the conditions for the comprehensive provision of cultural goods to the population, as well as optimize the activities of cultural organizations, cultural organizations of a mixed type may be established. Cultural organizations of a mixed type shall comprise cultural organizations whose structure includes subdivisions, including the separate ones, carrying out of cultural activities of various directions.

8. Specifics of the establishment, a legal status and a procedure for the activity of separate types of cultural organizations shall be established by this Code.

Article 52. Specifics of Cultural Institutions as One of the Forms of Non-profit Cultural Organizations

1. “Cultural institution” means a cultural organization, which is established by its owner for carrying out managerial, socio-cultural and other non-commercial functions in the field of culture and is fully or partly financed by him/her.

2. Cultural Institutions may be state (republican and communal) and private.

3. The founders of cultural institutions may be as follows:

3.1. President of the Republic of Belarus;

3.2. Council of Ministers of the Republic of Belarus;

3.3. State bodies subordinated and/or accountable to the President of the Republic of Belarus, the National Academy of Sciences of Belarus, the Ministry of Culture and other republican bodies of state administration, as well as state organizations subordinated to the Council of Ministers of the Republic of Belarus;

3.4. Local executive and administrative bodies;

3.5. Citizens of the Republic of Belarus and legal entities of the Republic of Belarus;

3.6. Foreign countries, foreign organizations, international organizations, foreign citizens, stateless persons, unless otherwise provided for by legislative acts, international treaties of the Republic of Belarus.

4. The founders of cultural institutions shall be obliged to provide cultural institutions with capital constructions (buildings, facilities), premises, equipment, technical and other means required for carrying out of cultural activities.

5. Moving state cultural establishments to capital constructions (buildings, facilities), to the premises that worsen the conditions of their activity shall not be allowed.

Article 53. Establishment, Reorganization and Liquidation of Cultural Organizations

1. A procedure for the establishment, reorganization and liquidation of cultural organizations shall be determined by the Civil [Code](#) of the Republic of Belarus, this Code and other legislative acts.

2. Local executive and regulatory bodies shall have the right to establish state cultural

organizations of any type above the norms stipulated by state minimum social standards in the field of culture.

3. When planning the establishment of state cultural organizations, specifics of regional development and branches of industry shall be considered.

4. Liquidation of state cultural institutions shall not be allowed if such liquidation entails impossibility of compliance with state minimum social standards in the field of culture.

5. Reorganization and liquidation of state cultural Institutions the property of which is in the Republican ownership shall be carried out with consent of the Council of Ministers of the Republic of Belarus in cases where:

5.1. They are of special importance for the preservation, development, dissemination and/or popularization of the Belarusian national culture. A list of such cultural institutions shall be determined by the Council of Ministers of the Republic of Belarus;

5.2. They were established in accordance with the prescribed procedure after August 4, 2004.

6. This Code and other legislative acts on culture may provide for binding requirements (conditions) that allow the establishment of cultural organizations of certain kinds and types, including requirements for the structure of funds of cultural assets, as well as the property transferred to the founders of cultural organizations for carrying out of cultural activities.

7. In the course of the establishment of cultural organizations of a mixed type whose structure will include a museum or a library, binding requirements (conditions) for the creation of museums and libraries provided for by this Code must be fulfilled.

8. Upon liquidation of the state cultural organization of a mixed type whose structure includes a library, its founder shall be obliged to ensure the preservation of the Library Fund and transfer it to another state library (libraries).

Upon liquidation of the state cultural organization of a mixed type whose structure includes a museum, its founder shall be obliged to ensure the safety of the Museum Fund and transfer it to another state museum (other museums) in accordance with the procedure established by this Code.

Article 54. Boards of Trustees of Cultural Organizations

1. Boards of Trustees may be established at cultural organizations to promote the fulfillment of statutory objectives.

2. A decision on the establishment (termination of activity) of the Board of Trustees shall be made by the head of a cultural organization in coordination with its founder.

3. A decision on the establishment (termination of activity) of the Board of Trustees of state cultural organizations may be made by the President of the Republic of Belarus, the Council of Ministers of the Republic of Belarus, as well as another state body, with regard to the Board of Trustees of the cultural organization it is the founder of.

4. The Board of Trustees shall:

4.1. Promote the implementation of the principle of the combined individual and collegial management of the cultural activities of a cultural organization;

4.2. Assist a cultural organization in finding partners for cooperation in the framework of

cultural activities;

4.3. Assist a cultural organization in carrying out of cultural activities, including the creation of new theatrical productions, concert programs, exhibitions, replenishment of library, museum and other funds, creation and acquisition of films and property rights over them, providing support to talented young people;

4.4. Prepare proposals for improving of cultural organization activity;

4.5. Provide assistance in the organization of foreign tours of artistic groups and individual performers; otherwise promote the enhancement of international cooperation;

4.6. Provide assistance to the improved management of cultural organizations, its financial and economic activity;

4.7. Promote the strengthened material and technical base of a cultural organization;

4.8. Promote attraction of extra-budgetary and other additional sources of financing, which are allowed by legislation, for the implementation of cultural activities and cultural organization development;

4.9. Propose directions, forms, amounts and the order of use of financial resources and other property, which are transferred to a cultural organization under contracts of gratuitous (sponsor) assistance, contracts of donation within the frameworks stipulated by these contracts, and exercise control over the use (expenditure) of financial resources, other property;

4.10. Assist in providing of support to cultural and artistic workers, as well as the improvement of working conditions and health care, increasing the level of social protection of cultural and creative workers;

4.11. Consider activity results of the Board of Trustees and issues related to the efficient use (expenditure) of financial resources and use of other property, which are transferred to a cultural organization with the assistance of the Board of Trustees;

4.12. Deal with other issues.

5. Composition of the Board of Trustees shall be formed from legal entities, citizens, including individual entrepreneurs, with their consent or upon their applications. Legal entities shall participate in the activities of the Board of Trustees through their representatives.

6. The Board of Trustees may include sponsors, patrons of culture, other persons providing Institutional and methodological support to cultural organizations, as well as cultural and artistic figures, representatives of health care, education, social protection, science, and the mass media, clergymen, and other representatives of public and state bodies.

7. Composition of the Board of Trustees shall be approved by the official, the state body that made a decision on the establishment of the Board of Trustees.

The Board of Trustees shall operate on the basis of a regulation approved by it.

8. Expenditures of the members of the Board of Trustees arising in connection with the performance of their duties by the members of the Board of Trustees shall not be reimbursed.

9. Decisions of the Board of Trustees shall be of recommendatory nature.

10. The cultural organization shall provide the Board of Trustees with premises for holding of meetings, a place for storing the documentation of the Board of Trustees.

11. In case of a violation of legislative acts' requirements by the Board of Trustees, its activity shall be subject to termination.

CHAPTER 10
EDUCATIONAL INSTITUTIONS AND SCIENTIFIC ORGANIZATIONS IN THE FIELD
OF CULTURE, METHODOLOGICAL CRAFTS AND ARTS CENTRES
(CULTURAL AND EDUCATIONAL ACTIVITIES)

Article 55. Educational Institutions in the Field of Culture

1. Educational institutions in the field of culture shall include institutions of general secondary, secondary special, higher education, as well as further education institutions for children and young people and further education for adults, subordinated to the Ministry of Culture or structural subdivisions of local executive and regulatory bodies of regional and basic territorial levels exercising state authority in the field of culture.

2. The main objectives of educational institutions in the field of culture shall be as follows:

2.1. Professional training in the field of culture;

2.2. Aesthetic education of citizens;

2.3. Meeting the needs of citizens in cultural, intellectual and personal development;

2.4. Providing conditions for the spiritual, moral and artistic development of citizens;

2.5. Development of creative abilities of citizens;

2.6. Dissemination and popularization of cultural assets;

2.7. Discovering talented young people;

2.8. Creation of conditions for acquiring of knowledge, abilities and skills in various kinds of art, experience in artistic creativity by citizens;

2.9. Training, retraining and advanced training of cultural workers, pedagogical workers of educational institutions in the field of culture.

Article 56. Scientific Organizations in the Field of Culture

Scientific organizations in the field of culture shall carry out scientific activity in accordance with legislation on scientific activity.

Article 57. Methodological Arts and Crafts Centres (Centres for Cultural and Educational Activities)

1. The Methodological Arts and Crafts Centre (the Centre for Cultural and Educational Activities) shall be a cultural organization or the subdivision of a legal entity that provides methodological assistance to the agents of cultural activities and carries out analytical and research work in the field of culture.

2. The main objectives of Methodological Arts and Crafts Centers (the Centres for Cultural

and Educational Activities) shall be as follows:

2.1. Raising a level of methodological assistance of the agents of cultural activities; participating in the development of state and other programs aimed at the preservation, development, dissemination and/or popularization of culture;

2.2. Improving the content and organizing cultural recreation (leisure time) of the population; increasing its social significance; searching for and introducing of new effective forms and methods of work with the population;

2.3. Investigating, studying and fixing the local samples of traditional art and folklore of regions;

2.4. Developing organizational and methodical and repertoire materials on the organization and carrying out of cultural activities; organizing the activity of club formations; preserving, disseminating and/or popularizing the local samples of traditional art and folklore of regions;

2.5. Studying and analyzing the activity of cultural organizations, other legal entities carrying out cultural activities; developing new areas of their activities, as well as folk art;

2.6. Studying and putting into practice of cultural organizations, other legal entities carrying out of cultural activities the best practices of cultural organizations;

2.7. Participating in the organization and holding of cultural activities; assisting in carrying out of activities for the safeguarding of historical and cultural and archeological heritage;

2.8. Compiling the reference and information collection of methodological materials, scenario developments of cultural organizations, other legal entities carrying out of cultural activities;

2.9. Raising the professional level of cultural workers, creative specialists;

2.10. Carrying out of international cooperation in order to familiarize the citizens living in the Republic of Belarus with the cultural assets of world culture and integrate the Belarusian national culture into the world culture and global information space;

2.11. Facilitating the integration of modern information technologies into the activity of a cultural organization, other legal entities carrying out of cultural activities.

3. Methodological Arts and Crafts Centers (Centres for Cultural and Educational Activities) shall have the right to submit to the founders of cultural organizations, other legal entities carrying out of cultural activities proposals for improving the cultural activities of these cultural organizations, other legal entities for consideration.

4. Methodological Arts and Crafts Centers (Centres for Cultural and Educational Activities) shall work in cooperation with state bodies and non-governmental organizations, educational institutions and other legal entities that promote the implementation and/or provision of cultural activities.

CHAPTER 11 CREATIVE UNIONS

Article 58. Creative Union

1. “Creative union” means a non-governmental organization (NGO) of creative specialists (no less than two thirds of the total number of members) and other citizens that have contributed to the preservation and development of culture, established on the basis of common interests of its members in a certain type of creative activity to implement statutory objectives.

2. A [list](#) of creative unions shall be determined by the Ministry of Culture.

Article 59. Specifics of the Establishment, State Registration, Activity of Creative Unions, their Reorganization and Liquidation

1. Establishment, state registration, activity, reorganization and liquidation of creative unions shall be exercised in accordance with legislation on non-governmental organizations (NGOs) taking into account the specifics established by this Code.

2. Creative specialists, as well as other citizens that have contributed to the preservation and development of culture, shall have the right to act as the founders of creative unions.

3. Creative unions shall be established and operate in the Republic of Belarus for the purposes as follows:

3.1. Realization of creative abilities of creative workers;

3.2. Development of creative potential and creative initiative of citizens in the field of culture;

3.3. Assistance in the creation, distribution and/or popularization of fiction writing and art works;

3.4. Encouraging innovation, improving professional skills and culture of spiritual relationship;

3.5. Implementation of joint creative activities;

3.6. Providing support for the members of creative unions.

4. Objectives of the activities provided for in [Paragraph 3](#) of this Article shall be obligatory for listing in the Creative Union’s Charter.

5. Creative unions shall be established and operate on the basis of the principles of legality, voluntariness, independence, equality and publicity.

Creative unions shall be independent in their activities from political parties and other NGOs.

6. Creative unions may implement an educational programme for educational courses (lectures, thematic seminars, workshops, training courses and other types of educational courses) and an educational programme for improving the capabilities and abilities of an individual in accordance with the procedure established by legislation on education.

7. Creative unions may carry out entrepreneurial activity in accordance with the established procedure only in cases where it is required for the statutory purposes they were established for, and it serves the purposes and scope of creative union activities.

Creative unions shall have the right to carry out, without the establishment of commercial organizations and/or participation in them, the following types of entrepreneurial activity:

Activity on movie and TV program production;

Activity on the implementation of an educational programme for educational courses (lectures, thematic seminars, workshops, training courses and other kinds of educational courses) and an educational programme for improving the capabilities and abilities of an individual;

Creative activities and amusements.

Article 60. Cooperation of State Bodies and Creative Unions

1. State bodies shall provide the assurance of the rights and freedoms of the members of creative unions, protection of their legitimate interests, and realization of the statutory objectives of creative unions.

2. State bodies within the scope of their competence shall:

2.1. Assist creative unions with the implementation of cultural projects, creation of conditions for the creative activities of creative union members;

2.2. Determine encouragements for creative unions and their members;

2.3. Place social and creative orders;

2.4. Obtain for state cultural organizations and educational Institutions in the field of culture the works of fiction writing and art created by the members of creative unions, as well as proprietary rights to them in accordance with legislation on copyright and related rights;

2.5. Grant creative unions in accordance with legislative acts the right to the use of capital constructions (buildings, facilities), premises, equipment, materials, services, means of communication, and transport;

2.6. Provide creative unions, in accordance with legislation on the protection and use of lands, with land lots for the construction and/or maintenance of real estate objects;

2.7. Promote the entry of creative unions into international creative associations;

2.8. Facilitate the improved activity of creative unions for developing of culture, preserving the directions (schools), forms, types and techniques of artistic creativity, the continuity of national cultural traditions, intensifying of international cooperation in the field of culture, increasing the prestige of artistic professions in society.

3. Creative unions shall promote the implementation of state policy in the field of culture for:

3.1. Securing the rights and freedoms of citizens in the field of culture, protecting their interests;

3.2. Promoting the cultural development and aesthetic education of citizens, introducing them to the modern works of fiction and art;

3.3. Realizing creative capabilities (abilities) of an individual;

3.4. Preserving the identity of the Belarusian national language and culture;

3.5. Preserving, developing, disseminating and/or popularizing of culture;

3.6. Promoting international cooperation in the field of culture.

4. Interference of state bodies and officials in the activities of creative unions and interference of creative unions in the activities of state bodies and officials shall not be allowed, except for the cases provided for by legislative acts.

Article 61. Rights of Creative Unions

1. Creative unions shall have the right to:

1.1. Make proposals to state bodies on the issues of culture and social protection of creative workers;

1.2. Obtain up-to-date information on cultural legislation in part of activity of creative unions and creative specialists;

1.3. Make proposals for the improvement of cultural legislation to state bodies;

1.4. Disseminate information on their activity through the state mass media, as well as to establish their own mass media;

1.5. Protect their rights, as well as (on personal instructions) copyrights, related and other rights and legitimate interests of their members before state bodies and other organizations;

1.6. Provide gratuitous (sponsor) assistance in accordance with the procedure established by legislative acts;

1.7. Carry out activities related to the management of proprietary rights of authors or other right holders on a collective basis in accordance with the procedure established by legislation on copyright and related rights.

2. Two or more creative unions may establish an association (union) of creative unions in accordance with legislation on non-governmental organizations.

3. Creative unions, in accordance with their Statutes, may be involved in the establishment in the territory of foreign countries of international non-governmental organizations, unions; join international creative associations, unions established in the territory of foreign countries. Creative unions may maintain direct international contacts and ties, conclude related agreements and carry out other activities that do not contradict legislation, as well as international treaties of the Republic of Belarus.

4. Creative unions shall have other rights provided for by this Code and other legislative acts.

Article 62. Creative Union Membership

1. Members of the creative union may be creative specialists and other citizens who have contributed to the preservation and development of culture.

After the state registration of the creative union, the founders of the creative union shall become the members of the creative union and acquire corresponding rights and duties.

2. Creative unions shall have fixed membership. The requirements imposed by the Statute of the creative union on its members (candidates for membership) should promote the consolidation of

the most qualified representatives of corresponding creative professions, stimulate the development of their creative potential and should not restrict political, proprietary, personal non-proprietary and other rights of citizens.

3. Conditions and procedure for admission to the members of the creative union, as well as secession and expulsion from it shall be determined by the Statute of the creative union.

Article 63. Property of Creative Unions

1. Creative unions may own any property required for the material and technical support of the activities provided for in their Statutes, except for the facilities owned exclusively by the State.

2. Members of creative unions shall forfeit rights to the property transferred by them to the ownership of the creative union, including membership fees. They shall not comply with the obligations of creative unions they are members of, and creative unions shall not comply with the obligations of their members.

3. Monetary funds and other property of creative unions may not be redistributed among the members of these unions and shall be used only for the implementation of statutory purposes.

4. In case of liquidation of the creative union, its property that has remained after satisfaction of creditor requirements shall be used for the purposes provided for by the Creative Union's Charter.

CHAPTER 12 SPONSORS AND PATRONS OF CULTURE

Article 64. Sponsor of Culture

1. "Sponsor of culture" means a legal entity, an individual entrepreneur that provide gratuitous (sponsor) assistance to legal entities, citizens, including individual entrepreneurs, for the safeguarding of historical and cultural heritage, development of library and museum business, cinematography; fine, applied, monumental, musical, theatrical, choreographic, variety art; circus and other kinds of art (including the creation of new works of fiction writing and art), concert exhibitions, theatrical productions, as well as the development and support of folk art, folk arts and crafts, education in the field of culture, holding of cultural and entertainment events by Belarusian artistic groups and individual performers.

2. Sponsors of culture shall provide gratuitous (sponsor) assistance in the form of monetary funds, including in foreign currency, goods (property), works, services, proprietary rights, including exclusive rights to intellectual property, on terms and according to the procedure determined by the acts of the President of the Republic of Belarus.

Article 65. Patron of Culture

1. "Patron of culture" means a citizen who donates for the purposes of preservation, development, dissemination and/or popularization of culture, support of cultural activity, including preservation, development, dissemination and/or popularization of the Belarusian national culture and language, safeguarding of historical and cultural and archeological heritage, development of museology and library services, cinematography, revival, preservation and development of national cultural traditions, including traditions of folk arts and crafts, support of talented authors, artistic groups and individual performers, national culture and popularization of Belarusian culture.

2. Patrons of culture shall donate in accordance with the Civil Code of the Republic of Belarus.

SPECIAL PART

SECTION III CULTURAL ASSETS

CHAPTER 13 GENERAL PROVISIONS ON CULTURAL ASSETS

Article 66. Types of Cultural Assets

1. Depending on the form of content embodiment, cultural assets shall be divided into:

1.1. Tangible cultural assets;

1.2. Intangible cultural assets.

2. Depending on the features of preservation (protection) and use, cultural assets shall be divided into:

2.1. Historical and cultural assets;

2.2. Cultural assets that make up the Library Fund of the Republic of Belarus, the National Archival Fund of the Republic of Belarus or included in the Museum Fund of the Republic of Belarus, except for historical and cultural assets;

2.3. Cultural assets proposed, in accordance with the established procedure, for granting them the status of a historical and cultural asset;

2.4. Other cultural assets.

Article 67. Tangible Cultural Assets

1. “Tangible cultural assets” means cultural assets the material embodiment of which constitutes their content.

2. Tangible cultural assets shall be divided into:

2.1. Immovable tangible cultural assets the movement of which requires the implementation of engineering activities and leads to partial or complete loss of their historical, artistic, scientific or other significance;

2.2. Movable tangible cultural assets the movement of which does not lead to the loss of historical, artistic, scientific or other significance.

Article 68. Embodiment of Tangible Cultural Assets

Tangible cultural assets may be embodied in the following form:

Separate cultural asset;

Ensemble of cultural assets — compositionally interrelated immovable tangible cultural assets along with the surrounding environment, which are located on the historically formed territory, as

well as related works of fine, decorative and applied art, garden and park design; works of fine art, arts and crafts, garden and park design and necropolises along with the environment, which are created simultaneously or during a certain chronological period and are amalgamated by stylistic features and/or a functional purpose;

Collections of cultural assets — a scientifically substantiated assemblage of movable tangible cultural assets;

Set of cultural assets — a set of movable tangible cultural assets of a general purpose;

Complex of cultural assets — isolated or interrelated immovable tangible cultural assets, which are located nearby or are located in different places, but are united by common features (the surrounding environment may be included in a complex of cultural assets as a separate component).

Article 69. Intangible Cultural Assets

1. “Intangible cultural assets” means cultural assets whose form of existence (manifestation) has no significant impact on their content.

Intangible cultural assets shall have a tangible or intangible form of existence (manifestation).

2. Intangible cultural assets shall include customs, traditions, rites, folklore (oral folk art), Belarusian language (oral and written), other languages, nomenclature traditions and traditional national forms of addressing people, the content of heraldic objects, own geographical names (toponyms) and products of folk arts and crafts, other intangible manifestations of human creativity.

Article 70. Embodiment of Intangible Cultural Assets

Intangible cultural assets may be embodied in the form of:

Separate cultural asset;

Complex of intangible cultural assets if their content is expressed through rites, folklore (oral folk art), which include the actions of different nature (dances, songs, other intangible manifestations of human creativity) united by one essential orientation.

Article 71. Proprietary Rights to Cultural Assets

1. Cultural assets may be the ownership of the Republic of Belarus, administrative and territorial units of the Republic of Belarus, legal entities, citizens, including individual entrepreneurs.

2. Certain cultural assets may be referred by legislative acts to the objects that are only in the ownership of the state.

3. When the status of a historical and cultural asset is granted to cultural assets, the right of ownership over them shall remain.

4. Grounds for the emergence and procedure for exercising the right of ownership over cultural assets that may be granted the status of a historical and cultural asset and which at the time of their identification or granting them the status of a historical and cultural asset have no owner, as well as the procedure for the repurchase of historical and cultural assets that are not managed shall be established by this Code and civil legislation.

Article 72. Preemptive Right to Acquire a Share in the Right of Common Ownership over a Historical and Cultural Asset

When selling a share to the right of common ownership over a historical and cultural asset to a third person, other participants of the shared ownership shall have the preemptive right to buy the share being sold at the price it is sold and on other equal conditions, except for the case it is sold at public auction. In case of the refusal or impossibility to acquire a share to the right of common ownership over a historical and cultural asset at its sale, the State shall have the preemptive right to acquire it under other equal conditions in accordance with the procedure established by civil legislation.

Article 73. Rights of the Owner of a Tangible Historical and Cultural Asset

1. The owner of a tangible historical and cultural asset shall have the rights provided for by civil legislation and shall also have the right to transfer a movable tangible historical and cultural asset to state cultural organizations for safekeeping, establishing the conditions of its maintenance and use.

2. For the owner of the collection of historical and cultural assets, state museums, libraries, archives, and other state legal entities on a gratuitous basis shall:

2.1. Determine individual conditions for the maintenance and use of the collection of historical and cultural assets in general and/or its separate objects;

2.2. Assist in carrying out of scientific processing of the objects of the collection of historical and cultural assets;

2.3. Safekeep the collection of historical and cultural assets;

2.4. Use for scientific purposes and the purposes of exhibition of the collection of historical and cultural assets transferred for safekeeping (its part or a separate object) and take measures to ensure its safekeeping during exhibition and/or transport.

3. Upon the request of the owner of the collection of historical and cultural assets, state museums, libraries, archives, other state legal entities shall be obliged to guarantee the confidentiality of information about the owner of the collection of historical and cultural assets (its part or a separate object).

Article 74. Restriction on the Rights of the Owner (User) of a Tangible Historical and Cultural Asset, the Land User on Whose Land Lot an Immovable Tangible Historical and Cultural Asset is Located

The owner (user) of a tangible historical and cultural asset, the land user on whose land lot an immovable tangible historical and cultural asset is located shall be prohibited to:

Destroy a historical and cultural asset;

Allow damage, change of a historical and cultural asset; carry out research and design works without a [permit](#) for research and design works on tangible historical and cultural assets;

Change the location area (safekeeping), conditions of the maintenance and use of a historical and cultural asset without coordination with local executive and regulatory bodies of the basic territorial level, except for historical and cultural assets included in the Museum Fund of the

Republic of Belarus;

Export a movable tangible historical and cultural asset from the Republic of Belarus for permanent safekeeping;

Transfer a tangible historical and cultural asset to the ownership and/or use of the Armed Forces of the Republic of Belarus, other troop forces and military formations of the Republic of Belarus.

Article 75. Responsibilities of the Owner (User) of a Tangible Historical and Cultural Asset, the Land User on whose Land Lot an Immovable Tangible Historical and Cultural Asset is Located

1. The owner (user) of a tangible historical and cultural asset, the land user on whose land lot an immovable tangible historical and cultural asset is located shall be obliged to sign a [conservation obligation](#), which stipulates the following responsibilities:

1.1. Ensure the safekeeping of a historical and cultural asset;

1.2. Preserve the collection of historical and cultural assets in its entirety;

1.3. Provide access to a historical and cultural asset to the specialists who have the right to study it on behalf of (upon approval) of the Ministry of Culture;

1.4. Provide citizens by agreement with local executive and regulatory bodies of a basic territorial level with access to a historical and cultural asset for a period of no less than six months every ten years;

1.5. Inform the local executive and regulatory body of the basic territorial level about circumstances threatening the safekeeping of a historical and cultural asset no later than three calendar days from the date such circumstances have been revealed;

1.6. Provide installation on the immovable tangible historical and cultural asset of a protective [board](#) and drawing up of a [passport of](#) a tangible historical and cultural asset;

1.7. Upon transfer of the ownership right or another real right to a tangible historical and cultural asset, the ownership right, the right of lifelong hereditary ownership, permanent or temporary use or lease (sublease) of a land lot on which an immovable tangible historical and cultural asset is located, no later than five calendar days from the date of the right transfer, hand over the passport of a tangible historical and cultural asset to a new owner (user) of a tangible historical and cultural asset, a new land user on whose land lot an immovable tangible historical and cultural asset is located.

2. A new owner of a tangible historical and cultural asset or a new land user on whose land lot an immovable tangible historical and cultural asset is located shall be obliged, within thirty calendar days from the date of acquiring the right of ownership over a tangible historical and cultural asset or the emergence of the right to a land lot where an immovable tangible historical and cultural asset is located, to sign a conservation obligation. Failure to comply with this requirement shall be the basis for recognizing the transaction for the acquisition of a tangible historical and cultural asset to be invalid on a claim of the local executive and regulatory body of a basic territorial level or the basis for the seizure of this land lot in accordance with the law on the protection and use of lands.

A new user of a tangible historical and cultural asset shall be obliged to sign a conservation obligation within thirty calendar days from the date of conferring the right to a historical and

cultural asset to him/her on the right of economic jurisdiction or operative management.

3. In case of granting the status of a historical and cultural asset to a tangible cultural asset, its owner (user) or the land user on whose land lot an immovable tangible historical and cultural asset is located shall be obliged, within thirty calendar days from the date of granting it the status of a historical and cultural asset, to sign a conservation obligation. Failure to comply with this requirement shall be the basis for recognizing a tangible cultural asset, in accordance with the established procedure, as a historical and cultural asset that is maintained without management.

4. In the case where the owner of a tangible historical and cultural asset maintains this historical and cultural asset without management that may lead to the loss of its distinctive spiritual, artistic and/or documentary values, such historical and cultural asset may be taken away from its owner by a court decision through repurchasing by the state or selling at public auction. Recognizing, in accordance with the established procedure, of an immovable tangible historical and cultural asset, which is located on the land lot of a land user, as a historical and cultural asset that is maintained without management shall be the basis for the seizure of the land lot on which a historical and cultural asset is located in accordance with legislation on the protection and use of lands.

CHAPTER 14 IMPORT AND/OR EXPORT, RETURN OF CULTURAL ASSETS

Article 76. Import and/or Export of Cultural Assets

1. Import and/or export of cultural assets shall be carried out in accordance with the present Code and other acts of legislation on culture, legislation on foreign economic activity, legislation on customs regulation, the international treaties of the Republic of Belarus, international legal acts that constitute the normative legal base of the Customs Union and the Single Economic Space and/or the Law of the Eurasian Economic Union.

2. Export from the Customs territory of the Eurasian Economic Union of cultural assets included in a single list of goods to which non-tariff regulation measures shall apply in trade with third countries determined by an Act constituting the Law of the Eurasian Economic Union shall be carried out upon the availability of a license or a conclusion (an authorization document) in cases stipulated by this Act. In the Republic of Belarus, licenses shall be issued by the Ministry of Antimonopoly Regulation and Trade of the Republic of Belarus in coordination with the Ministry of Culture in accordance with international legal acts that constitute the normative legal base of the Customs Union and the Single Economic Space and/or the Law of the Eurasian Economic Union; conclusions (authorization documents) shall be issued by the Ministry of Culture in accordance with these acts, as well as in accordance with the procedure and under the terms established by the Council of Ministers of the Republic of Belarus.

3. Export from the Republic of Belarus to the territory of the member State of the Eurasian Economic Union of cultural assets determined by the Council of Ministers of the Republic of Belarus shall be carried out on the basis of a conclusion (an authorization document) issued by the Ministry of Culture in accordance with international legal acts that constitute the normative legal base of the Customs Union and the Single Economic Space and/or the Law of the Eurasian Economic Union in cases, in the manner and on the terms established by the Council of Ministers of the Republic of Belarus.

4. Import and/or export of cultural assets provided for in [Paragraphs 2](#) and [3](#) of this Article that are in search shall not be allowed.

Article 77. Return of Cultural Assets

Cultural assets taken out from the Republic of Belarus in a violation of legislative acts, international treaties of the Republic of Belarus in force in the Republic of Belarus at the time of their taking out and other norms of international law, as well as the ones taken out from the Republic of Belarus temporarily in the evacuation during armed conflicts or on other grounds and not returned to the Republic of Belarus without any legal grounds, shall be subject to mandatory return, regardless of time, circumstances and place of their removal.

Article 78. Commission on the Detection, Return, Joint Use and Introduction into the Scientific and Cultural Use of Cultural Assets Located Outside the Republic of Belarus

1. In order to organize activity on the detection, return, joint use and introduction into the scientific and cultural use of cultural assets that are located outside the Republic of Belarus, a **Commission** on the detection, return and joint use of cultural assets located outside the Republic of Belarus shall be established at the Council of Ministers of the Republic of Belarus.

2. A Commission on the detection, return, joint use and introduction into the scientific and cultural use of cultural assets that are located outside the Republic of Belarus shall be the constantly operating advisory body.

3. The main tasks of a Commission on the detection, return, joint use and introduction into the scientific and cultural use of cultural assets that are located outside the Republic of Belarus shall be as follows:

3.1. Determination for the Republic of Belarus of priority directions of activity on the detection, return, joint use and introduction into the scientific and cultural use of cultural assets that are located outside the Republic of Belarus;

3.2. Preparation of proposals on the issues related to the detection, return, joint use and introduction into the scientific and cultural use of cultural assets located outside the Republic of Belarus.

4. A Commission on the detection, return, joint use and introduction into the scientific and cultural use of cultural assets that are located outside the Republic of Belarus shall:

4.1. Ensure the interaction of state bodies, public associations, other legal entities, citizens, including individual entrepreneurs, in order to preserve and multiply historical, cultural and archaeological heritage;

4.2. Cooperate with national and international bodies and organizations whose activity is related to the return of cultural assets that are located outside of the Republic of Belarus;

4.3. Promote the implementation of measures for the return of cultural assets located outside the Republic of Belarus;

4.4. Exercise control over the process of return of cultural assets located outside the Republic of Belarus;

4.5. Discuss and prepare proposals for draft normative legal acts, other documents on the detection, return, joint use and introduction into the scientific and cultural use of cultural assets that are located outside the Republic of Belarus;

4.6. Introduce to the Council of Ministers of the Republic of Belarus of proposals for financing of activities on the detection, return, joint use and introduction into the scientific and cultural use of cultural assets that are located outside the Republic of Belarus.

5. A Commission on the detection, return, joint use and introduction into the scientific and cultural use of cultural assets that are located outside the Republic of Belarus shall have the right to:

5.1. Introduce to the Council of Ministers of the Republic of Belarus of proposals for the main directions and forms of activity on the detection, return, joint use and introduction into the scientific and cultural use of cultural assets that are located outside the Republic of Belarus;

5.2. Apply for and obtain from state bodies and other legal entities information and materials on issues that rest within the competence of a Commission;

5.3. Hear at its meetings the reports of state bodies and other legal entities on the issues that rest within the competence of a Commission;

5.4. Involve employees of state bodies in the activity.

SECTION IV CULTURAL ACTIVITY

CHAPTER 15 GENERAL PROVISIONS ON CULTURAL ACTIVITY

Article 79. Areas of Cultural Activity

Cultural activity shall be carried out in the following areas:

Creative activity;

Protection of historical and cultural heritage;

Protection of archeological heritage;

Library management;

Museology;

Folk arts and crafts;

Cinematographic activity;

Organizing and holding of cultural events;

Activity of professional artistic collectives;

Activity of non-professional (amateur) and authentic folk groups of artistic creativity;

Organization of cultural recreation (leisure) of the population.

Article 80. Implementation of Creative Activity. Freedom of Creative Activity

1. Creative activity shall be carried out both on a professional and non-professional (amateur) basis.

2. Creative activity shall be carried out both individually and collectively.

3. Freedom of creative activity shall include the right to choose directions (schools), forms, types and methods of artistic creativity, independent determination of the form and content, genre, repertoire policy, manner, language, style, meaning and purpose of works of fiction and art that are created, performed, distributed and popularized.

4. Interference of state bodies, their officials, other legal entities, citizens, including individual entrepreneurs, in the process of creation and/or performance by authors, artistic groups and individual performers of fiction and art works in order to determine the content of creative activity and/or influence its results shall not be allowed, except for the cases provided for by [Article 81](#) of this Code.

5. Actions based on the agreement with the subject of cultural activity on the production and use of creative activity results shall not be considered as interference with creative activity.

6. Interference with creative activity may be appealed to a higher body and/to court.

Article 81. Prohibition, Restriction and Suspension of Cultural Activity

1. Cultural activity may be prohibited, restricted or suspended in cases where:

1.1. It is directed against the sovereignty of the Republic of Belarus, calls for the forcible seizure of state power or a change in the Constitutional order;

1.2. During its implementation, the messages disgracing honor and dignity of the President of the Republic of Belarus, heads of state bodies with the status established by the Constitution of the Republic of Belarus are distributed;

1.3. It poses a threat to national security, public order;

1.4. It promotes war, extremist activity, violence and cruelty; social, national, religious, racial exclusivity; intolerance or hostility, pornography; it incites to commit crimes;

1.5. It may cause harm to human health and morality, threaten the rights and freedoms of citizens.

2. Cultural activity may be prohibited, restricted or suspended in other cases provided for by legislative acts.

3. Prohibition, restriction or suspension of cultural activity may be carried out by the decision of local executive and administrative bodies of regional and basic territorial levels.

Where necessary, corresponding conclusions may be drawn by the Republican Expert Commission for the Prevention of Propaganda of Pornography, Violence and Cruelty or by Regional (Minsk city) Commissions for the Prevention of Propaganda of Pornography, Violence and Cruelty and/or the Republican Expert Commission for the Assessment of Information Products on the Presence (Absence) of Signs of Extremism in them.

4. Provision on the Republican Expert Commission for the Prevention of Propaganda of Pornography, Violence and Cruelty shall be approved by the Council of Ministers of the Republic of Belarus, provisions on Regional (Minsk city) Expert Commissions for the Prevention of Propaganda of Pornography, Violence and Cruelty shall be approved by local executive and regulatory bodies of the regional territorial level by agreement with the Republican Expert Commission for the Prevention of Propaganda of Pornography, Violence and Cruelty.

5. Provision on the Republican Expert Commission for the Assessment of Information Products on the Presence (Absence) of Signs of Extremism in them shall be approved by the Council of Ministers of the Republic of Belarus.

6. Decisions of local executive and regulatory bodies of regional and basic territorial levels on the prohibition, restriction, and suspension of cultural activity may be appealed to a higher body and/or court.

CHAPTER 16 SAFEGUARDING OF HISTORICAL AND CULTURAL HERITAGE

Article 82. Historical and Cultural Heritage and its Safeguarding

1. “Historical and cultural heritage” means a set of the most distinctive results and evidence of the historical, cultural and spiritual development of the people of Belarus embodied in historical and cultural assets.

2. “Safeguarding of historical and cultural heritage” means a direction of cultural activity that includes a system of organizational, legal, economic, logistic, scientific, information and/or other measures aimed at the identification of cultural assets for granting them the status of a historical and cultural asset, granting cultural assets the status of a historical and cultural asset; keeping record, preservation, restoration, maintenance and use of historical and cultural assets carried out for the purpose of preservation and augmentation of the historical and cultural heritage and creating conditions for its transmission to future generations.

Article 83. Types of Tangible Historical and Cultural Assets

The following shall relate to tangible historical and cultural assets:

Documentary monuments – acts of state bodies, other written, graphic and audiovisual documents, including ancient and other manuscripts, archival documents, and rare printed editions;

Protected areas – topographically delineated zones or landscapes created by man or by man and nature;

Archeological monuments – archeological objects and archeological artifacts;

Architectural monuments – capital constructions (buildings, facilities), separate or united in complexes and ensembles, the objects of vernacular architecture whose structure may include the works of fine arts, applied arts, and garden-park design related to specified objects;

Historical monuments – capital constructions (buildings, facilities), other objects, territories that are associated with the most important historical events, development of society and state, international relations, development of science and engineering, culture and everyday life; political, state, military figures, the figures of science, literature, culture and arts;

Urban-planning monuments – building, planning structure of building or fragments of planning structure of building of inhabited localities with a cultural layer (level). Urban-planning monuments are the complexes of historical and cultural assets;

Art memorials (monuments of art) – works of fine, applied and other forms of art.

Article 84. Belarusian Republican Scientific and Methodological Rada on Historical and Cultural Heritage and Historical and Cultural Heritage Boards

1. For the purpose of scientific and methodological support of the inventory, preservation, restoration, maintenance and use of historical and cultural Assets, a [Rada](#) shall be established at the Ministry of Culture.

2. The main tasks of the Rada shall be as follows:

2.1. Scientific and methodological support for the safeguarding of historical and cultural heritage;

2.2. Elaboration of proposals for the issues related to the safeguarding of historical and cultural heritage.

3. A Rada shall:

3.1. decide on:

Need (no need) to grant a cultural asset that may be of global, international or national significance the status of a historical and cultural asset;

Significance of a cultural asset for an individual region in the territory of which it is located and a recommendation to the related local executive and regulatory body of the regional territorial level to grant it the status of a historical and cultural asset;

Need to assign a historical and cultural asset to the category “0”, “1”, or “2” or the need to change the category of historical and cultural assets of the category “0”, “1”, “2”, and “3”;

Impossibility of scientific substantiation for the restoration of an immovable tangible historical and cultural asset;

Possibility (impossibility) of harmonization of scientific and design documentation on the performance of repair and restoration works on tangible historical and cultural assets that may lead to a significant change in these historical and cultural assets, their destruction, loss or disappearance;

3.2. Issue conclusions on:

Full study of archeological monuments;

Impossibility of preservation of an immovable tangible historical and cultural asset at the place of its location;

Fact of deviation from the requirements of this Code and other legislative acts in managing the development of scientific and design documentation for the performance of repair and restoration works on tangible historical and cultural assets;

Recognizing a change of tangible historical and cultural assets as scientifically substantiated or scientifically unsubstantiated;

3.3. Carry out scientific and methodological support for the safeguarding of historical and cultural heritage;

3.4. Perform other functions in accordance with this Code.

4. A Rada may include the representatives of state bodies and other legal entities that shall within the scope of their competence be involved in addressing the issues related to the safeguarding of historical and cultural heritage.

5. In order to contribute to the safeguarding of historical and cultural heritage, Regional (Minsk city) Boards dealing with the issues of historical and cultural heritage shall be established at local executive and regulatory bodies of the basic territorial level.

6. Regional (Minsk city) Boards dealing with the issues of historical and cultural heritage shall:

6.1. Decide that:

A tangible cultural asset is of significance for an individual region in the territory of which it is located, and it needs to be given the status of a historical and cultural asset;

A tangible cultural asset may be of global, national or international significance and it is necessary to forward a proposal to the Ministry of Culture with a view of granting it the status of a historical and cultural asset;

There is no need that the status of a historical and cultural asset is granted to a historical and cultural asset;

It is necessary to relate a historical and cultural asset to category “3”;

6.2. Develop proposals for the organization and holding of events for the safeguarding of historical and cultural heritage;

6.3. Perform other functions provided for by this Code.

7. The structure of Regional (Minsk city) Boards dealing with the issues related to historical and cultural heritage may include the representatives of state bodies and other legal entities that within the scope of their competence participate in addressing the issues related to historical and cultural heritage.

Article 85. Nomination of Cultural Assets for the Status of a Historical and Cultural Asset

Cultural assets shall be nominated for the status of a historical and cultural asset from cultural assets:

Those that actually exist, are used in human activities regardless of their location or habitat;

Those discovered professionally or accidentally and information on the existence of which was missing before their discovery and the owner of which is unknown, renounced the right of ownership over them or lost the right of ownership over them on other grounds provided for by civil legislation;

Their existence is documented, provided that there is no indisputable documentary information about the destruction, loss or disappearance of these cultural assets.

Article 86. Identification of Cultural Assets that May be Granted the Status of a Historical and Cultural Asset

1. Tangible cultural assets that may be granted the status of a historical and cultural asset may

be identified professionally or accidentally.

2. Intangible cultural assets that may be granted the status of a historical and cultural asset may be identified professionally.

Article 87. Professional Identification of a Cultural Asset that May be Granted the Status of a Historical and Cultural Asset

1. Professional identification of cultural assets that may be granted the status of a historical and cultural asset shall be carried out during professional research activity, including during archeological research.

2. A legal entity or a citizen, including an individual entrepreneur, who during their professional scientific research activity discovered a cultural asset that may be granted the status of a historical and cultural asset and which has no owner at the time of its discovery, shall:

2.1. Carry out its fixing, scientific processing and art evaluation in accordance with the requirements provided for by [Article 91](#) of this Code;

2.2. No later than seven calendar days from the date of its discovery, notify the local executive and regulatory body of the basic territorial level in writing and transfer the identified movable tangible cultural asset for its temporary storage, except as provided in [Paragraph 3](#) of this Article.

3. A movable tangible cultural asset discovered professionally by state museums or state scientific organizations shall not be transferred to the local executive and regulatory body of the basic territorial level, but shall be included in the museum fund of the state museum or in the collection fund of the state scientific organization.

4. A written notice of the professional identification of a cultural asset that may be granted the status of a historical and cultural asset should include surname, first name, patronymic (if any), a place of residence of a citizen, including an individual entrepreneur, a registered address of a legal entity that discovered a cultural asset.

5. The following shall be attached to a written notice of the professional identification of a cultural asset that may be granted the status of a historical and cultural asset:

5.1. Materials on fixing, scientific processing and art evaluation of a cultural asset;

5.2. Substantiation of the need to grant a cultural asset the status of a historical and cultural asset.

Article 88. Accidental Discovery of a Tangible Cultural Asset that May be Granted the Status of a Historical and Cultural Asset

1. A legal entity or a citizen, including an individual entrepreneur that accidentally discovered a tangible cultural asset that may be granted the status of a historical and cultural asset and that at the time of its discovery has no owner shall:

1.1. Implement measures to preserve it;

1.2. Immediately suspend works or other activities on the immovable tangible cultural asset that may affect it;

1.3. No later than two calendar days from the date of its discovery notify the local executive and regulatory body of the basic territorial level in writing and in case of detection of a movable

tangible cultural asset, transfer it to this local executive and regulatory body of the basic territorial level for temporary storage;

1.4. Transfer it to the local executive and regulatory body of the basic territorial level in case of attributing it to an archeological artifact.

2. A written notice of an accidental discovery of a tangible cultural asset that may be granted the status of a historical and cultural asset should include the following:

2.1. Last name, first name, patronymic (if any), place of residence of a citizen, including an individual entrepreneur, or the registered address of a legal entity that discovered a tangible cultural asset;

2.2. Information about the discovery site of a movable tangible cultural asset;

2.3. Information about the location of an immovable tangible cultural asset.

Article 89. Actions of the Local Executive and Regulatory Body of the Basic Territorial Level in Case of a Professional or Accidental Discovery of a Cultural Asset that May be Granted the Status of a Historical and Cultural Asset

1. The local executive and regulatory body of the basic territorial level that has received a written notice of a professional or accidental discovery of a cultural asset to which the status of a historical and cultural asset may be granted shall:

1.1. No later than two calendar days from the date of receipt of a written notice of an accidental discovery of a tangible cultural asset, possessing the signs of an archeological object or an archeological artifact, transfer information about the discovered tangible cultural asset to the Regional (Minsk city) Commission on Archeological Objects and Archeological Artefacts to make a decision on attributing (non-attributing) of this cultural asset to an archeological object or an archeological artifact;

1.2. No later than three calendar days from the date of receipt of a written notice of a professional or accidental discovery of a tangible cultural asset or receipt of a decision on attributing of a tangible cultural asset to an archeological object or an archeological artifact, inform the National Academy of Cultural Sciences of Belarus about a tangible cultural asset;

1.3. In cases of obvious presence in this cultural asset of distinctive spiritual, artistic and/or documentary values or its attribution to an archeological artifact, accept a movable tangible cultural asset from a legal entity or a citizen, including an individual entrepreneur that discovered it, in accordance with the Delivery and Acceptance Act. In order to confirm the presence or absence of distinctive spiritual, artistic and/or documentary values in the movable tangible cultural asset, the specialists of the National Academy of Sciences, other scientific organizations and/or museums shall be attracted and shall, no later than 10 (ten) working days of the day the local executive and regulatory body of the basic territorial level has requested to attract specialists, draw a conclusion on the presence or absence of distinctive spiritual, artistic and/or documentary values in the movable tangible cultural asset;

1.4. No later than 7 (seven) calendar days from the date of receipt of a written notice of a professional or accidental discovery of an immovable tangible cultural asset, carry out its inspection and draw up an act of inspection. Specialists of state museums and/or state scientific organizations shall be involved in the inspection;

1.5. No later than 10 (ten) calendar days from the date of receipt of a written notice of a

professional or accidental discovery of an immovable tangible cultural asset, establish a temporary regime for the retention of this cultural asset indicating the period of its duration and in case of suspension of works or other activities on the immovable tangible asset that may affect it, in connection with its discovery determine the period of time during which such works or other activities are to be suspended;

1.6. Exercise control over compliance with the requirements for a temporary regime for an immovable tangible cultural asset, requirements for the suspension of works or other activities on the immovable tangible cultural asset that may affect it; reduce or extend the period of a temporary regime for an immovable tangible cultural asset if required;

1.7. Transfer a movable tangible cultural asset in case of attributing it to an archeological artifact to the state museum;

1.8. Organize preparation of materials provided for in [Paragraph 3 of Article 90](#) of this Code, unless a cultural asset has professionally been identified by state museums or state scientific organizations.

2. With a view of making by the Regional (Minsk city) Commission on Archeological Objects and Archeological Artefacts of a decision on attributing (non-attributing) of a discovered tangible cultural asset to an archeological object or an archeological artifact, the local executive and regulatory body of the basic territorial level shall provide the representatives of Regional (Minsk city) Commissions on Archeological Objects and Archeological Artefacts with access to this tangible cultural asset.

Article 90. Procedure for Introducing Proposals for Granting Cultural Assets the Status of a Historical and Cultural Asset

1. Proposals for granting cultural assets professionally identified by state museums and state scientific organizations the status of a historical and cultural asset shall be introduced by these state museums and State Scientific Institutions.

Proposals for granting cultural assets professionally or accidentally discovered by other legal entities, citizens, including individual entrepreneurs, the status of a historical and cultural asset shall be introduced by the local executive and regulatory body of a basic territorial level in the territory of which the cultural assets were identified.

Proposals for granting cultural assets provided for in [Paragraphs 2 and 4 of Article 85](#) of this Code the status of a historical and cultural asset shall be introduced by legal entities, citizens, including individual entrepreneurs.

2. Proposals for granting the status of a historical and cultural asset to tangible cultural assets shall be submitted in writing to local executive and regulatory bodies of the regional territorial level.

Proposals for granting the status of a historical and cultural asset to intangible cultural assets shall be submitted in writing to the Ministry of Culture.

3. The following shall be submitted along with the proposal for granting the status of a historical and cultural asset to a cultural asset:

3.1. Materials on recording, scientific processing and art evaluation of a cultural asset;

3.2. Justification of the need for granting the status of a historical and cultural asset to the

cultural asset.

4. Tangible cultural assets proposed for granting them the status of a historical and cultural asset shall be subject to safeguarding similar to tangible historical and cultural assets.

Article 91. Recording, Scientific Processing and Art Evaluation of Cultural Assets

1. Cultural assets proposed for granting the status of a historical and cultural asset shall be subject to recording, scientific processing and art evaluation.

2. Recording, scientific processing and art evaluation of cultural assets, except for the case provided for in [Paragraph 3](#) of this Article, shall be provided by the local executive and regulatory body of the regional territorial level, another legal entity, a citizen, including an individual entrepreneur that submit a proposal for granting the status of a historical and cultural asset to a cultural asset.

In this case, recording, scientific processing and art evaluation of cultural assets shall be carried out by design organizations that develop scientific and design documentation for repair and restoration works on tangible historical and cultural assets, scientific organizations and museums with the staff of specialists having had work experience in the safeguarding of historical and cultural heritage for at least two years.

3. Recording, scientific processing and art evaluation of professionally discovered cultural assets shall be carried out by the persons who discovered them.

4. When recording, scientifically processing and artistically evaluating cultural assets proposed for granting them the status of a historical and cultural asset, posing obstacles to the persons carrying this out shall not be allowed.

5. Recording of cultural assets shall be carried out by means of textual description, photographing and graphic display. Depending on the type of a cultural asset, video and audio recordings may be used.

6. The textual description of cultural assets shall specify their obvious distinctive spiritual, artistic and/or documentary values, and additionally, in relation to intangible cultural assets – information on the bearer of intangible cultural assets.

7. When photographing tangible cultural assets, it is necessary to ensure that a spatial solution, the presence of most significant decorative and design features and elements, location features of these cultural assets in the environment shall be conveyed.

Photographing of an immovable tangible cultural asset shall be performed in such a way that its main and one of the lateral facades, the rear and second lateral facades shall be simultaneously presented. Photographing of archeological objects and archeological artifacts shall be performed from several angles that allow conveying the features of these cultural assets to the fullest extent possible.

Photographs of intangible cultural assets should reflect the most characteristic features of these cultural assets that convey their main staging, performance features, and features of artistic design, clothing and jewelry of the bearers of intangible cultural assets and traditional symbols.

8. Graphic representation shall be carried out by marking on the cartographic material at a scale of 1:10 000 (for settlements at a scale of no more than 1:20 000) the location of tangible cultural assets and at a scale of 1: 200 000 – the habitat of intangible cultural assets.

9. Scientific processing of cultural assets shall be carried out for the representation of historical data on them, representation of these cultural assets in their cause-effect relationship in the system of similar cultural assets (analogues) and revealing the basic patterns of their development.

10. When analyzing the cause-effect relationship of cultural assets in the system of similar cultural assets (analogues), the following shall be provided:

10.1. Their correlation with certain types and/or kinds of analogues;

10.2. Characteristics of main components, elements, structural features and other distinctive features according to which these cultural assets are attributed to certain kinds or types;

10.3. Identification of specific features of cultural assets if such may be identified and presented;

10.4. Disclosure of other features and interrelations.

11. Analysis of the main patterns of development of cultural assets shall be carried out by the comparison of these cultural assets with similar ones to identify their significance.

12. Scientific processing shall contain historical information about the nature, appearance of a cultural asset, its influence on the development of the country or its separate region, information about the author or belonging to a famous person, about the period of creation (emergence) of this cultural asset and other historical data and findings that give an opinion of the cause-effect relationship of cultural assets and the main patterns of their development.

13. Art evaluation of cultural assets shall contain their analysis by the basic stylistic-genre and morphological characteristics, determine their correlation with a certain stage or stages of the development of the Belarusian national and world art.

During the art evaluation of tangible cultural assets their attribution to certain kinds and/or types, the description of stylistic features, structure and features of a construction, elements and details, other specific features, decoration, colour, nature and types of materials and other shall be carried out.

Art evaluation of intangible cultural assets shall include information on the stylistic or genre features of these cultural assets, chronology of their origin and development, elements and details, colour and other distinctive merits, their habitat and other distinctive features.

14. Scientific processing and art evaluation of cultural assets shall be executed in the form of the text and in case where the fuller representation of distinctive merits of these cultural assets is required, illustrations shall be added to it.

Article 92. Criteria for Granting the Status of a Historical and Cultural Asset

1. The status of a historical and cultural asset shall be granted to cultural assets of distinctive spiritual, artistic and/or documentary values and meet one of the following criteria:

1.1. They are one of the factors moulding the national mindset;

1.2. They are important in terms of history, archeology, architecture, urban planning, art, science and technology, aesthetics, ethnology or anthropology, culture and have had a significant impact on the development of the country or its separate region;

1.3. They are directly related to the life and activities of famous people, historical events, traditions, convictions or ideas and beliefs that have had a significant impact on the course of historical, cultural and/or spiritual development of the Belarusian people;

1.4. They are authentic from the point of view of the author's intent and its realization used during the creation of materials, preservation of the surrounding environment or its most significant elements;

1.5. They represent an excellent example of the formation of a landscape in which the traditions of a certain period of history of the Belarusian people are reflected;

1.6. They are an excellent piece of art (masterpiece) created or transformed in the territory of the Republic of Belarus or created by the Belarusians abroad.

2. The status of a historical and cultural asset may be granted to an immovable tangible cultural asset, provided that it is authentic or restored in accordance with the scientific and design documentation for the performance of repair and restoration works on tangible historical and cultural assets. At the same time, at least forty years must elapse from the date of initial creation of an immovable tangible cultural asset.

3. The status of a historical and cultural asset may be granted to cultural assets that disappeared or were lost under unknown circumstances, but their existence was documented, provided that there is no indisputable documentary information about the destruction, loss or disappearance of those cultural assets.

4. The status of a historical and cultural asset shall be granted to archeological objects in relation to which there are materials of archeological studies the performance of which shall be provided for in [Article 126](#) of this Code and serve as evidence of the formation of corresponding archeological cultures, the development of material culture in the territory of Belarus during a certain historical period.

Article 93. Granting a Cultural Asset the Status of a Historical and Cultural Asset. Implications of Granting (Non-grating) a Cultural Asset the Status of a Historical and Cultural Asset

1. Granting a cultural asset the status of a historical and cultural asset shall be carried out by:

1.1. Local executive and regulatory body of the regional territorial level — in relation to a tangible cultural asset of importance for the separate region in the territory of which it is located;

1.2. The Ministry of Culture — in relation to other cultural assets.

2. The local executive and regulatory body of the regional territorial level after receiving a proposal for granting a tangible cultural asset the status of a historical and cultural asset that meets the requirements provided for in [Article 90](#) of this Code shall:

2.1. No later than fourteen calendar days from the date of receipt of a proposal, notify the owner/user of a tangible cultural asset, the land user on whose land lot an immovable tangible cultural asset is located, as well as the local executive and regulatory body of the basic territorial level in the territory of which this cultural asset is located (in the case where a proposal is submitted by other persons) in writing;

2.2. No later than thirty calendar days from the date of receipt of a proposal, organize the consideration of a proposal by the Regional (Minsk city) Council related to the issues of historical

and cultural heritage.

3. A proposal for granting a tangible cultural asset the status of a historical and cultural asset that fails to meet the requirements stipulated by [Article 90](#) of this Code shall not be considered by the local executive and regulatory body of the regional territorial level and shall be returned to a person who has submitted it.

4. The local executive and regulatory body of the basic territorial level, as well as the owner/user of a tangible cultural asset, the land user on whose land lot an immovable tangible cultural asset is located shall implement, from the date of receipt of written notice provided for in [Subparagraph 2.1](#) of [Paragraph 2](#) of this Article till the date a decision has been made, whether there is a need (no need) to grant a tangible cultural asset the status of a historical and cultural asset, measures to suspend works or other activities that may affect a tangible cultural asset.

5. Consideration of a proposal for granting a tangible cultural asset the status of a historical and cultural asset shall be carried out at the meeting of the Regional (Minsk city) Council on the issues of historical and cultural heritage no later than thirty calendar days from the date of receipt of the proposal by the local executive and regulatory body of the regional territorial level.

6. Based on the results of consideration, the Regional (Minsk city) Council on the issues of historical and cultural heritage shall make a decision that:

6.1. A tangible cultural asset is of importance for a specific region in the territory of which it is located, and the status of a historical and cultural asset should be granted to it;

6.2. A tangible cultural asset may be of global, national or international importance and a proposal should be directed to the Ministry of Culture for granting it the status of a historical and cultural asset;

6.3. There is no need to grant a tangible cultural asset the status of a historical and cultural asset.

7. On the basis of a decision of the Regional (Minsk city) Council on historical and cultural heritage provided for by [Subparagraph 6.1](#) of [Paragraph 6](#) of this Article, the local executive and regulatory body of the regional territorial level shall make, no later than fourteen calendar days from the date of a decision of the Regional (Minsk city) Council on the issues of historical and cultural heritage, a decision on granting a tangible cultural asset the status of a historical and cultural asset.

A copy of the decision of the local executive and regulatory body of the regional territorial level on granting a tangible cultural asset the status of a historical and cultural asset shall be directed, no later than seven working days from the date of this decision, to the Ministry of Culture or its authorized legal entity to include the data on the cultural asset that has been granted the status of a historical and cultural asset in the State List of Historical and Cultural Assets of the Republic of Belarus.

8. Proposals in relation to which Regional (Minsk city) Councils on historical and cultural heritage have made a decision provided for in [Subparagraph 6.2](#) of [Paragraph 6](#) of this Article shall be directed, no later than seven working days from the date of a decision, to the Ministry of Culture by local executive and regulatory bodies.

9. The Ministry of Culture shall organize, no later than thirty calendar days from the date of receipt from the local executive and regulatory body of the regional territorial level, the state museum, the state scientific organization, another legal entity, a citizen, including an individual

entrepreneur, a proposal for granting a cultural asset the status of a historical and cultural asset, its consideration by the Council.

11. Consideration of the proposal for granting a cultural asset the status of a historical and cultural asset shall take place at the meeting of the Rada no later than thirty calendar days from the date of receipt of the proposal by the Ministry of Culture.

In the case where it is necessary to clarify and/or obtain additional information on a cultural asset recommended for the status of a historical and cultural asset, a period for considering a proposal may be extended to two months and the Ministry of Culture shall notify the person that has submitted a proposal for granting a cultural asset the status of a historical and cultural asset in writing.

12. Based on consideration results, the Rada shall decide:

12.1. On the need to grant a cultural asset the status of a historical and cultural asset;

12.2. On the importance of a tangible cultural asset for a specific region in the territory of which it is located, and on a recommendation for the local executive and regulatory body of the regional territorial level to grant it the status of a historical and cultural asset;

12.3. Where there is no need to grant a cultural asset the status of a historical and cultural asset.

13. On the basis of a decision of the Rada provided for in [Subparagraph 12.1](#) of [Paragraph 12](#) of this Article, the Ministry of Culture shall make a decision, no later than fourteen calendar days from the date of this decision, on granting a cultural asset the status of a historical and cultural asset.

Subsequent to the decision of the Ministry of Culture on granting a cultural asset the status of a historical and cultural asset, information on this cultural asset shall be included in the State List of Historical and Cultural Assets of the Republic of Belarus no later than seven calendar days from the date of the decision.

14. A copy of the decision of the Rada provided for in [Subparagraph 12.2](#) of [Paragraph 12](#) of this Article shall be directed by the Ministry of Culture to the local executive and regulatory body of the regional territorial level no later than seven calendar days from the date the decision has been made.

The local executive and regulatory body of the regional territorial level shall make a decision, no later than fourteen calendar days from the date of receipt of a copy of the Rada decision, on granting a cultural asset the status of a historical and cultural asset.

A copy of the decision of the local executive and regulatory body of the regional territorial level on granting a tangible cultural asset the status of historical and cultural asset shall be directed, no later than seven calendar days from the date of a decision, to the Ministry of Culture or the legal entity authorized by it to include the data on a cultural asset that has been granted the status of a historical and cultural asset in the State List of Historical and Cultural Assets of the Republic of Belarus.

15. A decision on granting a cultural asset the status of a historical and cultural asset is a non-regulatory legal act and shall be subject to notification of legal entities, citizens, including individual entrepreneurs, by posting it, no later than ten working days from the date of its adoption, on the official website of the Ministry of Culture over the global computer network Internet.

Notification of a decision made by the local executive and regulatory body of the regional

territorial level, by the Ministry of Culture of a decision on no need to grant a cultural asset the status of a historical and cultural asset shall be directed by these state bodies to the person that has submitted such a proposal for granting a cultural asset the status of a historical and cultural asset no later than ten working days from the date of a decision.

16. Professionally and accidentally discovered movable tangible cultural assets that have been granted the status of a historical and cultural asset, as well as archeological artifacts that have not been granted the status of a historical and cultural asset, except for the cultural assets detected by state museums and state scientific organizations shall be handed over to state museums by a decision of local executive and regulatory bodies of the basic territorial level.

Professionally and accidentally discovered movable tangible cultural assets (except for archeological artifacts) that have not been granted the status of a historical and cultural asset shall be returned to the persons who have discovered them.

Article 94. Depriving a Tangible Historical and Cultural Asset of the Status of a Historical and Cultural Asset

1. Depriving a tangible historical and cultural asset of the status of a historical and cultural asset shall be carried out by:

1.1. Local executive and regulatory body of the regional territorial level that has granted a tangible cultural asset the status of a historical and cultural asset;

1.2. Ministry of Culture — other tangible historical and cultural assets.

2. A decision on depriving a tangible historical and cultural asset of the status of a historical and cultural asset shall be made on the basis of a decision or a conclusion provided for in [Paragraphs 3 and 4](#) of this Article accordingly.

3. A tangible historical and cultural asset may be deprived of the status of a historical and cultural asset in case of its physical loss or the loss of its distinctive spiritual, artistic and/or documentary values that conditioned granting it the status of a historical and cultural asset, including the factors of natural or anthropogenic origin, and impossibility of scientifically substantiated restoration of a tangible historical and cultural asset. A decision on impossibility of scientifically substantiated restoration of a tangible historical and cultural asset shall be made by the Rada.

4. Archaeological sites, after their full study, may be deprived of the status of a historical and cultural asset on the basis of a conclusion of the Council on the full study of these sites.

5. A decision on depriving a tangible historical and cultural asset of the status of a historical and cultural asset is a non-regulatory legal act and shall be subject to notification of legal entities, citizens, including individual entrepreneurs, by placing it no later than ten working days on the official website of the Ministry of Culture over the global computer network Internet.

Article 95. Paying Remuneration for an Accidentally Discovered Cultural Asset, which is Treasure and is Granted the Status of a Historical and Cultural Asset

1. A decision on paying remuneration to the owner of a land plot or other property where a tangible cultural asset was accidentally discovered and which is treasure and to which the status of a historical and cultural asset was granted, as well as to the person who accidentally discovered it shall be made by the state body that has made a decision on granting this cultural Asset the status of a historical and cultural asset no later than ten calendar days from the date of a decision on granting

this cultural asset the status of a historical and cultural asset.

2. Remuneration shall be paid out of basic level budgets and the Minsk city budget by the financial authority at the place where a tangible cultural asset, which is treasure, was discovered and which was given the status of a historical and cultural asset within two months from the date of receiving of a decision on remuneration.

Article 96. Categories of Historical and Cultural Assets

1. Historical and cultural assets shall fall into categories in accordance with their distinctive spiritual, artistic and/or documentary values and depending on their significance (global, international, and national, for a region of the Republic of Belarus).

2. Tangible historical and cultural assets shall fall into the categories as follows:

2.1. Category “0” – historical and cultural assets of global significance and included or proposed for inclusion, in accordance with the established procedure, in the World Heritage List or the List of World Heritage in Danger;

2.2. Category “1” – historical and cultural assets of international significance;

2.3. Category “2” – historical and cultural assets of national significance;

2.4. Category “3” – historical and cultural assets that are of significance for a particular Region of the Republic of Belarus;

2.5. No category – tangible cultural assets that are part of a complex, an ensemble, a set, a collection of tangible historical and cultural assets, but with no individual status of a historical and cultural asset granted to them.

3. Intangible historical and cultural assets shall fall into the following categories:

3.1. Category “a” – historical and cultural assets the full authenticity and accuracy of which are absolute and permanent;

3.2. Category “b” – historical and cultural assets completely or partially restored (fixed) on the secondary material or may objectively change with time.

4. Categories shall be assigned to:

4.1. Tangible historical and cultural assets that are of significance for particular regions of the Republic of Belarus in the territory of which they are located – by local executive and regulatory bodies of the regional territorial level that have granted them the status of a historical and cultural asset;

4.2. Other historical and cultural assets – by the Ministry of Culture.

5. Attributing categories to historical and cultural assets shall be carried out on the basis of decisions of Regional (Minsk city) Councils on the issues related to historical and cultural heritage or of the Rada about the necessity of attributing historical and cultural assets to certain categories.

A copy of the decision of the local executive and regulatory body of the regional territorial level on granting category “3” to a tangible historical and cultural asset shall be directed, no later than seven calendar days from the date of the decision, to the Ministry of Culture or the legal entity authorized by it to include data on it in the State List of Historical and Cultural Assets of the

Republic of Belarus.

6. A decision on changing a category of a historical and cultural asset shall be made by the Ministry of Culture on the basis of a decision of the Rada on the necessity of changing its category.

Article 97. State List of Historical and Cultural Assets of the Republic of Belarus

1. Cultural assets that have been granted the status of historical and cultural assets shall be included in the State List of Historical and Cultural Assets of the Republic of Belarus.

2. The State List of Historical and Cultural Assets of the Republic of Belarus is the basic document of the state registration of historical and cultural assets of the Republic of Belarus and shall be registered with the State Register of Information Resources.

3. The State List of Historical and Cultural Assets of the Republic of Belarus shall contain the following sections:

3.1. Historical and cultural assets located in the territory of the Republic of Belarus;

3.2. Historical and cultural assets that are legitimately located outside the Republic of Belarus. This section shall include information on movable tangible historical and cultural assets, which with documentally verified Belarusian origin appeared outside the Republic of Belarus in the order that corresponds to the norms of the International Law, as well as information on intangible historical and cultural assets the Belarusians abroad are the bearers of;

3.3. Historical and cultural assets that are located outside the Republic of Belarus without legal grounds. This section shall contain information on movable tangible historical and cultural assets, which in violation of the norms of the International Law with documentally verified Belarusian origin are located outside the Republic of Belarus;

3.4. Historical and cultural assets that have been lost or have disappeared under unknown circumstances. This section shall contain information on tangible historical and cultural assets the existence of which is documented, provided that there is no indisputable documentary information on the destruction of these historical and cultural assets;

3.5. Historical and cultural assets that are under the threat of destruction, loss or disappearance. This section shall include information on historical and cultural assets that are under the threat of destruction, loss or disappearance, indicating the reasons that cause a threat, and measures for preserving these historical and cultural assets.

4. Information on historical and cultural assets shall be placed in the sections of the State List of Historical and Cultural Assets of the Republic of Belarus by the types of historical and cultural assets.

5. When including a complex or an ensemble of tangible historical and cultural assets in the State List of Historical and Cultural Assets of the Republic of Belarus, each of tangible historical and cultural assets, which are part of a complex or an ensemble of tangible historical and cultural assets, shall also be included in the List.

6. The Ministry of Culture or the legal entity authorized by it shall form and maintain the State List of Historical and Cultural Assets of the Republic of Belarus.

Article 98. State List Data on the Historical and Cultural Assets of the Republic of Belarus

1. Each section of the State List of Historical and Cultural Assets of the Republic of Belarus shall consist of data on the historical and cultural assets included in this State List and shall be placed in the following columns:

1.1. Code of a historical and cultural asset;

1.2. Name of a historical and cultural asset given by the Rada or the Regional (Minsk city) Council on the issues related to historical and cultural heritage on the basis of historical data;

1.3. Dating of a tangible historical and cultural asset that includes information on the dates of creation and/or most distinctive reworkings that are determined on the basis of historical data;

1.4. Location of a tangible historical and cultural asset that includes the address at which an immovable tangible historical and cultural asset is located, the place of permanent location of a movable tangible historical and cultural asset in accordance with the address (location) of the owner/user of a historical and cultural asset or the habitat of a historical and cultural asset;

1.5. Category of a historical and cultural asset;

1.6. Date and number of the decision of the Rada or the Regional (Minsk city) Council on the issues related to historical and cultural heritage about the necessity to grant a cultural asset the status of a historical and cultural asset;

1.7. Date and number of the decision of the state body on granting a cultural asset the status of a historical and cultural asset.

2. The Code of a historical and cultural asset shall consist of ten characters.

The first character is the location of a tangible historical and cultural asset or the habitat of an intangible historical and cultural asset in accordance with the following numbering:

1 - Brest Region;

2 - Vitebsk Region;

3 - Gomel Region;

4 - Grodno Region;

5 - Mogilev Region;

6 - Minsk Region;

7 - Minsk city;

8 - Outside the Republic of Belarus.

The second character is the type of a historical and cultural asset:

1- Immovable tangible historical and cultural asset;

2 - Movable tangible historical and cultural asset;

3 - Intangible historical and cultural asset.

The third character is the category of a historical and cultural asset.

The fourth character is the data on a historical and cultural asset in accordance with its characteristics:

A - Documentary monument;

B - Protected area;

B - Archaeological site;

G - Architectural monument;

D - Historic monument;

E - Town-planning monument;

W - Monument of art;

K - Intangible historical and cultural asset in the tangible form of existence (manifestation);

L - Intangible historical and cultural asset in the intangible form of existence (manifestations);

M - Collection;

H - Set.

The last six characters — the ordinal number of a historical and cultural asset in the State List of Historical and Cultural Assets of the Republic of Belarus (instead of missing numbers, zeros shall be put down).

3. In case of change of the data on a historical and cultural asset entered in the State List of Historical and Cultural Assets of the Republic of Belarus, the Ministry of Culture or the legal entity authorized by it shall, no later than three working days from the date of receipt of new data, enter corresponding changes in the State List of Historical and Cultural Assets of the Republic of Belarus.

4. Cultural assets deprived of the status of a historical and cultural asset shall be excluded from the State List of Historical and Cultural Assets of the Republic of Belarus.

Article 99. Adding Historical and Cultural Assets to the World Heritage List, the List of World Heritage in Danger, or other Lists in Accordance with the International Treaties of the Republic of Belarus

1. Historical and cultural assets may be included in the World Heritage List, the List of World Heritage in Danger, in accordance with the procedure established by the World Heritage [Convention](#) of November 16, 1972, or in other lists, in accordance with other international treaties of the Republic of Belarus.

2. Identification of historical and cultural assets that may be proposed for inclusion in the World Heritage List, the List of World Heritage in Danger, or in other lists in accordance with the international treaties of the Republic of Belarus, shall be carried out by the Council of Ministers of the Republic of Belarus.

3. For the historical and cultural assets that are included in the World Heritage List or the List of World Heritage in Danger, a special administration regime shall be established in accordance with the international commitments of the Republic of Belarus.

Article 100. Certificate for a Tangible Historical and Cultural Asset

1. After granting a tangible cultural asset the status of a historical and cultural asset, a Certificate for a Tangible Historical and Cultural Asset shall be drawn up for it according to the [form](#) established by the Ministry of Culture.

2. A Certificate for a Tangible Historical and Cultural Asset shall be filled out both for a complex or an ensemble of tangible historical and cultural assets and tangible historical and cultural assets constituting them that are located in different places and belong to different owners of historical and cultural assets or assigned to different users of historical and cultural assets.

3. In the Certificate for a Tangible Historical and Cultural Asset, the full scientific and factual data on a tangible historical and cultural asset shall be specified.

4. Drawing up a Certificate for a Tangible Historical and Cultural Asset shall be provided by the owner/user of a tangible historical and cultural asset, the land user on whose land lot an immovable tangible historical and cultural asset is located within a two-month period from the date of granting a tangible cultural asset the status of a historical and cultural asset and shall be carried out at the expense of the owner/user, the land user on whose land lot an immovable tangible historical and cultural asset is located, as well as from other sources not prohibited by legislation.

5. A Certificate for a Tangible Historical and Cultural Asset shall be drawn up by scientific organizations, museums, and also design organizations that carry out the development of scientific and design documentation for the performance of repair and restoration works on tangible historical and cultural assets with the staff members formed from the specialists with experience in the field of the safeguarding of historical and cultural heritage for at least two years.

6. A Certificate for a Tangible Historical and Cultural Asset shall be filled out in three copies; one copy shall be kept by the owner/user of a tangible historical and cultural asset, the land user on whose land lot an immovable tangible historical and cultural asset is located, another copy — at the Ministry of Culture, the third copy — at the local executive and regulatory body of the basic territorial level in the territory of which a historical and cultural asset is located.

7. In case of amendments to data on historical and cultural assets, the persons authorized by local executive and regulatory bodies of the basic territorial level shall introduce, no later than three working days from the date of receipt of new data, corresponding changes to a Certificate for a Tangible Historical and Cultural Asset that shall be drawn up on a separate list of amendments.

8. A list of amendments shall be drawn up as an Appendix to a Certificate for a Tangible Historical and Cultural Asset and shall include the following data:

8.1. Date of amendments introduced;

8.2. Name of a tangible historical and cultural asset to the Certificate of which an amendment has been introduced and grounds for introducing it;

8.3. Paragraph of a Certificate for a Tangible Historical and Cultural Asset to be amended;

8.4. Content change;

8.5. Position, surname, first name, patronymic (if any) and signature of a specialist who has introduced amendments.

9. A list of amendments shall be filled out in three copies; one copy shall be stored at the local executive and regulatory body of the basic territorial level, another copy shall be directed to the owner/user of a tangible historical and cultural asset, the land user on whose land lot an immovable tangible historical and cultural asset is located, the third copy — to the Ministry of Culture.

Article 101. Databank on the Historical and Cultural Heritage of the Republic of Belarus

1. The databank on the historical and cultural heritage of the Republic of Belarus is a systematic collection of data on historical and cultural assets.

2. The databank on the historical and cultural heritage of the Republic of Belarus shall be developed for the purposes as follows:

2.1. Preservation and systematization of information on the distinctive results and evidence of the historical, cultural and spiritual development of Belarusians;

2.2. Creation of conditions for a comprehensive assessment of the current state, content and use of historical and cultural assets;

2.3. Preservation of information on scientific and project documentation for carrying out of repair and restoration works on tangible historical and cultural assets, collection of information on publishing and other materials related to historical and cultural heritage;

2.4. Providing assistance to state bodies, other legal entities, citizens, including individual entrepreneurs, in resolving the issues and organizing of work on the safeguarding of historical and cultural heritage, performance of scientific and research, design, repair and restoration works and other activities in their protection zones;

2.5. Providing assistance in organizing of international cooperation on the issues of the safeguarding of historical and cultural heritage, promotion of activities on the return of cultural assets located outside the Republic of Belarus to the Republic of Belarus;

2.6. Popularization of historical and cultural heritage in the country and abroad.

Article 102. Procedure for the Formation, Maintenance and Use of the Databank on the Historical and Cultural Heritage of the Republic of Belarus

1. The Ministry of Culture or the legal entity authorized by it shall form and maintain the databank on the historical and cultural heritage of the Republic of Belarus.

2. The databank on the historical and cultural heritage of the Republic of Belarus shall be registered with the State Register of Information Resources.

3. A registration document in the form of an electronic passport the sections of which make up the interface of the databank on the historical and cultural heritage of the Republic of Belarus shall be filled out for a historical and cultural asset at the databank on the historical and cultural heritage of the Republic of Belarus.

4. In the interface of the databank on the historical and cultural heritage of the Republic of Belarus, the following sections of an electronic passport shall be presented sequentially or in another specially agreed order:

4.1. Registration data and location (habitat) of a historical and cultural asset, code of the a historical and cultural asset according to the State List of Historical and Cultural Assets of the Republic of Belarus;

4.2. Substantiation for granting the status of a historical and cultural asset with an indication of decisions of state bodies according to which a cultural asset is granted the status of a historical and cultural asset, as well as decisions of state bodies, which granted this status in the previous period, and that are no longer in force;

4.3. Full name or surname, first name, patronymic (if any) of the owner/user of a tangible historical and cultural asset, the land user on whose land lot an immovable tangible historical and cultural asset is located, the date of emergence of the ownership right (another property right) to a tangible historical and cultural asset;

4.4. Information on the project of protection zones of an immovable tangible historical and cultural asset with an indication of the date and number of the technical regulatory legal act approving this project, information on the protection zones of an immovable tangible historical and cultural asset and their scheme;

4.5. Information on the security obligation with an indication of the date and number of its registration;

4.6. Information on the persons who possess the Certificate for the management of the development of scientific and project documentation for the performance of repair and restoration works on tangible historical and cultural assets and/or the Certificate for the management of the development of scientific and project documentation for the performance of restoration and reconstruction works on tangible historical and cultural assets and/or in the protection zones of immovable tangible historical and cultural assets;

4.7. Information on the availability of scientific and project documentation for the performance of repair and restoration works on tangible historical and cultural assets and/or scientific and project documentation for the performance of restoration and reconstruction works on tangible historical and cultural assets and/or in the protection zones of immovable tangible historical and cultural assets; on [permits](#) for performance of research and development and design works on tangible historical and cultural assets and/or permits for the performance of works on tangible historical and cultural assets and/or in the protection zones of immovable tangible historical and cultural assets;

4.8. Brief description of a historical and cultural asset;

4.9. Characteristics of the current technical state of a tangible historical and cultural asset;

4.10. Information on an immovable tangible cultural asset, which is part of a complex or an ensemble of immovable tangible historical and cultural assets and has an independent status of a historical and cultural asset;

4.11. History of formation and use of a tangible historical and cultural asset;

4.12. Brief historical background of a historical and cultural asset;

4.13. Graphic materials and photos reflecting a historical and cultural asset, including at different periods of its existence or habitation;

4.14. Archival and bibliographic sources of a historical and cultural asset.

5. Each section of an electronic passport shall specify the surname and initials of its originator, date of filling out the section.

6. The sections of an electronic passport may be supplemented with other data containing information important for the characteristic of a historical and cultural asset.

7. Filling out electronic passport sections and introducing amendments to them shall be carried out on the basis of the data obtained during the performance of scientific and research works on historical and cultural assets, other activities, or copies of materials on historical and cultural assets.

8. When work is performed on gathering the data and materials on historical and cultural heritage by the specialists of the Ministry of Culture or a legal entity authorized by it, creating obstacles to these specialists shall not be allowed. Officials, owners/users of tangible historical and cultural assets, land users on whose land lots immovable tangible historical and cultural assets are located, heads and employees of scientific and design organizations, other stakeholders shall be obliged to assist the specialists of the Ministry of Culture or a legal entity authorized by it in identifying and obtaining information and materials about the historical and cultural heritage.

9. The Ministry of Culture or the legal entity authorized by it shall be provided with the equipment and technical means intended for the formation of the databank on the historical and cultural heritage of the Republic of Belarus that allow, using modern information technologies, detecting, recording, scientific processing, copying, editing and storing information on the historical and cultural heritage; providing this information to stakeholders in accordance with the established procedure, bringing certain sections of the databank on historical and cultural heritage of the Republic of Belarus into use for the purpose of popularization of historical and cultural heritage.

10. Users of the databank on the historical and cultural heritage of the Republic of Belarus may be state authorities, other legal entities, citizens, including individual entrepreneurs. Use of resources of the databank on the historical and cultural heritage of the Republic of Belarus shall be allowed at user's request by the Ministry of Culture.

Information placed with the databank on the historical and cultural heritage of the Republic of Belarus shall be provided on tangible media, as well as through the global computer network Internet.

When using information placed with the databank on the historical and cultural heritage of the Republic of Belarus, a reference to the sections of this bank shall be obligatory.

Article 103. Measures for the Preservation of Historical and Cultural Assets

1. Preservation of historical and cultural assets shall include a system of organizational, legal, economic, material-technical, scientific, informational and/or other measures aimed to prevent:

1.1. Destruction, loss, disappearance, damage to, deterioration of the technical state of tangible historical and cultural assets, as well as a scientifically unsubstantiated change, deterioration of the conditions of perception of immovable tangible historical and cultural assets;

1.2. Significant change of conditions or creation of obstacles to existence, development and transfer to the descendants of intangible historical and cultural assets.

2. Activity that may have an impact on tangible historical and cultural assets shall be carried out taking into account the need to unconditionally preserve the distinctive spiritual, artistic and/or documentary values of these cultural assets.

Article 104. Ensuring the Preservation of Immovable Tangible Historical and Cultural Assets

1. In order to ensure the preservation of immovable tangible historical and cultural assets, destroying of immovable tangible historical and cultural assets or posing a threat of their destruction, damaging them or posing a threat of its infliction, deteriorating their technical state or posing a threat of its deterioration, as well as a scientifically unsubstantiated change, moving and deteriorating conditions of perception of immovable tangible historical and cultural assets shall be prohibited (except for the cases stipulated by [Paragraphs 2 and 3](#) of this Article).

2. Movement of an immovable tangible historical and cultural asset for the purpose of its restoration under the conditions suitable to ensure the preservation of an immovable tangible historical and cultural asset shall be allowed upon availability of:

2.1. Conclusions of the Rada on the impossibility of preserving of an immovable tangible historical and cultural asset at the place of its location;

2.2. Scientific and project documentation for the performance of repair and restoration works on tangible historical and cultural assets;

2.3. A [permit](#) to perform research and development and design works on tangible historical and cultural assets.

3. By decision of the Ministry of Culture, in case where activities on remediating the implications of emergencies, eliminating an armed conflict are carried out, posing a threat of destruction or causing a damage to an immovable tangible historical and cultural asset, deteriorating its technical state or posing a threat of its deterioration, as well as a scientifically unsubstantiated change of an immovable tangible historical and cultural asset and the deterioration of the conditions of its perception shall be possible.

4. When fulfilling the requirements for fire safety, environmental protection, sanitary-epidemiological and other requirements, as well as during the performance of research and development, design, repair and restoration works on the immovable tangible historical and cultural asset, a scientifically unsubstantiated change of this historical and cultural asset, deterioration of its distinctive spiritual, artistic and/or documentary values shall not be allowed.

5. A protective board shall be installed on the immovable tangible historical and cultural asset containing information about belonging of this historical and cultural asset to the historical and cultural heritage, the name and dating of an immovable tangible historical and cultural asset in accordance with the State List of Historical and Cultural Assets of the Republic of Belarus, an indication of liability for damaging or destroying it.

At a complex or an ensemble of immovable tangible historical and cultural assets, installation of several identical protective boards is admissible and their placement shall be carried out on basic visiting routes of the territory of such a complex or an ensemble.

A protective board on the immovable tangible historical and cultural asset, except for archeological sites and burial places, shall be installed at the main façade, in one of the corners as a rule, below the name plate with the street name and building number. A protective board on the archeological site or in a burial place shall be installed at a distance of up to five meters from their territory from the side of the best perception of such an archaeological site or a burial place.

A protective board shall be made, installed and preserved at the expense of the owner/user of

an immovable tangible historical and cultural asset or the land user on whose land lot an immovable tangible historical and cultural asset is located, as well as other sources that are not forbidden by legislation.

A protective board **shape** shall be established by the Ministry of Culture.

6. In accordance with the international treaties of the Republic of Belarus, an identification sign may be set up on the immovable tangible historical and cultural asset.

Article 105. Protection Zones for Immovable Tangible Historical and Cultural Assets

1. In order to ensure the preservation of immovable tangible historical and cultural assets and the surrounding environment, the boundaries of the territories of immovable tangible historical and cultural assets and one or more of the following zones of protection of these historical and cultural assets shall be established within certain limits:

- 1.1. Protection zone;
- 1.2. Construction regulation zone;
- 1.3. Landscape protection zone;
- 1.4. Protection zone for a cultural stratum (layer).

2. For immovable tangible historical and cultural assets that are located nearby or are part of a complex or an ensemble of immovable tangible historical and cultural assets, common protection zones may be established.

Protection zones of archeological sites shall be established at a distance of no less than fifty meters from the boundaries of the territory of archeological sites.

3. Boundaries of the territory of an immovable tangible historical and cultural asset, protection zones for an immovable tangible historical and cultural asset and their boundaries, regimes for the maintenance and use of protection zones for an immovable tangible historical and cultural asset shall be established by the project of protection zones for an immovable tangible historical and cultural asset subject to approval by the Ministry of Culture.

4. Regimes for the maintenance and use of protection zones of an immovable tangible historical and cultural asset shall stipulate the restriction or complete prohibition of activity that poses a threat to the preservation of this historical and cultural asset, its surrounding environment within the boundaries of protection zones and the terms of their maintenance and use.

5. A project of protection zones for an immovable tangible historical and cultural asset shall be developed out of the funds of the owner/user of a historical and cultural asset or the land user on whose land lot an immovable tangible historical and cultural asset is located, as well as other sources allowed by legislation.

6. Development of urban planning and land management documentation, as well as other project documentation the implementation of which may have an impact on immovable tangible historical and cultural assets without marking the established protection zones for immovable tangible historical and cultural assets or without their establishment shall be prohibited.

7. All types of works in the protection zones for immovable tangible historical and cultural assets shall be performed within the requirements of the regimes for the maintenance and use of

these protection zones unless otherwise provided for by this Code.

Article 106. Ensuring the Preservation of Movable Tangible Historical and Cultural Assets

1. In order to ensure the preservation of movable tangible historical and cultural assets, the following shall be prohibited:

1.1. Destruction, causing damage, deterioration of a technical state, as well as a scientifically unsubstantiated change of movable tangible historical and cultural assets;

1.2. Dismantling the collection of movable tangible historical and cultural assets.

2. In the case where the same movable tangible historical and cultural asset belongs both to a set and a collection, preference shall be given to a collection. A copy of a movable tangible historical and cultural asset shall be included in a set destined (assembled) for specific purposes where necessary.

Article 107. Ensuring the Preservation of Intangible Historical and Cultural Assets

1. In order to ensure the preservation of intangible historical and cultural assets, the Ministry of Culture and local executive and regulatory bodies shall implement measures for:

1.1. Preservation and restoration of conditions for the revival, preservation, development and transmission to descendants of national cultural traditions, including the traditions of local arts and crafts, specifics of the pattern of life peculiar only to the culture of Belarusian people, factors shaping the national mindset;

1.2. Encouragement (including material) of the carriers of intangible cultural assets that contribute to the preservation, development and transmission to descendants of the content of these Assets.

2. A significant change of conditions or creation of obstacles for existence, development and transfer to descendants of intangible historical and cultural assets shall not be allowed.

Article 108. Preventing a Threat to the Preservation of Tangible Historical and Cultural Assets

1. At immovable tangible historical and cultural assets, as well as in premises where movable tangible historical and cultural assets are located, production, placement, storage, maintenance of machines, mechanisms, substances, implementation of other activities that create dynamic and vibrational effects, unfavorable temperature and a humidity regime, chemical, radiation, mechanical pollution, explosive and fire-hazardous threat, other threats to the preservation of these historical and cultural assets shall not be allowed, except for the case where such activity is carried out in accordance with the historical functional purpose of an immovable tangible historical and cultural asset.

2. In case of a threat to the preservation of a tangible historical and cultural asset during the performance of repair and restoration works at tangible historical and cultural assets, legal entities, citizens, including individual entrepreneurs, who are the customers of such works shall be obliged to suspend all works and inform the Ministry of Culture about it.

3. During the design and execution of excavation, construction, reclamation and other works that may pose a threat to the preservation of immovable tangible historical and cultural assets, a

preliminary study of these historical and cultural Assets, their recording, archaeological research or archaeological excavations shall be carried out and in the case stipulated by [Paragraph 2 of Article 104](#) of this Code — their movement, as well as measures for the preservation of immovable tangible historical and cultural assets shall be implemented.

4. Project documentation for the performance of excavation, construction, reclamation and other works that may pose a threat to the preservation of immovable tangible historical and cultural assets shall contain a separate section related to the activities on the research and preservation of these historical and cultural assets.

Article 109. Alteration of Tangible Historical and Cultural Assets

1. In carrying out of activities that may have an impact on tangible historical and cultural assets, alteration of historical and cultural assets shall be allowed only after obtaining a permit for carrying out of research and development and design works on tangible historical and cultural assets, provided that there is scientific substantiation for this.

2. A conclusion on recognizing a change in a tangible historical and cultural asset, either scientifically substantiated or scientifically unsubstantiated, shall be made by the Rada on the basis of research and development materials.

Article 110. Prevention of Deterioration in the Conditions of the Perception of Immovable Tangible Historical and Cultural Assets

1. In carrying out of activities in the territory of immovable tangible historical and cultural assets and in the zones of their protection, a deterioration in the conditions of the perception of these historical and cultural assets, including the creation of obstacles for the visual perception of their volume-spatial features and elements and details of architectural décor, shall not be allowed.

2. During the construction of capital constructions (buildings, facilities) in the territory of immovable tangible historical and cultural assets and in the zones of their protection, as well as during the placement in this territory and in these zones of protection of non-stationary retail facilities and non-stationary catering facilities, the traditional silhouette and planning structure of the settlement should be taken into account.

Capital constructions (buildings, facilities) that are built in the territory of immovable tangible historical and cultural assets and in their protection zones, as well as non-stationary retail facilities and non-stationary catering facilities that are located in this territory and in these protection zones should not lead to the creation of buildings of a settlement non-typical of its historic character and create obstacles to the visual perception of these immovable tangible historical and cultural assets.

3. Outdoor advertising media that are placed on immovable tangible historical and cultural assets, their territories and in their protection zones shall not create obstacles to the visual perception of volume-spatial features, elements and details of the architectural decor of these immovable tangible historical and cultural assets.

On architectural monuments, outdoor advertising means should be placed, as a rule, in the form of separate letters, signs and/or other images.

A sketch of outdoor advertising means that is planned to be placed at immovable tangible historical and cultural assets of category “0”, “1”, and “2” and without a category in their territory and in their protection zones shall be coordinated with the Ministry of Culture in accordance with legislation on administrative procedures.

Article 111. Types of Works Carried out at Tangible Historical and Cultural Assets

In order to ensure the preservation of tangible historical and cultural assets, research and development, design, repair and restoration and other works shall be performed at these historical and cultural assets in accordance with this Code.

Article 112. Research and Development Works Carried out at Tangible Historical and Cultural Assets during the Development of Scientific and Project Documentation for Repair and Restoration Works at Tangible Historical and Cultural Assets

1. Research and development works carried out at tangible historical and cultural assets during the development of scientific and project documentation for the performance of repair and restoration works at tangible historical and cultural assets shall include:

1.1. Archeological excavations — a range of activities on studying of immovable tangible historical and cultural assets (establishment of pits, excavations, etc.);

1.2. Archival and bibliographic research — a range of activities on studying of archival documents, bibliographic, scientific and other materials relating to tangible historical and cultural assets;

1.3. Field study — a range of activities on the determination and specification of distinctive spiritual, art and/or documentary values of tangible historical and cultural assets (performing architectural and archaeological measurements, excavations, engineering surveys of building structures, a chemical and physical analysis of the properties of building materials, elements of artistic decoration, etc.).

2. Materials on research and development works shall be included in the structure of scientific and design documentation on the performance of repair and restoration works on tangible historical and cultural assets.

Article 113. Design Works Carried out on Tangible Historical and Cultural Assets

1. Design works carried out at tangible historical and cultural assets shall include a set of works on the development of scientific and project documentation on the performance of repair and restoration works at tangible historical and cultural assets and other works that are carried out at tangible historical and cultural assets.

2. Design works at tangible historical and cultural assets shall be carried out on the basis of materials of research and development works.

Article 114. Repair and Restoration and other Works Carried out on Tangible Historical and Cultural Assets

1. Repair and restoration works carried out on tangible historical and cultural assets shall include as follows:

1.1. “Renewal” means a range of works and activities aimed at the scientifically substantiated full or partial creation of tangible historical and cultural assets (for immovable tangible historical and cultural assets — necessarily at the place of their previous location);

1.2. “Addition” means a range of works and activities aimed at the creation of additions to tangible historical and cultural assets, including the completion of unrealized author's intents in due

time, as well as on the erection in places of loss in the territory of a complex or ensemble of immovable tangible historical and cultural assets of capital constructions (buildings, facilities) and other objects according to specially developed projects for the revival of these historical and cultural assets with the preservation of a volume and spatial structure;

1.3. “Conservation” means a range of works and activities on temporary or long-term maintenance of a technical state of tangible historical and cultural assets, including accident prevention works applying corresponding methods that allow preventing its further deterioration and creating conditions to exhibit tangible historical and cultural assets conserved;

1.4. “Adjustment” means a range of works and activities on the adaptation of tangible historical and cultural assets to the needs and specifics of modern technical maintenance without allowing that they lose their original spiritual, artistic and/or documentary values;

1.5. “Relocation” means a set of works and activities on the transfer of immovable tangible

1.6. “Repair” means a set of works and activities on the restoration of qualities lost in the process of exploitation and/or the improvement of structural, engineering, technical, aesthetic qualities of immovable tangible historical and cultural assets, including the elimination of their minor damage and malfunctions, as well as on the prevention of their deterioration, that do not pertain to the reconstruction of a historical and cultural asset;

1.7. “Disclosure” means a set of works and activities on depriving tangible historical and cultural assets of later discordant layers;

1.8. “Regeneration” means a set of works and activities on the restoration of integrity and the general compositional solution of tangible historical and cultural assets (mainly a complex or an ensemble of tangible historical and cultural assets) and/or the historical character of the location of immovable tangible historical and cultural assets in the surrounding environment;

1.9. “Reconstruction” means a set of works and activities aimed at the use of immovable tangible historical and cultural assets for new purposes and/or associated with changes in their basic technical and economic indicators and parameters, including the improvement of consumer qualities that are determined by technical regulations with a change in the number and area of premises, a building volume and/or the total area of immovable tangible historical and cultural assets, a change in the capacity, throughput capacity, direction and/or location of engineering, transport communications (replacement of their sections) and structures at them;

1.10. “Restoration” (restoration and renovation works) means a set of works and activities on the renovation of the disturbed original appearance of immovable tangible historical and cultural assets, including capital constructions (buildings, facilities), their complexes, parts that are performed on the basis of special research on their historical accuracy and architectural and art merits, as well as scientific and design documentation for the performance of repair and restoration works on tangible historical and cultural assets.

2. Other works aimed at ensuring the proper maintenance and use of tangible historical and cultural assets that do not compromise their integrity and general compositional solution and/or the historical nature of the location of immovable tangible historical and cultural assets in the surrounding environment.

Article 115. Permit for Performing of Research and Development and Design Works on Tangible Historical and Cultural Assets

1. Research and development and design works on tangible historical and cultural assets may be performed only after obtaining a permit for performing of research and development and design works on tangible historical and cultural assets.

2. A [permit](#) for performing of research and development and design works on tangible historical and cultural assets shall be issued by the Ministry of Culture to legal entities, citizens, including individual entrepreneurs in accordance with legislation on administrative procedures.

With regard to archeological sites, a permit for performing of research and development and design works on tangible historical and cultural assets shall be issued upon availability of a permit for the right to carry out archaeological studies provided for in [Article 127](#) of this Code.

3. A permit for performing of research and development and design works on tangible historical and cultural assets shall not exempt from the need for the execution of documents at other state bodies in cases provided for by legislative acts.

4. A [form](#) of a permit for performing of research and development and design works on tangible historical and cultural Assets shall be established by the Ministry of Culture.

Article 116. Guiding the Development of Scientific and Design Documentation for the Performance of Repair and Restoration Works on Tangible Historical and Cultural Assets. Scientific and Methodological Guidance and Author's Supervision during the Performance of Repair and Restoration Works on Tangible Historical and Cultural Assets

1. Guiding the development of scientific and design documentation for the performance of repair and restoration works on tangible historical and cultural assets, the scientific and methodological guidance during the performance of repair and restoration works on tangible historical and cultural assets shall be carried out by citizens, including individual entrepreneurs, that have a [Certificate](#) for guiding the development of scientific and design documentation for the performance of repair and restoration works on tangible historical and cultural assets, except for the case provided for in [part 1 of Paragraph 2](#) of this Article.

Author's supervision during the performance of repair and restoration works on tangible historical and cultural assets shall be carried out by the design or scientific organization where a citizen who has a Certificate for guiding the development of scientific and project documentation for the performance of repair and restoration works on tangible historical or cultural assets or an individual entrepreneur who has a Certificate for guiding the development of scientific and project documentation for the performance of repair and restoration works on tangible historical and cultural assets, except for the case provided for by [Part 2 of Paragraph 2](#) of this Article.

2. Guiding the development of scientific and project documentation for the performance of repair and restoration works on tangible historical and cultural assets without a category, except for the works that are carried out at the facades of tangible material historical and cultural assets or involving their distinctive spiritual, artistic and/or documentary values, which have determined that the status of a historical and cultural asset has been granted to them, the scientific and methodical guidance on the performance of repair and restoration works on tangible historical and cultural assets without a category may be carried out by citizens, including individual entrepreneurs that have no Certificate for guiding the performance of repair and restoration works on tangible historical and cultural assets, provided that they have appropriate qualifications and experience in

developing scientific and design documentation for the performance of repair and restoration works on tangible historical and cultural assets for no less than two years.

Author's supervision during the performance of repair and restoration works on tangible historical and cultural assets without a category shall be carried out by:

Design or scientific organization in which a citizen (citizens) who has (have) appropriate qualification and experience in the development of scientific and design documentation for the performance of repair and restoration works on tangible historical and cultural assets for no less than two years;

Individual entrepreneur who has appropriate qualifications and experience in the development of scientific and design documentation for the performance of repair and restoration works on tangible historical and cultural assets for no less than two years.

Article 117. Certificate for Guiding the Development of Scientific and Design Documentation for the Performance of Repair and Restoration Works on Tangible Historical and Cultural Assets

1. A Certificate for guiding the development of scientific and design documentation for the performance of repair and restoration works on tangible historical and cultural assets shall be issued on the basis of the results of passing by citizens, including individual entrepreneurs, of an attestation for the right to obtain such a Certificate.

2. An [attestation](#) for the right to obtain a Certificate for guiding the development of scientific and design documentation for the performance of repair and restoration works on tangible historical and cultural assets (hereinafter referred to as “an attestation”) shall be carried out in order to validate professional knowledge of citizens, including individual entrepreneurs, who pretend to the right to obtain a Certificate for guiding the development of scientific and design documentation for the performance of repair and restoration works on tangible historical and cultural assets (hereinafter, except as otherwise provided, referred to as “an applicant”), and confirm the ability of applying this knowledge during the development of the specified scientific and design documentation.

Applicants with a degree in architecture and construction shall be admitted to an attestation.

3. An attestation shall be carried out by the Attestation Commission and its structure shall be approved by the Ministry of Culture.

The Attestation Commission shall act on the basis of regulations approved by it.

4. In order to perform an attestation, a design or scientific organization, where a citizen works, or an individual businessman shall apply to the Ministry of Culture with a written statement on performing an attestation to which a copy of the [Diploma](#) on higher education of an applicant, an extract from the employment record book and a copy of the [Diploma](#) of professional retraining on the basis of higher education or the professional retraining Certificate (upon their availability) (hereinafter referred to as “attestation documents”) shall be attached.

5. An attestation shall be performed no later than thirty calendar days from the date of receipt by the Ministry of Culture of attestation documents.

6. In the case where attestation documents provided for in [Paragraph 4](#) of this Article have not been submitted, the Attestation Commission shall decide on rejecting an attestation application in accordance with a procedure provided for by legislation on administrative procedures.

7. Date, time and place of attestation shall be appointed by the chairperson of the Attestation Commission.

8. An attestation shall be performed in the form of an oral examination and its questions shall be approved by the chairperson of the Attestation Commission.

The members of the Attestation Commission shall listen to an answer of the candidate who may be asked additional questions on the exam's topic. The candidate's knowledge shall be assessed based on the completeness and accuracy of answers to the questions.

The Attestation Commission shall make a decision on whether the candidate has or has not passed an attestation that shall be executed in the form of the minutes of the Attestation Commission meeting.

In the case where the Attestation Commission has made a decision that the candidate has passed the attestation, the Ministry of Culture shall, no later than five calendar days from the date of such a decision, forward to the design or scientific organization, the individual entrepreneur that have submitted attestation documents a Certificate for guiding the development of scientific and design documentation for the performance of repair and restoration works on tangible historical and cultural Assets.

In the case where the Attestation Commission has made a decision that the candidate has failed the attestation, the Ministry of Culture shall, within the time limits provided for in [Part 4 of this Paragraph](#), forward to the scientific organization or the individual entrepreneur that have submitted attestation documents an extract from the minutes of the Attestation Commission containing a corresponding decision.

9. A Certificate for guiding the development of scientific and project documentation for the performance of repair and restoration works on tangible historical and cultural assets shall be issued by the Ministry of Culture free of charge for the term of five years according to the [form](#) established by it.

10. In the case of non-fulfillment and/or inappropriate fulfillment by a citizen, including an individual entrepreneur, who possesses a Certificate for guiding the development of scientific and project documentation for the performance of repair and restoration works on tangible historical and cultural assets of the responsibilities stipulated by [Article 118](#) of this Code that is confirmed by a conclusion of the Rada, the specified Certificate may be cancelled by a decision of the Attestation Commission.

11. A citizen, including an individual entrepreneur, which possesses a Certificate for guiding the development of scientific and design documentation for the performance of repair and restoration works on tangible historical and cultural assets whose Certificate is to be cancelled shall be invited to the meeting of the Attestation Commission.

The Attestation Commission shall listen to the explanations of a citizen, including an individual entrepreneur, on the issue of non-fulfillment and/or inappropriate fulfillment of his/her responsibilities provided for by [Article 118](#) of this Code and may decide to cancel the Certificate for guiding the development of scientific and design documentation for the performance of repair and restoration works on tangible historical and cultural assets.

12. A decision on cancellation of the Certificate for guiding the development of scientific and design documentation for the performance of repair and restoration works at tangible historical and cultural assets shall be directed by the Ministry of Culture to the design or scientific organization, to the individual entrepreneur that have submitted attestation documents no later than ten calendar

days from the date the decision has been made. The project or scientific organization shall, no later than one working day from the date of receipt of the decision on cancellation of the Certificate for guiding the development of scientific and design documentation for the performance of repair and restoration works on tangible historical and cultural assets, inform the citizen in relation to whom such a decision has been made about it.

A citizen, including an individual entrepreneur, in relation to whom a decision on cancelling the Certificate for guiding the development of scientific and project documentation for repair and restoration works on tangible historical and cultural Assets has been made shall, no later than three days from the date such a decision has been obtained by the persons specified in [part 1 of this Paragraph](#), be obliged to return this Certificate to the Ministry of Culture.

13. Design or scientific organization where the citizen in relation to whom a decision on cancelling the Certificate for guiding the development of scientific and design documentation for the performance of repair and restoration works on tangible historical and cultural assets has been made, or the individual entrepreneur in relation to whom such a decision has been made may in six months from the date of the decision resubmit attestation documents to the Ministry of Culture.

14. Decisions on rejecting an application, on the failure to pass an attestation by the candidate, on cancellation of the Certificate for guiding the development of scientific and project documentation for the performance of repair and restoration works on tangible historical and cultural assets may be appealed in court.

Article 118. Responsibilities of a Citizen, including an Individual Entrepreneur, who Possesses a Certificate for Guiding the Development of Scientific and Design Documentation for the Performance of Repair and Restoration Works on Tangible Historical and Cultural Assets

1. A citizen, including an individual entrepreneur, who possesses a Certificate for guiding the development of scientific and design documentation for the performance of repair and restoration works on tangible historical and cultural assets shall be obliged to:

1.1. Ensure the interaction of interested legal entities and their subdivisions during the development of scientific and design documentation for the performance of repair and restoration works on tangible historical and cultural assets;

1.2. Take part in the preparation of a restoration assignment;

1.3. Determine the directions of R & D works;

1.4. Ensure the accuracy and completeness of R & D results;

1.5. Exercise scientific and methodological guidance on the development of scientific and design documentation for the performance of repair and restoration works on tangible historical and cultural assets;

1.6. Provide for measures for the preservation of a tangible historical and cultural asset during the performance of R & D works and after their termination;

1.7. Provide for the scientific substantiation of measures for a preserving tangible historical and cultural asset;

1.8. Take part in the consideration of project proposals and scientific-design documentation for the performance of repair and restoration works on tangible historical and cultural assets;

1.9. Provide for the timely settlement of issues related to design and estimate documentation arising during the performance of works on tangible historical and cultural assets;

1.10. Exercise scientific and methodological guidance during the performance of repair and restoration works on tangible historical and cultural assets;

1.11. Provide for the record of a tangible historical and cultural asset during the performance of repair and restoration works on it, and also photo fixation before the beginning, in the course and after the termination of repair and restoration works;

1.12. Perform other duties during the development of scientific and design documentation for the performance of repair and restoration works on tangible historical and cultural assets.

2. An individual entrepreneur who possesses a Certificate for guiding the development of scientific and design documentation for the performance of repair and restoration works on tangible historical and cultural assets shall also be obliged to exercise author's supervision during the performance of repair and restoration works on tangible historical and cultural assets.

Article 119. Harmonization of Scientific and Design Documentation for Repair and Restoration Works on Tangible Historical and Cultural Assets

1. Scientific and design documentation for the performance of repair and restoration works on tangible historical and cultural assets shall be coordinated with the Ministry of Culture in accordance with the procedure established by legislation on administrative procedures.

2. Scientific and design documentation for the performance of repair and restoration works on tangible historical and cultural assets of category “0”, “1”, and “2”, which may lead to the destruction of immovable tangible historical and cultural assets or pose a threat of their destruction, cause harm to them or pose a threat of its infliction, deteriorate their technical state or pose a threat of its deterioration, a scientifically unsubstantiated change and a deterioration in the conditions of the perception of immovable tangible historical and cultural assets shall be subject to preliminary consideration by the Rada.

Scientific and design documentation for the performance of repair and restoration works on tangible historical and cultural assets of category “0”, “1”, and “2”, which is not approved by the Rada, shall not be subject to approval.

3. A need to consider scientific and design documentation for the performance of repair and restoration works on tangible historical and cultural assets not specified in [Paragraph 2](#) of this Article by the Rada shall be determined by the Ministry of Culture.

4. Costs associated with the consideration of scientific and design documentation for the performance of repair and restoration works on tangible historical and cultural assets by the Rada shall be reimbursed by the customers of this scientific and design documentation.

5. In the process of preparation of scientific and design documentation for the performance of repair and restoration works on tangible historical and cultural assets, as well as in the course of its coordination, priority of the safeguarding of historical and cultural heritage shall be recognized.

6. Coordination of scientific and design documentation for the performance of repair and restoration works on tangible historical and cultural assets with the Ministry of Culture shall not exempt from the need of its coordination with other state authorities in the cases provided for by legislative acts.

Article 120. Accepting into Service of an Immovable Tangible Historical and Cultural Asset at which Repair and Restoration Works were Performed

1. Accepting into service of an immovable tangible historical and cultural asset at which repair and restoration works were performed shall be carried out in accordance with legislation on architectural, urban planning and construction activities.

2. In cases and in accordance with the procedure established by legislation on architectural, urban planning and construction activities, the Ministry of Culture shall, in accordance with legislation on administrative procedures, issue a [conclusion](#) on conformity of an immovable tangible historical and cultural asset being accepted into service with scientific and project documentation for the performance of repair and construction works on tangible historical and cultural assets to legal entities and individual entrepreneurs.

Article 121. Conservation Obligation

1. Local executive and regulatory bodies of basic territorial level may establish for tangible historical and cultural assets specific terms of their maintenance and use, establish an order for the performance of works on these historical and cultural assets, requirements for their provision, including in case of emergencies or an armed conflict, as well as other restrictions of activities of their owners/users, the land users on whose land lots immovable tangible historical and cultural assets are located. These requirements shall be fixed in a conservation obligation executed according to the [form](#) established by the Ministry of Culture and shall be subject to implementation by all legal persons, citizens, including individual entrepreneurs.

A conservation obligation shall be filled in two copies by the persons authorized by local executive and regulatory bodies of the basic territorial level and shall be registered by these local executive and regulatory bodies of the basic territorial level.

One copy of a conservation obligation shall be kept by the owner/user of a tangible historical and cultural asset, by the land user on whose land lot an immovable tangible historical and cultural asset is located, the other — by the local executive and regulatory body of the basic territorial level.

The local executive and regulatory body of the basic territorial level shall, no later than seven calendar days from the date of registration of a preservation order, direct to the Ministry of Culture or a legal person authorized by it data on the owner/user of a tangible historical and cultural asset, the land user on whose land lot an immovable tangible historical and cultural asset is located that have signed a conservation obligation with an indication of the registration date and the number of a conservation obligation.

2. A conservation obligation shall be signed by the owner/user of a historical and cultural asset, the land user on whose land lot an immovable tangible historical and cultural asset is located within the time limits provided for in [Paragraphs 2 and 3 of Article 75](#) of this Code.

3. When transferring the ownership right or another proprietary right to a tangible historical and cultural asset, the ownership right, the right to the lifelong hereditary ownership, the permanent or temporary use or lease (sublease) on the land lot where an immovable tangible historical and cultural asset is located, a conservation obligation signed by the former owner/user of a tangible historical and cultural asset, the land user on whose land lot an immovable tangible historical and cultural asset is located shall be considered invalid.

Article 122. Use of Tangible Historical and Cultural Assets

1. The use of tangible historical and cultural assets shall be carried out in accordance with this Code, individual terms of maintenance and use of tangible historical and cultural assets in case where such terms have been determined by local executive and regulatory bodies of the basic territorial level and taking into account the need to preserve these historical and cultural assets.

2. Specifics of use of tangible historical and cultural assets included in the Cultural and Historical Fund of the state fund of precious metals and precious stones of the Republic of Belarus shall be established by legislation related to work with precious metals and precious stones.

3. Use of tangible historical and cultural assets for the purposes related to the activity of the armed forces of the Republic of Belarus, other troops and military formations of the Republic of Belarus that are established in accordance with legislative acts both in peace and military time, as well as the location of tangible historical and cultural assets in the territory occupied by the armed forces of the Republic of Belarus, other troops and military formations of the Republic of Belarus shall be prohibited.

4. Use of tangible historical and cultural assets in the event of an armed conflict, provided that it threatens the preservation of tangible historical and cultural assets, as well as committing another act directed against these assets, shall be prohibited, except for the cases where it is determined by the need to address special government tasks in time of war.

CHAPTER 17 SAFEGUARDING OF ARCHAEOLOGICAL HERITAGE

Article 123. Archaeological Heritage

1. “Archaeological heritage” means a set of archeological sites and archeological artifacts, including archeological monuments.

“Archaeological sites” means immovable tangible objects or their complexes together with archeological artifacts and a cultural stratum (layer) that appeared in the course of life and activity of a human more than one hundred and twenty years ago; have remained in the ground or at the bottom of natural and artificial reservoirs; are of historical, artistic, scientific or another cultural significance; may meet criteria for granting them the status of a historical and cultural asset provided for in [Article 92](#) of this Code.

“Archaeological artifacts” means movable tangible objects that appeared in the course of life and activity of a human more than one hundred and twenty years ago; have preserved in the cultural stratum (layer) or at the bottom of natural and artificial reservoirs; are of historical, artistic, scientific or another cultural significance; may meet the criteria for granting them the status of a historical and cultural asset provided for by [Article 92](#) of this Code; and have no owner at the time of their discovery.

“Cultural stratum (layer)” means a stratum in the ground or under the water formed in the course of life and activity of a person and contains the traces of human existence.

2. Archaeological sites may include:

2.1. Remains of fortified settlements (ancient cities, settlements, and castles), unfortified settlements (ancient places of halt, settlements, and separate dwellings), capital constructions (buildings, constructions), cult objects (sanctuaries, places of worship, monasteries, and temples);

2.2. Crosses, cult stones, statues, and obelisks;

2.3. Burial mounds and ground cemeteries, separate graves, necropolises, mausoleums and other burial places;

2.4. Infrastructure of land, water, water and draught routes;

2.5. Objects of another designation.

Article 124. Safeguarding of Archaeological Heritage

1. Safeguarding of archeological heritage — direction of cultural activity that includes the system of organizational, legal, economic, material-and-technical, scientific, information and/or other measures aimed at discovering archeological sites and archeological artifacts; their study, inventory, restoration, maintenance and use that are carried out in order to preserve and multiply archaeological heritage.

2. Archaeological artifacts discovered during archeological research or accidentally shall be transferred to state ownership.

3. Acquisition, sale, gift, exchange, pledge of archeological artifacts shall not be allowed in the territory of the Republic of Belarus, except for the cases as follows:

3.1. Obtaining, selling, gifting, exchanging, pledging of archeological artifacts by state museums (state museum) and State Scientific Institutions (State Scientific Institution);

3.2. Obtaining, selling, gifting, exchanging, pledging of archaeological artifacts that were as of March 18, 2016 in the possession of citizens and legal entities and are included in the Register of archaeological artifacts formed by the National Academy of Sciences of Belarus.

4. State museums and State Scientific Institutions shall have the preemptive right to acquire archaeological artifacts included in the Register of Archeological Artifacts.

Article 125. Inventory of Archeological Sites and Archeological Artifacts

1. Archaeological sites information on which is available on the date of entry into force of this Code, as well as archaeological sites and archaeological artifacts that were discovered during archaeological research or accidentally after March 18, 2016 shall be subject to inventory.

Inventory of archeological sites and archeological artifacts shall be carried out by the National Academy of Sciences of Belarus or the legal entity authorized by it.

2. In order to Register archeological sites and develop a single database on archeological sites, a Register of Archeological Sites shall be maintained.

A Register of Archeological Sites is a set of data on archeological sites and their territories.

The territory of an archeological site is a lot of land or of a reservoir occupied by an archeological site and associated with it historically and functionally.

3. The Register of Archeological Sites shall be maintained on the basis of information available at the National Academy of Sciences of Belarus and/or with a legal entity authorized by it, and information provided by local executive and regulatory bodies of the basic territorial level in accordance with the procedure established by this Code, as well as scientific organizations and museums conducting archaeological research.

4. Information on archeological sites shall be submitted by scientific organizations and museums to the National Academy of Sciences of Belarus or a legal entity authorized by it no later than fourteen calendar days from the date archeological research has been finished and shall include a textual description of an archeological site, indication of its location, a copy of the part of the cadastral map (plan) of the region in the territory of which an archeological site is located with this site mapping and its photo fixation executed from various angles.

The National Academy of Sciences of Belarus or a legal entity authorized by it shall, no later than seven calendar days from the date of inclusion of the archeological site in the Register of Archeological Sites, submit data on the archeological site to land management organizations accountable to the state committee on property of the Republic of Belarus, their subsidiaries that shall, no later than thirty calendar days from the date of data receipt, plot information about the archaeological site on the land cadastral map/plan of the region in the territory of which the archeological site is located.

5. Access to information contained in the Register of Archeological Sites shall be carried out by the following means:

5.1. Acquaintance with the land cadastral map/plan of the region in the territory of which the archeological site is located;

5.2. Bringing to notice of the land user on whose land lot the archeological site is located information by the local executive and regulatory body of the basic territorial level that this site is included in the Register of Archeological Sites;

5.3. Publication of popular-scientific and scientific data, materials on archeological research and their results.

6. The data contained in the Register of Archeological Sites shall be used during the development of urban-planning projects and land management documentation.

7. The inventory of archeological artifacts shall be conducted on the basis of information provided by local executive and regulatory bodies of the basic territorial level according to the procedure established by this Code.

The inventory of archeological artifacts shall be carried out by means of their registration on the registration card the [form](#) of which shall be established by the National Academy of Sciences of Belarus.

Article 126. Archaeological Studies

1. “Archaeological studies” means a complex of activities aimed at the search, identification and study of archeological sites and/or archeological artifacts, the exercise of archeological supervision during the performance of works in the territory of archeological sites.

2. Archaeological studies shall be exercised in the form of archeological field and cameral works.

3. Archaeological field works shall include a set of measures for the study of bowels, the bottom of natural and artificial reservoirs, a cultural stratum (layer), the territory of archeological sites, archeological sites themselves *in situ* in their natural habitat.

4. Archaeological field works shall include:

4.1. “Archeological excavations” means archeological research at the archeological site that is

associated with exerting of an impact on the cultural stratum (layer) of an archeological site and is carried out by means of excavation works in order to study the cultural stratum (layer), the remains of architectural and other material contained in it;

4.2. “Archaeological survey” means archaeological research that, as a rule, is not associated with exerting of an impact on the cultural stratum (layer) of the archaeological site and is carried out in order to discover, map, localize, interpret, inspect the archaeological site, as well as obtain relevant information about the previously discovered archaeological site. During an archaeological survey, laying out separate pits in order to clarify information about the archaeological site shall be allowed;

4.3. “Archeological supervision” means archeological research that is carried out during the performance of excavation, construction, reclamation and other works, the implementation of another activity at the damaged sites of the territory of an archeological site for the purpose of discovering of archeological artifacts, studying of a cultural stratum (layer), architectural and other material remains contained in it.

5. Upon completion of archeological field works, a citizen whose name is indicated in the permit for the right to conduct archeological studies shall be obliged to compile a scientific report on the performed archeological field works subject to approval by the National Academy of Sciences of Belarus.

A scientific report on performed archeological field works shall contain data related to fixing, scientific processing and artistic evaluation of archeological sites and archeological artifacts that are carried out in accordance with the requirements provided for in [Article 91](#) of this Code.

6. Archaeological office works shall include a set of measures for cleaning, studying, conservation and/or restoration of archeological artifacts.

7. A [procedure](#) for carrying out of archeological studies and maintaining of field documentation when carrying them out shall be established by the National Academy of Sciences of Belarus.

Article 127. Search and Discovery of Archeological Sites and/or Archeological Artifacts. Permit for the Right to Conduct Archaeological Studies

1. A search for archeological sites and/or archeological artifacts — a visual or with the use of metal detectors, georadar s , other technical means and instruments survey of the earth’s surface and/or the bottom of natural and artificial reservoirs with or without carrying out of excavation works during which the full or partial collection and excavation of movable tangible objects possessing the features of archeological artifacts shall be implemented.

2. A search for archeological sites and/or archeological artefacts may be carried out during archeological studies only and on the basis of a permit for the right to conduct archeological studies issued by the national academy of Belarus in accordance with legislation on administrative procedures.

3. A permit for the right to conduct archaeological studies shall be issued to scientific organizations or museums whose citizens work on the terms of employment agreements (contracts) or carry out activities on the basis of civil contracts (hereinafter referred to as “citizens working on a contractual basis”) that concurrently meet the criteria as follows:

3.1. Have a degree in “archeology”, “history (archeology)”;

3.2. Possess scientific practical knowledge required for carrying out of archeological studies and preparing a scientific report on conducted archeological field works;

3.3. Have practical experience of participating in archaeological studies for at least two years in total, regardless of a break.

4. A permit for the right to conduct archeological studies shall be issued in the name of citizens who work on a contractual basis and on behalf of scientific organizations or museums carrying out the administration of archeological studies.

5. In case of a violation of a procedure for carrying out of archeological studies by a citizen in whose name a permit for the right to conduct archeological studies is issued, the National Academy of Sciences of Belarus may suspend or terminate the effect of this permit in accordance with a procedure established by the Council of Ministers of the Republic of Belarus.

6. In carrying out of archeological studies, scientific organizations or museums shall have the right to involve other citizens on the basis of civil contracts or contracts on the organization of practice of students for the performance of preparatory and ancillary works under the supervision of a citizen in whose name a permit for the right to conduct archeological studies is issued (hereinafter referred to as “the participants of archeological studies”).

7. Use of metal detectors, georadars and other technical means and tools for a search for archeological sites and/or archeological artifacts shall be allowed only by a citizen in whose name a permit for the right to conduct archeological studies is issued, as well as the participants of archeological studies.

8. A citizen in whose name a permit for the right to conduct archeological studies is issued, who, while searching for archeological sites and/or archeological artifacts on the basis of this permit discovered an archeological site and/or archeological artifact, shall fulfill obligations provided for in [Article 87](#) of this Code.

9. A legal entity or a citizen, including an individual entrepreneur, that have accidentally discovered a tangible object in the ground or at the bottom of natural and artificial reservoirs, which may be of historical, artistic, scientific or another cultural importance, and it meets the criteria for granting it the status of a cultural and historical asset provided for in [Article 92](#) of this Code, and which at the time of its discovery has no owner (hereinafter referred to as “the tangible object”), shall fulfill the obligations provided for in [Paragraph 1](#) of [Article 88](#) of this Code.

10. A local executive and regulatory body of the basic territorial level that has received a written notice of a professionally discovered archeological site and/or archeological artifact or an accidentally discovered tangible object shall carry out activities provided for in [Subparagraphs 1.1-1.5](#) and [1.7](#) of [Paragraph 1](#) of [Article 89](#) of this Code.

Article 128. Commissions on Archeological Sites and Archeological Artifacts

1. In order to make a decision on attributing (non-attributing) of tangible objects discovered accidentally to archeological sites or archeological artifacts, Regional (Minsk city) Commissions on Archeological Sites and Archeological Artifacts shall be established at local executive and regulatory bodies of the regional territorial level.

2. Regional (Minsk city) Commissions on Archeological Sites and Archeological Artifacts shall:

2.1. Consider information of local executive and regulatory bodies of the basic territorial level

on accidentally discovered tangible objects;

2.2. Administer the consideration and analysis of tangible objects for attributing (non-attributing) of them to archeological sites or archeological artifacts;

2.3. Make a [decision](#) on attributing (non-attributing) of a tangible object to an archeological site or an archeological artifact.

3. A decision not to attribute a tangible object to an archaeological site or an archaeological artifact shall be made in cases where a tangible object:

3.1. Is not a result of human life and activity;

3.2. Appeared less than one hundred and twenty years ago;

3.3. Is of no historical, artistic, scientific or another cultural importance.

4. In the case where Regional (Minsk city) Commissions on Archeological Sites and Archeological Artefacts make a decision on attributing (non-attributing) of a tangible object to an archeological site or archeological artifact, an extract from the decision shall, no later than three calendar days of the decision date, be directed to the corresponding local executive and regulatory body of the basic territorial level.

5. Organizational and material-technical support of the activity of Regional (Minsk city) Commissions on Archeological Sites and Archeological Artifacts shall be carried out by corresponding local executive and regulatory bodies of the regional territorial level.

6. A decision not to attribute a tangible object to an archeological site or an archeological artifact may be appealed in court.

Article 129. Execution of Excavation, Construction, Reclamation and other Works. Implementation of other Activities in the Territory of Archeological Sites

1. Execution of excavation, construction, reclamation and other works, implementation of other activities in the territory of archeological sites (hereinafter unless otherwise provided referred to as “execution of works in the territory of archeological sites”) shall be allowed in coordination with the local executive and regulatory body of the basic territorial level that is based on a corresponding conclusion of the National Academy of Sciences of Belarus and only after the development of measures for the safeguarding of archaeological sites.

Measures for the safeguarding of archeological sites shall be included in the project documentation for the execution of works in the territory of archeological sites.

2. Project documentation for the execution of excavation, construction, reclamation and other works, implementation of other activities in the territory of archeological sites, except for archeological monuments, shall be coordinated with the National Academy of Sciences of Belarus in accordance with [legislation](#) on administrative procedures.

Project documentation for the performance of earthworks, construction, reclamation and other works, implementation of other activities on archeological monuments shall be coordinated with the Ministry of Culture in accordance with legislation on administrative procedures.

3. A procedure for the implementation of measures for the safeguarding of archeological sites during the execution of works in the territory of archeological sites shall be developed by scientific organizations and museums that have been issued with a permit for the right to conduct

archeological studies.

4. Ensuring the development and financing of measures for the safeguarding of archeological sites during the execution of works in the territory of archeological sites shall be carried out by legal entities, citizens, including individual entrepreneurs, who are the customers of these works.

5. Legal entities, citizens, including individual entrepreneurs, who execute works in the territory of archeological sites on the basis of a civil contract shall be liable for non-compliance with measures for the safeguarding of archeological sites included in the project documentation for the execution of works in the territory of archaeological sites.

Article 130. Measures for the Safeguarding of Archeological Sites during the Execution of Works in the Territory of Archeological Sites

1. Measures for the safeguarding of archeological sites during the execution of works in the territory of archeological sites shall stipulate:

1.1. Prohibition of works in the territory of archeological sites without coordination with the local executive and regulatory body of the basic territorial level in the territory of which the archeological site is located;

1.2. Prohibition of scientific-research and design works on archeological monuments without obtaining a **permit** for carrying out of scientific-research and design works on tangible historical and cultural assets;

1.3. Registration of already known archeological sites;

1.4. Inspection of an area of the execution of works in the territory of archeological sites for the purpose of discovering of unaccounted archeological sites, their registration;

1.5. Creation of engineering protection for archeological sites;

1.6. Archeological research of archeological sites on the basis of a permit for the right to conduct archeological studies;

1.7. Conservation of archeological sites as part of a building complex;

1.8. Prohibition of a search for archeological sites, implementation of other activities in the territory of archeological sites with the use of metal detectors, georadars and other technical means and tools without a permit for the right to conduct archeological studies;

1.9. Other measures aimed at the preservation, study, prevention of causing damage to or destruction of archeological sites and archeological artifacts.

2. Information about archeological sites shall be included in the general plan for cities and other settlements, urban-planning projects of detailed planning and other urban-planning projects.

Urban-planning projects that contain information about archeological sites, except for archeological monuments, shall be subject to coordination with the National Academy of Sciences of Belarus, and urban-planning projects that contain information about archeological monuments shall be subject to coordination with the Ministry of Culture.

CHAPTER 18
LIBRARY SERVICES
(LIBRARIANSHIP/LIBRARY SCIENCE)

Article 131. Library Services (Librarianship/Library Science). Main Principles of Organizing of Library Services (Librarianship/Library Science)

1. “Library services (librarianship/library science)” means the direction of cultural activity on the establishment and development of libraries, formation and handling of Library Funds; organization of library, information-reference and bibliographic services for library users; scientific and methodological support of libraries.

2. The basic principles of the organization of library services shall be as follows:

2.1. Rational and optimal location of libraries in accordance with the demographic composition of the population and taking into account the specifics of the development of individual regions and industries;

2.2. Interaction of libraries and mutual use of their information resources, as well as library catalogues, card indexes, databases, reference and bibliographic editions destined for a search for bibliographic and other information (hereinafter referred to as “reference and bibliographic”);

2.3. State and public character of library services’ administration.

Article 132. Librarian

“Librarian” means a cultural worker who is involved in the formation and handling of Library Funds; library, information-reference and bibliographic services for library users; scientific and methodological support of a library.

Article 133. Library. Types of libraries

1. “Library” means a cultural organization or a subdivision of a legal entity carrying out the collection of documents and ensuring their safety for public use.

“Document” means a carrier of information, including an electronic one, on which information is contained in the form of a text, sound recording or an image and which is destined for the transmission of information in time and space.

2. By form of ownership, libraries shall be divided into state and private.

All public libraries shall be open to the public.

3. By the intended purpose, libraries shall be divided into public and special.

“Public library” means a library that meets the universal information needs of library users.

“Special library” means a library that meets the information needs of library users related to professional activity (industrial libraries), educational activity (libraries of educational Institutions), scientific activity (scientific libraries).

4. Depending on the territory of functioning, libraries shall be divided into rural, urban-type settlement, city, district, regional, and republican.

Article 134. Main Objectives and Principles of Library Activity

1. The main tasks of libraries shall be as follows:

1.1. Equipping Library Funds with documents and ensuring their safety;

1.2. Processing of documents, creating a reference and bibliographic apparatus;

1.3. Providing library, information and reference-bibliographic service to library users according to their needs and interests;

1.4. Carrying out of cultural and educational work aimed at promoting the cultural development of library users.

2. The basic principles of library activity shall be as follows:

2.1. Identification of universal human Assets as overriding ones;

2.2. Promoting the revival, preservation and development of national cultural traditions, ensuring the availability of cultural goods and improving their quality, safeguarding of historical and cultural and archaeological heritage;

2.3. Approval and dissemination of humanistic ideas, scientific and legal knowledge and achievements of world culture;

2.4. General availability of information on the composition and content of Library Funds;

2.5. Independence in determining the content, forms and methods of its activity;

2.6. Coordination and cooperation of activities on the acquisition, creation, formation and mutual use of information resources, providing electronic services.

Article 135. Specifics of Library Establishment and Liquidation

1. Mandatory requirements (conditions) for the establishment of a library shall be as follows:

1.1. Availability of at least two thousand Library Fund documents;

1.2. Capability of a library founder who is a legal entity or the capability of a legal entity the library forms the division of to provide the library with the capital construction (building, structure), premises corresponding to the conditions of service of library users and the preservation of a Library Fund, as well as the equipment, technical and financial means needed for the organization and implementation of library activity.

2. Upon liquidation of the state library that is a legal entity or upon exclusion of the library from the structure of a state legal entity, a state library founder or a state legal entity the library forms the subdivision of shall be obliged to ensure the safety of the Library Fund and transfer it to another state library (libraries).

Upon liquidation of a private library that is a legal entity or upon exclusion of the library from the structure of a non-state legal entity during the adoption of a decision by the owner of a private library or a non-state legal entity the library forms a subdivision of about the alienation of Library Fund documents, state libraries shall have the preferential right to their acquisition under other equal conditions, unless otherwise provided for by this Code and other legislative acts.

Article 136. Specifics of Material and Technical Support for Libraries

1. The founder of a library that is a legal entity or a legal entity the library forms the subdivision of shall be obliged to provide the library with the capital construction (building, structure), premises corresponding to the conditions of the services for library users and the preservation of a Library Fund, as well as the equipment, technical, financial means needed for the organization and implementation of library activity.

2. Placement of libraries in capital constructions (buildings, structures), premises which do not correspond to the conditions of the services of library users and the preservation of Library Funds, and transfer of libraries to capital constructions (buildings, structures), premises that worsen the conditions of their activity shall not be allowed.

3. In case of transfer of state libraries to other capital constructions (buildings, structures), the founder of the library that is a legal entity or a legal entity the library forms a subdivision of shall be obliged to ensure the transfer of Library Funds and equipment.

Article 137. Rights and Responsibilities of Libraries

1. Libraries shall have the right to:

1.1. Independently determine the content, forms and methods of their activity in accordance with the goals and functions enshrined in the Statute (provision);

1.2. Determine the sources of acquiring of Library Funds;

1.3. Carry out income generating activities, including the provision of paid services;

1.4. Form exchange Library Funds;

1.5. Exclude and realize documents from Library Funds;

1.6. Establish, in coordination with the founder of the library that is a legal entity or a legal entity the library forms the subdivision of, the rules of library use, a procedure for registering library users;

1.7. Determine the pledge value of most valuable publications when they are lent out, as well as in other cases established by the rules of library use;

1.8. Implement measures to compensate for the damage caused to them by library users in accordance with civil legislation;

1.9. Determine the conditions of use of Library Funds on the basis of agreements with legal entities, citizens, including individual entrepreneurs;

1.10. Participate in the implementation of state and other programmes aimed at the preservation, development, dissemination and/or popularization of culture;

1.11. Cooperate with foreign libraries, foreign and international legal entities, including conducting the international document exchange, join international organizations in accordance with the international procedure, participate in the implementation of international programmes;

1.12. Unite in library associations/unions;

1.13. Acquire, create, form and use information resources;

1.14. Carry out the collection of documents in electronic form; create copies of documents in electronic form complying with the requirements for legislation on copyright and related rights.

2. Libraries shall be obliged to:

2.1. Promote the rights of library users provided for by this Code;

2.2. Provide services to the users of libraries according to the statutes/provisions and rules of library use;

2.3. Not to use information about library users and their inquiries for purposes other than scientific and library ones;

2.4. Promote access of library users to national and global databases;

2.5. Ensure the safety of Library Funds;

2.6. Ensure the preservation of book monuments if there are any in Library Funds and their inclusion in the State Register of book monuments of the Republic of Belarus, other consolidated catalogues, databases;

2.7. Upon providing the users of libraries with the actual legal information of the Republic of Belarus, provide an opportunity of access to reference legal information.

3. Libraries shall have other rights and duties provided for by this Code and other legislative acts.

Article 138. State Institution “National Library of Belarus”

1. The State Institution “National Library of Belarus” is a public library, a bearer of universal values, a treasury of the achievements of the Belarusian people, their national memory. The State Institution “National Library of Belarus” cannot be re-profiled.

2. The State Institution “National Library of Belarus” shall satisfy the universal information needs of library users and is:

2.1. Republican Information and Socio-cultural Center;

2.2. Republican Centre for Coordination and Cooperation of the Activity of Libraries on Acquisition, Creation, Formation and Mutual Use of Information Resources;

2.3. Republican Branch Centre for the Information on Culture;

2.4. National Interlibrary Loan Centre, Document Exchange and Redistribution Centre;

2.5. Republican Scientific and Methodical Center for Library Services;

2.6. Scientific Institution of Library Science, Bibliography, and Book Science;

2.7. Republican depository of United Nations materials, and of other international organizations and interstate entities.

3. The State Institution “National Library of Belarus” shall perform the main functions as follows:

3.1. Form, preserve, constantly store and provide the most complete collection of domestic documents and of belarusika (albaruthenica), scientifically important foreign documents to library users;

3.2. Organize access to national and global databases;

3.3. Form exchange Library Funds for document exchange and redistribution, international document exchange;

3.4. Coordinate the interaction of libraries with scientific information bodies, archives, museums and other legal entities on the mutual use of information resources, the maintenance of the union electronic catalogue of the libraries of Belarus;

3.5. Acquire, as a matter of priority, library collections from well-known writers, figures of science, culture and art, their successors, other citizens, as well as in second-hand bookstores and auctions;

3.6. Carry out scientific-research activities in library science, bibliography, bibliology;

3.7. Provide documents, bibliographic and other information in accordance with the right of citizens to library, information, reference and bibliographic services;

3.8. Carry out cultural and educational work aimed at promoting the cultural development of library users;

3.9. Carry out publishing and polygraphic activity aimed at the preparation and release of the information and methodological editions, scientific publications on library science, bibliography, bibliology;

3.10. Participate in the development and realization of the state policy in the field of culture on the issues related to library services;

3.11. Provide coordination and cooperation of library activities on the acquisition, creation, formation and mutual use of information resources, rendering of electronic services;

3.12. Perform other functions provided for by this Code, other legislative acts on culture and Statutes.

Article 139. Library Networks. Aggregated Library Network

1. A network of libraries is an aggregate of libraries, which are amalgamated in accordance with their purpose, territorial affiliation and/the founder and have a coordination and methodological centre.

2. An aggregate network of libraries shall consist of public networks and special library networks.

The coordination and methodical center of an aggregate network of libraries is the State Institution “National Library of Belarus”.

3. Attributing of libraries to certain networks of libraries shall be carried out by their founders.

Among coordination and methodical centers of library networks, coordination and methodical centers of republican, regional, district and city levels shall be distinguished.

4. Coordination and methodical centers of the Republican level shall be as follows:

4.1. Among public library networks — the State Institution “National Library of Belarus”;

4.2. Special library networks — State Institutions: “Presidential Library of the Republic of Belarus”, “Republican Scientific and Technical Library”, “Republican Scientific Medical Library”, “Yakub Kolas Central Scientific Library of the National Academy of Sciences of Belarus”, “I.S. Lupinovich Belarusian Agricultural Library of the National Academy of Sciences of Belarus”, “Scientific and Pedagogical Library of the Institution “Main Information and Analytical Center of the Ministry of Education of the Republic of Belarus” and the Fundamental Library of the Belarusian State University.

5. Among special library networks, the Ministry of Culture shall determine for certain types of special libraries Coordination and Methodological Centers of the Republican level from among the libraries provided for by [Subparagraph 4.2](#) of [Paragraph 4](#) of this Article.

6. Determination of coordination and methodical centers of regional, district and city levels shall be carried out by Coordination and Methodological Centers of the Republican level in coordination with library founders and the Ministry of Culture.

Article 140. Republican Library Council

1. The Republican Library Council shall be established at the Ministry of Culture to develop proposals on the issues related to library services, improve the activity and interaction of libraries, as well as provide methodological assistance to them.

2. The Republican Library Council shall:

2.1. Prepare proposals for the development of library services;

2.2. Promote the improvement of coordination and cooperation of libraries;

2.3. Identify and consider actual problems and define prospects of the development of library services in accordance with modern scientific developments and the practice of library activity;

2.4. Prepare proposals for addressing acute problems related to library services and bring them to state bodies for consideration;

2.5. Study and generalize positive experience of the activity of libraries, develop proposals for its use and development;

2.6. Promote the implementation of cultural projects, state and other programs aimed at the preservation, development, dissemination and/or popularization of culture;

2.7. Prepare proposals for the improvement of legislation on culture in part related to the regulation of library services, strengthening of ties with domestic and foreign libraries;

2.8. Make decisions about complaints on conclusions of the commissions of state libraries about the estimation of cost of cultural Assets constituting the Library Fund of the Republic of Belarus.

3. The Republican Library Council may include the representatives of the Ministry of Culture, libraries, as well as legal entities involved in library services.

4. Decisions of the Republican Library Council shall be of a recommendatory character,

except for decisions about the complaints on conclusions of the commissions of state libraries about the estimation of cost of cultural assets constituting the Library Fund of the Republic of Belarus.

Article 141. Library Fund. Library Fund of the Republic of Belarus

1. “Library Fund” means an ordered set of documents that are permanently stored at the library and are intended for public use.

2. The Library Fund of the Republic of Belarus shall be made up of the Library Funds of libraries of various forms of ownership and reflect information, cultural, educational and scientific potential of the society.

3. Library Funds of state libraries shall be only owned by the state.

Article 142. Book Monuments. State Register of Book Monuments of the Republic of Belarus

1. “Book monuments” means manuscripts, printed editions that have been granted the status of a historical and cultural asset or that are rare or valuable documents and have distinctive historical, scientific, artistic or other merits.

2. “State Register of Book Monuments of the Republic of Belarus” means an aggregate of information on book monuments included in the Library Fund of the Republic of Belarus, as well as the ones belonging to legal entities and citizens on the right of ownership, other legal grounds and are included in the State Register of book monuments of the Republic of Belarus with the consent of these legal entities and citizens.

3. The State Register of Book Monuments of the Republic of Belarus shall be established for the purpose of accounting and systematization of the data on book monuments, the identification and popularization of book monuments.

4. The State Institution “National Library of Belarus” shall form and maintain the State Register of Book Monuments of the Republic of Belarus.

5. In case of a change of the owner of the book monument included in the State Register of Book Monuments of the Republic of Belarus, its former owner shall be obliged, no later than ten calendar days from the date of forfeiture of the ownership right to the book monument, to inform the State Institution “National Library of Belarus” about it to introduce required changes to the State Register of Book Monuments of the Republic of Belarus.

The holders (owners) of book monuments included in the State Register of Book Monuments of the Republic of Belarus shall in case of amendments to the data entered in the State Register of Book Monuments of the Republic of Belarus be obliged, no later than thirty calendar days from the date of occurrence of the grounds for their change, to notify the State Institution “National Library of Belarus” about it to introduce required changes to the State Register of Book Monuments of the Republic of Belarus.

6. The State Institution “National Library of Belarus” shall, no later than seven calendar days from the date of receipt of written notice of amendments to the data, introduce required changes to the State Register of Book Monuments of the Republic of Belarus.

7. The State Register of Book Monuments of the Republic of Belarus shall be maintained in the Belarusian language.

8. The data contained in the State Register of Book Monuments of the Republic of Belarus shall be open and posted on the official website of the State Institution “National Library of Belarus” over the global computer network Internet, except for the data related to information the dissemination or provision of which is limited in accordance with legislative acts.

Article 143. Formation of Library Funds

Formation of Library Funds is a set of processes, including the acquisition, organization of Library Funds, exclusion of documents from Library Funds and management of Library Funds.

Article 144. Acquisition of Library Funds. Management of Library Funds

1. Acquisition of Library Funds is a set of processes for the identification, selection, order, acquisition, development, and receipt of documents that serve library goals, correspond to a profile of its funds' acquisition.

2. Acquisition of Library Funds shall be carried out through:

2.1. Obtaining mandatory free copies of documents;

2.2. Acquisition of documents and subscription to periodicals;

2.3. Document exchange between libraries, legal entities, citizens, including individual entrepreneurs;

2.4. Receipt, making electronic copies of documents;

2.5. Receipt of documents as gratuitous (sponsorship) assistance, donations;

2.6. By other means.

3. A procedure for the distribution of obligatory free copies of documents, types of documents relating to the obligatory free copy, a list of libraries that have a right to obtain obligatory free copies of documents shall be established by the provision on an obligatory free copy that shall be approved by the Council of Ministers of the Republic of Belarus.

4. Management of Library Funds is a set of processes regulating the composition, size and structure of Library Funds according to the goals of libraries and the needs of their users.

Article 145. Organization of Library Funds. Exclusion of Documents from Library Funds

1. Organization of Library Funds is a set of processes relating to the receipt, allocation, processing, placement and storage of documents.

2. Accounting of Library Funds shall be carried out by a library to ensure the safety, control over the presence and movement of documents.

Accounting of the Library Fund shall include registration, marking, inventory, and cost estimation of documents making up the Library Fund, summing up the results on the Library Fund and checking the Library Fund.

The head of the library that is a legal entity, or the head of a legal entity the library forms the subdivision of must establish conditions ensuring the organization of accounting and storage of the Library Fund, as well as carrying out of the binding of documents and sanitary and hygienic

processing of the Library Fund. Adapted facilities that provide the required temperature-humidity, light and biological modes and special equipment should be used for the storage of the Library Fund.

4. Restricted illumination shall be an obligatory condition during the storage of book monuments. Room windows where book monuments are stored shall be provided with light-trapping devices (stained glass, curtains). The use of fluorescent lamps as a permanent source of illumination shall not be allowed.

Storage of book monuments, other most valuable documents during their use shall be provided through the establishment of an insurance fund.

The insurance fund shall be formed by means of microphotocopying or the transfer of documents to the physical storage media and shall be destined for their permanent storage.

5. Peculiarities of the use of documents that are enlisted in the Cultural and Historical Fund of the state fund of precious metals and precious jewels of the Republic of Belarus shall be established by legislation in the field of activity with precious metals and precious jewels.

6. Exclusion of documents from the Library Fund (recompilation) is the selection, removal from the Library Fund and deregistration of documents the further preservation of which is considered to be inexpedient. This shall apply to such documents as non-core, obsolete in content; excessively duplicate (repeated), defective, worn out and other documents.

Documents excluded from Library Funds may be transferred by libraries free of charge or for a fee to other libraries and legal entities, including through the document exchange and redistribution of documents, or to citizens.

7. The organization of Library Funds and the exclusion of documents from them, except for the organization of Library Funds of general secondary education institutions, and the exclusion of documents from them shall be formalized by accounting documents the forms of which shall be established by the Ministry of Culture.

The organization of Library Funds of general secondary education institutions and the exclusion of documents from them shall be formalized by accounting documents the forms of which shall be established by the Ministry of Education of the Republic of Belarus in coordination with the Ministry of Culture.

Article 146. Cooperation among Libraries

1. Cooperation among libraries shall be maintained according to the basic principles of library services, including through the document exchange and redistribution of documents, organization and functioning of the national interlibrary loan system.

2. Corporate interaction of libraries shall be carried out according to the basic principles of library services by the formation and use of information resources.

Article 147. Document Exchange and Redistribution of Documents

1. Document exchange and the redistribution of documents — gratuitous transfer from one library of excessively duplicate (repeated) and non-core documents for this library to another library for the replenishment of its fund.

Only state libraries shall be allowed to transfer the documents that make up the Library Fund

of the Republic of Belarus and are permanently stored in state libraries.

2. Document exchange and the redistribution of documents shall be organized according to territorial and territorial-industry principles.

3. For the purpose of document exchange and the redistribution of documents, libraries shall create exchange funds.

4. Exchange funds shall be formed from excessively duplicate (repeated), non-core documents for this library, which were:

4.1. Excluded from the core fund;

4.2. Received as gratuitous (sponsor) assistance, donations.

5. A procedure for accounting of exchange funds shall be approved by the head of the library, who is a legal person in coordination with the founder of the library or the head of a legal person whose subdivision the library forms in accordance with the requirements of this Code.

6. For informing on a mutual basis about the structure of exchange funds, libraries shall regularly form and distribute (including through electronic channels) the lists (indices, lists) of documents intended for the document exchange and redistribution.

7. Documents' exchange and redistribution of documents may be carried out on a permanent basis or on one-time requests.

Documents' exchange and redistribution of documents shall be formalized by corresponding acts that are made in two copies and are supplemented by the lists (indices) of transferred documents.

Transportation costs of documents transferred within the framework of the exchange and redistribution of documents shall be covered by agreement of the parties.

8. Libraries that carry out the exchange and redistribution of documents shall provide for:

8.1. Functioning of a separate subdivision, determination of separate staff units responsible for the fulfillment of responsibilities related to the exchange and redistribution of documents;

8.2. Allocation of a separate facility (part of a facility) for placing the exchange fund and work with it.

9. A procedure for the exchange and redistribution of documents provided for by this Article shall not extend to the documents that have been granted the status of a historical and cultural asset, and the documents that are included in the Cultural and Historical Fund of the state fund of precious metals and precious jewels of the Republic of Belarus.

Article 148. Interlibrary Loan. National System of Interlibrary Loan

1. Interlibrary loan is a form of library service for library users based on the mutual use of information resources and reference and bibliographic apparatus of libraries by providing library users with original documents or their copies provided by another library.

2. The national system of interlibrary loan is a form of interaction of libraries based on the mutual use of information resources and reference and bibliographic apparatus of libraries.

3. The national system of the interlibrary loan shall unite libraries irrespective of their founder, capacity, composition and structure of their Library Funds, organizational and technological specifics of the activity of libraries shall be developed for the purpose of ensuring of continuous granting of documents from Library Funds to the users of libraries and shall be based on mutually beneficial voluntary cooperation.

4. In the national system of interlibrary loan, there are branch and universal centers of interlibrary loan that shall ensure the optimal mode of its functioning and the rational use of Library Funds.

Branch centers of the interlibrary loan shall include special libraries that are methodological and coordination centers of the Republican level. Universal centers of the interlibrary loan shall include regional public libraries.

5. Interlibrary loan service shall be provided on the basis of contracts (agreements) between libraries that are legal persons and/or legal persons the library forms a subdivision of or letters.

6. Library users shall not be limited in the choice of a library to place orders for the delivery of documents. The delivery of documents shall be carried out in accordance with the rules of use of the library a document is stored at the Library Fund of.

7. An interlibrary loan order shall be recorded on the order sheet that shall be directed through any of communication channels (mail, e-mail etc.). The order sheet shall be filled in for each separate document legibly, without arbitrary reductions and with an indication of all the requisites stipulated by the order sheet.

The [form](#) of the order sheet shall be established by the Ministry of Culture.

Article 149. Corporate Interaction of Libraries on the Formation and Use of Information Resources

1. Information resources of state libraries shall be an integral part of information resources of the Republic of Belarus.

2. Libraries shall be involved in the formation of the consolidated electronic catalogue of libraries of Belarus, other corporate information resources.

The consolidated electronic catalogue of libraries of Belarus is an information resource that reflects the composition, content and structure of the Library Fund of the Republic of Belarus.

3. In order to improve the quality of information and library services and the effective use of global information resources, libraries shall acquire these resources on a corporate basis and provide access to them. A procedure for corporate interaction shall be determined by agreements between libraries that are legal persons and/or legal persons the library forms the subdivision of.

Coordination of corporate interaction of libraries shall be provided by the State Institution “National Library of Belarus”.

Article 150. Library Users. Rights and Responsibilities of Library Users

1. Legal persons, citizens, including individual entrepreneurs, library services are provided to shall be considered as their users.

A procedure for the use of library, a list of the basic services and conditions for their provision shall be established in accordance with this Code, the Statute (regulations) on the library and rules

for library use.

2. Users of libraries shall have the right to library, information and reference-bibliographic services according to their needs and interests.

3. The right to library, information and reference-bibliographic services shall be provided through:

3.1. Creation of different types of libraries;

3.2. Promotion of access to national and world databases;

3.3. Organization of an interlibrary loan;

3.4. Electronic delivery of documents;

3.5. Organization of library, information and reference-bibliographic services to library users at the place of residence (stay), work (service), study, and leisure;

3.6. Use of non-stationary forms of service;

3.7. Creation and functioning on the basis of state public libraries of public legal information centres.

4. Users of state libraries shall have the right to:

4.1. Receive free and full information on the composition and content of Library Funds;

4.2. Receive free consulting assistance in finding of information sources;

4.3. Receive documents free of charge from Library Funds for temporary use;

4.4. Get access to information resources of libraries;

4.5. Receive documents or their copies on the basis of an interlibrary loan;

4.6. Take part in cultural events held by libraries;

4.7. Use in the service areas of library users technical means on the autonomous power supply without sound signals, except for copiers (scanners, audio, photo and video equipment), mobile phones and other technical means for the purpose of photo and video shooting of documents from Library Funds;

4.8. Use library services, including paid ones;

4.9. Other rights in accordance with legislation.

5. Persons with impaired vision and persons deprived of sight shall have the right to receive documents on special material carriers of information.

6. Disabled and other physically weak persons shall have the preemptive right to receive documents from the Library Funds of public libraries through non-stationary forms of service.

7. Users of libraries shall have the right to participate in the activity of trustee boards, library user associations.

8. Illegal actions (inaction) of library officials that restrict the rights of library users may be

appealed to a higher organization, the head of a legal person whose subdivision the library forms, and/or to the court.

9. Library users shall be obliged to:

9.1. Follow the rules for the library use;

9.2. Treat Library Funds with due care;

9.3. Return the documents received from Library Funds within the time limits established by the library;

9.4. Undergo re-registration of library users on time and in accordance with the registration procedure for library users;

9.5. Upon receipt of documents with defects, inform the librarian about it;

9.6. Perform other duties in accordance with legislative acts.

10. Access to documents from Library Funds and information resources may be restricted in cases provided for by legislative acts.

11. Library users shall not be allowed to:

11.1. Visit the library in a state of intoxication or in a state caused by the use of narcotic drugs, psychotropic substances, their analogues, toxic or other intoxicating substances;

11.2. Enter the library with animals, except for the users of libraries — visually impaired persons and the persons with lost sight accompanied by a guide dog;

11.3. Bring printed editions, prickly and cutting objects to the library, unless otherwise provided for by the rules for library use;

11.4. Take out documents from library premises without a mark in the record sheets established by the library;

11.5. Bring and use copying devices (scanners, audio, photo and video equipment), mobile phones and other technical means for the purpose of photo and video shooting of documents from Library Funds;

11.6. Give a library card to other persons or use a library card of another person.

12. In case of loss, damage to the documents from Library Funds, library users shall replace them with identical, equivalent documents. In the case where the replacement of documents is not possible, library users shall reimburse their cost in accordance with civil legislation.

13. To the users of libraries who have broken the terms of return of documents from Library Funds, new documents shall not be released until return of documents.

Article 151. Registration of Library Users

1. Registration of citizens as library users shall be carried out directly at the library or through the official library site over the global computer network Internet.

2. Registration of legal persons and individual entrepreneurs as library users shall be carried out on the basis of an agreement on library, information and reference-bibliographic services.

3. A registration procedure for library users shall be approved by the head of the library, who is a legal person, in coordination with the founder of the library or the head of a legal person the subdivision of which the library forms.

CHAPTER 19 MUSEOLOGY

Article 152. Museology

“Museology” means a direction of cultural activity on the creation and development of museums, identification of objects of museum value, acquisition of Museum Funds, as well as on the account, storage, study, use and popularization of museum objects, auxiliary scientific and raw materials, carrying out of other types of museum activity.

Article 153. Museum Worker

“Museum worker” means a cultural worker who carries out museum activities.

Article 154. Museum Activities

1. Museum activities shall be carried out for the purpose of general accessibility of cultural assets of domestic and global culture, their use for aesthetic education and cultural development of citizens.

2. Museum activities shall include:

2.1. Identification of objects of museum importance;

2.2. Acquisition of Museum Funds;

2.3. Accounting of museum objects, auxiliary scientific and raw materials;

2.4. Storage of museum objects, auxiliary scientific and raw materials;

2.5. Study, use and popularization of museum objects, research aids and raw materials, including by conducting on their basis of scientific research of archival, library and other sources, public display of museum objects, auxiliary scientific and raw materials, as well as the publication of related materials;

2.6. Conservation and restoration of museum objects, auxiliary scientific and raw materials;

2.7. Cataloging of museum objects, auxiliary scientific and raw materials;

2.8. Creation and opening of expositions;

2.9. Excursion services for museum visitors;

2.10. Cultural and educational work and cultural and educational activities related to museum objects, auxiliary scientific and raw materials, as well as intangible historical and cultural assets according to a museum profile (profiles);

2.11. Study, use and popularization of intangible historical and cultural assets according to a museum profile (profiles);

2.12. Conducting of scientific and practical workshops and conferences, other museology-related events.

Article 155. Object of Museum Importance. Museum Object, Auxiliary Scientific and Raw Materials, their Classification

1. “Object of museum importance” means a cultural asset or a natural object isolated from the environment as a result of scientific activity that are of scientific, historical, memorial, artistic and/or aesthetic importance and are not included in the Museum Fund.

2. “Museum object” means a cultural asset or a natural object isolated from the environment as a result of scientific activity that are of scientific, historical, memorial, artistic and/or aesthetic importance, are permanently stored at the museum and are included in the Museum Fund.

3. “Auxiliary scientific material” means material acquired or specially produced to disclose exhibition contents, and which replaces an original object, or an original object that has not been attributed, due to the impossibility of ensuring its long-term preservation, to museum objects that are permanently stored at the museum and are included in the Museum Fund.

4. “Raw material” means an object of natural origin, which is intended for laboratory research and preparation, is permanently stored at the museum and is included in the Museum Fund.

5. For the purpose of optimal organization of work with museum objects, auxiliary scientific and raw materials, as well as establishing of conditions that contribute to their preservation, study, use and popularization to the greatest possible extent, museum objects, auxiliary scientific and raw materials shall be classified by their types and kinds.

6. Classification of museum objects, auxiliary scientific and raw materials — a grouping of museum objects, auxiliary scientific and raw materials on the basis of the unity (similarity) of their characters (origin, theme line, chronology, structure, functional purpose and other characters) aimed at fixing connections between them.

7. Classification of museum objects, auxiliary scientific and raw materials shall be carried out according to the following types and kinds:

7.1. Written — documents, manuscripts, printed editions and other written forms;

7.2. Fine art — sculpture, painting, graphics, works of arts and crafts and other fine arts;

7.3. Tangible — archeological artifacts, numismatics, bonistics, phaleristics, sphragistics (sigillography), weapons, protective weapons, ammunition, military equipment and paraphernalia, clothing, fabrics, vexillology, furniture, musical instruments, appliances, apparatus, tools, mechanisms, vehicles, appliances and devices, household objects and other assets;

7.4. Audiovisual — phono, photo, film, and video documents and other audiovisual types;

7.5. Natural history — biological, geological objects and other natural-historical types;

7.6. Architectural — capital structures (buildings, constructions) and other architectural types.

Article 156. Museum Collection

“Museum collection” means a collection of museum objects, auxiliary scientific and raw materials combined by one or more features, and which are of scientific, historical, memorial, artistic and/or aesthetic importance as an integral whole.

Article 157. Museum Fund

1. “Museum Fund” means a scientifically substantiated collection of museum objects, auxiliary scientific and raw materials that are permanently stored at the museum.

2. Structural elements of the Museum Fund shall be as follows:

2.1. Main fund — a collection of museum objects;

2.2. Auxiliary scientific materials fund — a collection of auxiliary scientific materials;

2.3. Raw materials fund — a collection of raw materials.

3. By the decision of the fund procurement commission, other authorized commission of the museum or the head of the museum who is a legal person, or the head of a legal person the museum forms a subdivision of, auxiliary scientific materials may be attributed to museum objects, raw materials — to museum objects or auxiliary scientific materials.

4. If required, by decision of the stock-purchasing commission, another authorized commission of the museum or the head of the museum that is a legal entity, or the head of a legal entity the subdivision of which the museum forms, the following may be created:

4.1. Collection fund — a collection of museum objects that have been granted the status of a historical and cultural asset or those such a status has not been granted to, but they are unique museum objects of their kind and exist in a single copy or in a limited number (hereinafter referred to as “particularly valuable museum objects”);

4.2. Exchange fund — a collection of non-core or duplicate (repeated) museum objects intended for inter-museum exchange.

Article 158. Right of Ownership over Museum Objects. Objects of Museum Importance

1. Museum objects, objects of museum importance may be in state or private ownership.

2. Museum objects that are permanently stored at state museums shall be in the ownership of state only.

Article 159. Museum. Museum Mission

1. “Museum” means a cultural organization or a subdivision of a legal person, which identify the objects of museum importance, acquire Museum Funds, carry out accounting and storage of museum objects, auxiliary scientific and raw materials, study, use and promotion of museum objects, auxiliary scientific and raw materials on a permanent basis.

2. A museum shall carry out activities in accordance with the mission of a museum.

“Museum mission” means the public purpose of a museum as a social institution for the preservation and promotion of the tangible and intangible cultural heritage, national cultural

traditions, including the traditions of folk arts and crafts, the ethnocultural and natural environment.

3. Scientific-methodological, Scientific, Restoration, and Expert Boards the scope of competence and operational procedures of which shall be established by the head of a museum who is a legal person, or the head of a legal person the museum forms the subdivision of.

Article 160. Concept of Museum Development

1. The concept of museum development shall be a basis for planning of museum activities, acquisition of a Museum Fund, in accordance with its profile (profiles), and shall define the purposes, tasks, principles of its functioning, prospects and directions of development of a museum, ways of their realization.

2. The concept of museum development shall be approved by the founder of a museum who is a legal person, or a legal person the museum forms the subdivision of.

Article 161. Classification of Museums

1. "Classification of museums" means the grouping of museums by the features essential for the organization and development of the system of museums, the implementation of museum activities, including according to a profile/profiles and other criteria.

2. According to the form of ownership, museums shall be divided into state and private.

3. A museum profile is understood as the museum classification category that defines the relationship of museum activities and a profile discipline, a concrete branch of science, technology, production, and a form of art etc.

4. Museums shall be classified according to the following profiles:

4.1. Historical that include general/common history, military history, archeological, ethnographic, history of religion, historical monographs, modern culture, and other historical museums;

4.2. Natural history that include natural history museums of a wide profile, geographical, biological, zoological, botanical, geological, mineralogical, anthropological, and other natural history museums;

4.3. Art that include the museums of fine arts, arts and crafts, folk art, palace and park art, art monographs, and other art museums;

4.4. Literary that includes the museums of history of literature, history of books, literary monographs, and other literary museums.

5. In the case where a museum combines the features of several profiles, a museum shall be classified as complex. Complex museums shall include memorial complexes, historical and art museums, local history museums, the museums of architecture and ethnography, historical and cultural reserves, and other museums.

Article 162. Specifics of Establishment and Liquidation of Museums

1. Establishment of state museums shall be carried out by the President of the Republic of Belarus, the Council of Ministers of the Republic of Belarus, the Ministry of Culture, as well as other state bodies and other state legal persons in coordination with the Ministry of Culture.

2. Mandatory requirements/conditions for the establishment of museums shall be as follows:

2.1. Presence of objects of museum importance and/or natural objects isolated from the surrounding environment as a result of scientific activities, as well as the presence of the concept of museum development;

2.2. Ability of the founder of the museum, who is a legal person, or the ability of a legal person whose subdivision the museum forms of providing the museum with the capital construction (building, structure), premises, territory corresponding to the profile/profiles of the museum and requirements for the storage of museum objects, auxiliary scientific and raw materials, as well as equipment, financial and technical means required for the organization and implementation of museum activities;

2.3. Ability of introducing a staff unit (s) of a museum worker.

3. Upon liquidation of the state museum that is a legal person, or in the case of exclusion of the museum from the structure of the state legal person, the founder of the state museum or the state legal person the museum forms the subdivision of shall be obliged to ensure the preservation of the Museum Fund and transfer it to another state museum/museums.

Upon liquidation of the private museum that is a legal person, or in case of exclusion of the museum from the structure of the non-state legal person, the owner of the private museum or the non-state legal person the museum forms the subdivision of shall be obliged to ensure the preservation of museum objects included in the Museum Fund of the Republic of Belarus.

4. The transfer of the Museum Fund of the state museum subordinated to the Ministry of Culture shall take place in accordance with the decision of the Ministry of Culture.

The transfer of the Museum Fund of another state museum shall take place in accordance with the decision of the founder of the museum that is a legal person, or in accordance with the decision of a legal person the museum forms the subdivision of agreed upon with the Ministry of Culture.

Article 163. Specifics of Material and Technical Support and Financing of Museums

1. Museums should be provided with capital constructions (buildings, structures), premises, territories corresponding to a profile/profiles of the museum and requirements for the preservation of museum objects, auxiliary scientific and raw materials, as well as the equipment, technical and financial means needed for the organization and implementation of museum activities.

2. Placing of museums at capital constructions (buildings, structures), premises, on the territories that do not correspond to a profile/profiles of the museum and requirements for the preservation of museum objects, auxiliary scientific and raw materials, and the transfer of museums to capital constructions (buildings, structures), premises, and territories that deteriorate the conditions of their activities shall not be allowed.

3. In the case of the transfer to other legal persons, citizens, including individual entrepreneurs, of the capital construction (building, structure), premises, the territory where the state museum is located, state bodies realizing the transfer shall provide the state museum with

equivalent capital construction (building, structure), premises, territory and provide at their own expense the movement of the Museum Fund and museum equipment.

4. Financing of museums shall be realized out of the sources stipulated by [Article 21](#) of this Code, including the sources obtained in the form of a payment for visiting a museum for the inspection of expositions, excursion services, issue of a permit for the manufacture of fine, printed, souvenir and other replicated products, the production of consumer goods using the images of museum objects, as well as the funds obtained from the manufacture and realization of fine, printed, souvenir and other products.

Article 164. Rights and Responsibilities of Museums

1. Museums shall have the right to:

1.1. Independently determine the content and forms of their activities in accordance with the concept of museum development;

1.2. Document all the phenomena of national and foreign history and culture, regardless of their political, ideological, economic, social or other orientation, except for the phenomena information on which refers to information the distribution and/or granting of which shall be limited in accordance with legislative acts;

1.3. Organize and carry out scientific research activity, including archeological research, to provide for the acquisition of Museum Funds, as well as identify the objects of museum importance by other means that do not contravene legislation on culture;

1.4. Carry out income-generating activities, including the provision of chargeable services;

1.5. Establish the rules for visiting a museum that shall be approved by the head of the museum, who is a legal person, or the head of a legal person the museum forms the subdivision of;

1.6. Direct museum workers to work in archives, libraries, as well as for other legal entities.

2. Museums shall be obliged to:

2.1. Promote the safeguarding of museum visitor rights provided for by this Code;

2.2. Provide services to museum visitors in accordance with the Statute (regulations) of a museum, museum visitor regulations;

2.3. Promote access of museum visitors to museum objects, auxiliary scientific and raw materials;

2.4. Ensure the safety of museum objects, auxiliary scientific and raw materials;

2.5. Provide training, retraining and advanced training to museum workers;

2.6. Participate in the implementation of state and other programs aimed at the preservation, development, dissemination and/or popularization of culture.

3. Museums shall have other rights and responsibilities provided for by this Code and other legislative acts.

4. Museums that are fully or partially financed out of the sources of Republican and/or local budgets shall provide museum visitors, at least once a month on the day determined by the museum that is a legal entity or a legal entity the museum forms the subdivision of, with the right to free (preferential) visits to a museum to view the exhibits created on the basis of own Museum Funds, and the disabled, veterans of the great patriotic war, military personnel in active military service, citizens undergoing alternative service, children under seven years of age, orphans, children left without parental care, individuals from among orphans and children left without parental care; individuals with special needs who receive preschool, general secondary, special, vocational and technical, secondary special, higher education, and museum workers — constantly.

Article 165. System of State Museums

1. A system of state museums shall consist of state museums subordinated to the Ministry of Culture and structural subdivisions of local executive and administrative bodies of regional and basic territorial levels that exercise state-authoritative powers in the sphere of culture, and state museums subordinated to other state authorities.

2. A system of state museums shall include the following methodological and coordination centers:

2.1. At the Republican level — the State Institution “National History Museum of the Republic of Belarus” (for the museums of historical and natural history profiles), the Institution “National Art Museum of the Republic of Belarus” (for the museums of an art history profile), the Institution “State Museum of the History of Belarusian Literature” (for the museums of a literature profile);

2.2. At the Regional (Minsk city) level — Regional (Minsk city) State Museums that are determined by corresponding structural subdivisions of local executive and administrative bodies of the regional territorial level, which exercise state-authoritative powers in the sphere of culture;

2.3. At the District (city) level — State District and City Museums that are determined by corresponding structural subdivisions of local executive and regulatory bodies of the basic territorial level, which exercise state powers in the sphere of culture.

Article 166. Museum-reserve. Open-air Museum

1. “Museums-reserves” means museums that are located in the complexes and ensembles of immovable tangible historical and cultural assets together with the territory historically and culturally associated with those immovable tangible historical and cultural assets.

2. “Open-air museums” means museums the Museum Funds of which include complexes and/or ensembles of immovable tangible historical and cultural assets located in the territory, which is not historically and culturally connected with them, or museums the Museum Funds of which include collections and/or sets of tangible historical and cultural assets, other movable tangible cultural assets systematized and presented in the territory that is not historically and culturally associated with them.

3. The safeguarding of tangible historical and cultural assets in which museum-reserves are located or that are included in the Museum Funds of open-air museums shall be carried out in accordance with this Code.

4. A museum-reserve, an open-air museum shall have the preemptive right to the implementation of cultural and other activities in the territory, including excursion services.

5. A museum-reserve, an open-air museum may have its own symbols (flags, pennants, emblems, etc.).

6. A special regime for the storage of museum objects, auxiliary scientific and raw materials shall be established at the museum-reserve, the open-air museum, taking into account their arrangement in unstable temperature-humidity and light conditions.

7. For the purpose of support and development of folk arts and crafts, popularization and dissemination of folk arts and crafts, historical traditional technological processes of management, production, preparation of certain types of food of the national cuisine, a museum-reserve, an open-air museum may use museum objects, auxiliary scientific and raw materials, provided that such a use does not endanger their storage and may not lead to their damage, loss or destruction.

8. A museum-reserve, an open-air museum, taking into account their profile (profiles), may carry out activities on plant growing, animal husbandry, production of consumer goods, preparation of foodstuff, applying technologies and tools that were used during a certain historical period.

The obtained production (consumer goods, foodstuff, etc.) may be realized by a museum-reserve, an open-air museum in accordance with the procedure established by legislative acts.

9. A museum-reserve, an open-air museum shall carry out activities that raise profits, provided that such activities do not interfere with the safeguarding of cultural and natural heritage objects.

10. In the territory of a museum-reserve, an open-air museum, a differential regime for their safeguarding shall be established, taking into account the specifics of zones for the safeguarding of immovable tangible historical and cultural assets and protection zones for specially protected natural areas established in this territory.

11. In order to ensure the integrity and safety of museum objects, auxiliary scientific and raw materials, exclude cases of their damage, loss or destruction, a museum-reserve, an open-air museum must be equipped with requisite safeguarding and other engineering and technical means of protection.

12. In the territory of a museum-reserve, an open-air museum, the activities that may harm the objects of cultural and natural heritage, historical and natural environment shall not be allowed, including the activities that entail:

12.1. Change of the state of museum objects; deterioration of their scientific, historical, memorial, artistic, aesthetic and/or other merits, as well as the state of auxiliary scientific and raw materials;

12.2. Environmental pollution;

12.3. Loss of biological and/or landscape diversity;

12.4. Violation of the preservation of the earth's surface, the hydrological regime of the territory.

13. A museum-reserve, an open-air museum in its activities on the storage and use of museum objects, auxiliary scientific and raw materials, the objects of natural heritage shall:

13.1. Exercise control over the state and preservation of museum objects, auxiliary scientific and raw materials, the objects of natural heritage;

13.2. Provide for the performance of design and production works on the conservation,

restoration and repair, redesign of museum objects, scientific auxiliary and raw materials, the objects of natural heritage;

13.3. Participate in the implementation of scientific methodological and technical control during the performance of design and production works on the conservation, restoration and repair that are related to a change in the state of museum objects, auxiliary scientific and raw materials;

13.4. Carry out other activities on the preservation of museum objects, auxiliary scientific and raw materials, the objects of natural heritage in accordance with this Code and legislative acts on specially protected natural areas.

Article 167. Register of Museums

1. The Register of Museums shall be established to organize the record of museums, formation of a uniform database on museums and representation of the data contained in it, and shall represent a collection of data on museums.

2. A legal person authorized by the Ministry of Culture shall form and maintain the Register of museums.

3. The Register of Museums shall be maintained according to the [form](#) established by the Ministry of Culture.

4. Museums that are legal persons or legal persons the museum forms the subdivision of shall be obliged, no later than ten calendar days from the date of the establishment of the museum, to submit to the structural subdivision of the local executive and regulatory body of the regional territorial level exercising state-authoritative powers in the field of culture, information about the museum (name, profile/profiles), location, working hours of the museum, its founder, etc.) according to the [form](#) established by the Ministry of Culture.

5. Structural subdivisions of local executive and regulatory bodies of the regional territorial level exercising state-authoritative powers in the field of culture shall be obliged, no later than thirty calendar days from the date of receipt of information about the museum, to consider it and direct to the legal person authorized by the Ministry of Culture proposals for including the museum in the Register of Museums.

6. In case of amendments to information entered in the Register of Museums, the museum that is a legal person or a legal person the museum forms the subdivision of shall be obliged to notify, no later than ten calendar days from the date the reasons for changing it arise, the legal person authorized by the Ministry of Culture in writing to introduce required amendments to the Register of Museums.

7. Upon liquidation of the museum, the head of the museum, who is a legal person, or the head of a legal person the museum forms the subdivision of shall be obliged, no later than ten calendar days from the date of the museum liquidation, to notify a legal person authorized by the Ministry of Culture of this in writing to exclude the museum from the Register of Museums.

8. A legal person authorized by the Ministry of Culture shall introduce required amendments to the Register of Museums, no later than seven calendar days from the date of receipt of written notifications of amendments to the information entered in the Register of Museums or of the museum liquidation.

9. The information contained in the Register of Museums shall be publicly available and posted on the official website of a legal person authorized by the Ministry of Culture over the global computer network Internet.

Article 168. Republican Rada of Museum Directors

1. The Republican Rada of Museum Directors shall be established at the Ministry of Culture to develop proposals for museum activities, improve museum activities, develop cooperation between museums and provide methodological assistance to museums.

2. The Republican Rada of Museum Directors shall:

2.1. Carry out the preparation of proposals to provide for the qualitative management of museum activities, to increase the efficiency in the use of material and financial resources in museum activities, to use modern scientific developments on museum business (museology) by museums;

2.2. Promote enhanced cooperation between museums, strengthened communication between museums and scientific organizations, non-governmental organizations, and educational Institutions;

2.3. Promote the expansion and development of international cultural and humanitarian ties, as well as the inclusion of national museum business (museology) in the global cultural process;

2.4. Prepare proposals for improving legislation on culture in its part related to the regulation of museum business (museology);

2.5. Promote the implementation of cultural projects, state and other programs aimed at the preservation, development, dissemination and/or mainstreaming of culture.

Article 169. Republican Scientific and Methodological Museology Board

1. In order to improve coordination processes in the sphere of museum business (museology), effectively use the Museum Fund of the Republic of Belarus, strengthen ties with scientific organizations and implement the results of scientific research in the sphere of museum business (museology), the Republican Scientific and Methodological Museology Board, which is a permanent advisory, consultative and expert body, shall be established at the Ministry of Culture.

2. The Republican Scientific and Methodological Museology Board shall:

2.1. Identify and consider actual problems and prospects of development in the sphere of museum business (museology) in accordance with scientific developments and practices in the sphere of museum business (museology);

2.2. Carry out the preparation of scientifically substantiated proposals for improving of museum activities, proposals for actual problems in the sphere of museum business (museology) and submit them to state authorities for consideration;

2.3. Promote the integration of scientific research results on the actual issues of profile sciences into the practice of museum activities;

2.4. Study and generalize positive experience of all kinds of museum activities, carry out the preparation of proposals for its use and development;

2.5. Promote strengthening of contacts with domestic and foreign museums and scientific

organizations;

2.6. Carry out reviewing of scientific and project documentation on the creation of a permanent exposition of the museums of Republican subordination;

2.7. Promote joint expeditions, archeological studies, attraction of experts to the study of museum objects;

2.8. Provide an expert evaluation of development plans in the sphere of museology of regions; define a level of scientific and methodological maintenance of expositions created by museums;

2.9. Make decisions upon complaints about the conclusions of State Museum Commissions of republican or regional subordination on an estimation of cost of cultural assets that are included in the Museum Fund of the Republic of Belarus.

3. The Republican Scientific and Methodological Museology Board may consist of academic historians, archeologists, art critics, sociologists, pedagogical and museum workers, and other experts with experience in museum activities.

4. Decisions of the Republican Scientific and Methodological Museology Board shall be of recommendatory nature, except for decisions upon complaints about the conclusions of State Museum Commissions of republican or regional subordination on the estimation of cost of cultural assets that are included in the Museum Fund of the Republic of Belarus.

Article 170. Museum Fund of the Republic of Belarus

1. The Museum Fund of the Republic of Belarus represents a collection of museum objects that are constantly stored in state museums, and separate museum objects that are constantly stored in private museums and are included in the Museum Fund of the Republic of Belarus upon written applications of the owners of museum objects.

2. Museum objects of state museums are state ownership and shall not be subject to return to their former owners, except for the cases provided for by civil legislation.

3. Museum objects included into the Museum Fund of the Republic of Belarus are an integral part of the cultural heritage of the Republic of Belarus.

Article 171. Incorporating of Museum Objects into the Museum Fund of the Republic of Belarus

1. Museum objects that are constantly stored at state museums shall be considered to be included into the Museum Fund of the Republic of Belarus after their registration in the Incoming Log of Museum Objects of the main fund (the main Inventory Log) of these museums.

2. A decision about the inclusion into the Museum Fund of the Republic of Belarus of a museum object of a private museum shall be made by the Ministry of Culture upon an initiative of the owner of a museum object in accordance with [legislation](#) on administrative procedures.

Article 172. Specifics of Use of Museum Objects included into the Museum Fund of the Republic of Belarus

1. Museum objects included into the Museum Fund of the Republic of Belarus shall be used in the course of museum activities for the purpose of general accessibility of cultural assets of national

and world culture, as well as aesthetic education and cultural development of citizens.

2. Transfer of museum objects included into the Museum Fund of the Republic of Belarus for temporary storage in the territory of the Republic of Belarus from one museum to another museum and from the museum to another legal person and for permanent storage in the territory of the Republic of Belarus from one museum to another museum shall be carried out on a contractual basis.

Transfer of museum objects that are included into the Museum Fund of the Republic of Belarus and are the historical and cultural assets of category “0”, “1” or “2” for temporary storage in the territory of the Republic of Belarus from one museum to another museum and from the museum to another legal person shall be carried out for the time period for up to one year.

Transfer of museum objects that are included into the Museum Fund of the Republic of Belarus and are permanently stored at state museums shall be allowed for permanent storage in the territory of the Republic of Belarus only to state museums.

3. In the case of a decision made by the owner of museum objects that are included into the Museum Fund of the Republic of Belarus and are permanently stored at private museums on the alienation of museum objects, the preemptive right to acquire these museum objects under otherwise equal conditions shall be possessed by state museums, unless otherwise provided for by this Code and other legislative acts.

4. The right to the first publication about museum objects included into the Museum Fund of the Republic of Belarus shall belong to the museum that is a legal entity or a legal entity the museum forms the subdivision of and into the Museum Fund of which they are included.

5. Specifics of use of museum objects included into the Cultural and Historical Fund of the State Fund of Precious Metals and Jewels of the Republic of Belarus shall be determined by legislation in the field of activity with precious metals and jewels.

Article 173. Exclusion of Museum Objects from the Museum Fund of the Republic of Belarus

1. A decision about the exclusion of museum objects from the Museum Fund of the Republic of Belarus shall be made by the Ministry of Culture in accordance with [legislation](#) on administrative procedures.

2. A museum object permanently stored in the state museum shall be excluded from the Museum Fund of the Republic of Belarus, provided that:

2.1. It has lost its scientific, historical, memorial, artistic and/or aesthetic merit;

2.2. It has been returned to the owner by court order;

2.3. It has been stolen, which is confirmed by the documents of related state bodies;

2.4. It has been damaged to such an extent that it cannot be restored;

2.5. It has been lost or destroyed as a result of emergencies or an armed conflict or for other reasons.

3. Legislative acts, as well as international treaties of the Republic of Belarus, may provide for other cases of exclusion of museum objects that are permanently stored at state museums from the Museum Fund of the Republic of Belarus.

4. A museum object that is permanently stored at the private museum shall be excluded from the Museum Fund of the Republic of Belarus at the initiative of the museum object's owner.

Article 174. Acquisition of the Museum Fund

1. Acquisition of the Museum Fund is a purposeful and planned process that shall include:

1.1. Selection and acquisition of the objects of museum importance, museum objects, auxiliary scientific and raw materials;

1.2. Accounting and study of the objects of museum importance, museum objects, auxiliary scientific and raw materials;

1.3. Attributing the object of museum importance, auxiliary scientific and raw materials to the main fund, the fund of auxiliary scientific materials and the fund of raw materials.

2. Acquisition of the Museum Fund shall be carried out through:

2.1. Purchase of the objects of museum importance;

2.2. Obtaining the objects of museum importance in the form of gratuitous (sponsorship) assistance, donations;

2.3. Exchange, in accordance with this Code, of museum objects, auxiliary scientific and raw materials;

2.4. Identification of the objects of museum importance during the implementation of scientific-research activities, including archaeological studies;

2.5. Creation of the insurance copies of museum objects;

2.6. Other ways that do not contravene legislation.

3. Acquisition of the Museum Fund shall be carried out in accordance with the museum profile/profiles, the concept of scientific-fund work and/or acquisition programs/plans.

The concept of scientific and fund work shall define a complex of works that are planned to be carried out for the purpose of acquisition of the Museum Fund during a certain period of time and shall be approved by the head of the museum, who is a legal entity, or the head of a legal entity the museum forms the subdivision of.

4. In order to consider and resolve the issues related to the acquisition of Museum Funds, by decision of the head of the museum, who is a legal entity, or the head of a legal entity the museum forms the subdivision of, a permanent fund-purchasing commission or a temporary authorized commission shall be formed, a composition of which and a provision on which shall be correspondingly approved by the head of the museum, who is a legal entity, or the head of a legal entity the museum forms the subdivision of.

In case where less than three museum employees constitute the museum staff, the issues related to acquisition of the Museum Fund shall be considered and resolved by the head of the museum, who is a legal entity, or the head of a legal entity the museum forms the subdivision of.

Article 175. Cataloging of Museum Objects, Auxiliary Scientific and Raw Materials

1. Cataloging of museum objects, auxiliary scientific and raw materials — the process of creating, maintaining and functioning of catalogues of museum objects, auxiliary scientific and raw materials that includes processing of information about museum objects, auxiliary scientific and raw materials, their grouping, systematization, documentation and actualization.

2. Cataloging of museum objects, auxiliary scientific and raw materials shall be carried out by museums on the basis of their classification, as well as chronological, geographical, thematic and other criteria.

3. Catalogues of museum objects, auxiliary scientific and raw materials shall be maintained on paper or other physical information carrier.

Article 176. Keeping Track of the Objects of Museum Importance, Museum Objects, Auxiliary Scientific and Raw Materials

1. Keeping track of the objects of museum importance, museum objects, auxiliary scientific and raw materials shall be organized by museums to maintain control over their use and safety, timely and exact representation of data on their quantity and location.

Museum objects included in the Museum Fund of the Republic of Belarus shall be subject to the cost estimation in cases and in accordance with a procedure provided for by the acts of the President of the Republic of Belarus.

2. Keeping track of museum objects, auxiliary scientific and raw materials shall be carried out depending on the structural elements of the Museum Fund they are attributed to.

3. Registration and movement of the objects of museum importance, museum objects, auxiliary scientific and raw materials shall be formalized by accounting documents the forms of which shall be established by the Ministry of Culture.

By decision of the head of the museum, who is a legal entity, or the head of a legal entity the museum forms the subdivision of, the forms of additional accounting documents may be approved in the museum.

4. Taking away accounting documents from the museum shall not be allowed, except for the cases provided for by legislative acts.

5. After registration of the objects of museum importance, auxiliary scientific and raw materials registration designations (identification numbers) shall be given to them.

6. Particularly valuable museum objects shall be subject to centralized accounting that shall be carried out through the inclusion of data on these museum objects into the State Catalogue of the Museum Fund of the Republic of Belarus.

A decision to attribute museum objects to particularly valuable museum objects, except for museum objects that have been granted the status of a historical and cultural asset, shall be made by the museum that is a legal entity or a legal entity the museum forms the subdivision of. This decision shall be subject to coordination with an Expert Board on the issues related to attributing of museum objects included into the Museum Fund of the Republic of Belarus to particularly valuable museum objects that shall be established at the Ministry of Culture or a legal entity authorized by it.

7. Specifics of accounting of museum objects included into the Cultural and Historical Fund of the State Fund of Precious Metals and Jewels of the Republic of Belarus shall be determined by legislation in the field of activity with precious metals and jewels. Specifics of accounting of museum objects that are attributed to weapons shall be determined by weapons legislation.

Article 177. State Catalogue of the Museum Fund of the Republic of Belarus

1. The State Catalogue of the Museum Fund of the Republic of Belarus represents an aggregate of data on especially valuable museum objects included into the Museum Fund of the Republic of Belarus.

2. The State Catalogue of the Museum Fund of the Republic of Belarus shall be maintained for the purposes of centralized record keeping, identification and popularization of particularly valuable museum objects.

3. The State Catalogue of the Museum Fund of the Republic of Belarus shall be formed and maintained by a legal entity authorized by the Ministry of Culture.

4. A museum that is a legal entity, or a legal entity the museum forms the subdivision of where particularly valuable museum objects are stored shall be obliged to submit information about these museum objects within two months from the date of their receipt to a legal entity authorized by the Ministry of Culture.

5. In order to maintain the State Catalogue of the Museum Fund of the Republic of Belarus, a legal entity authorized by the Ministry of Culture shall carry out:

5.1. Collection of information on particularly valuable museum objects;

5.2. Accounting for the presence and assessment of the preservation of particularly valuable museum objects.

6. The State Catalogue of the Museum Fund of the Republic of Belarus shall be maintained in Belarusian, Russian and English languages.

7. A museum that is a legal entity, or a legal entity the museum forms the subdivision of where particularly valuable museum objects are stored shall in the case of amendments to the data entered in the State Catalogue of the Museum Fund of the Republic of Belarus be obliged, no later than thirty calendar days from the date of occurrence of the basis for such amendments, to inform a legal entity authorized by the Ministry of Culture about it in writing to introduce required amendments to the State Catalogue of the Museum Fund of the Republic of Belarus.

8. In case of a change of the owner of a particularly valuable museum object of the private museum, the former owner shall be obliged, no later than ten calendar days from the date of the termination of the property right, to inform a legal entity authorized by the Ministry of Culture about it in writing to introduce required amendments to the State Catalogue of the Museum Fund of the Republic of Belarus.

9. Information on the loss or destruction of particularly valuable museum objects shall be directed, no later than three calendar days from the date of establishing of the fact of their loss or destruction, to a legal entity authorized by the Ministry of Culture.

10. A legal entity authorized by the Ministry of Culture shall, no later than seven calendar days from the date of receipt of written notice of amendments to the data, introduce required amendments to the State Catalogue of the Museum Fund.

11. The data included into the State Catalogue of the Museum Fund of the Republic of Belarus shall be in the public domain and posted on the official website of a legal entity authorized by the Ministry of Culture over the global computer network Internet, except for the data in relation to information the dissemination and/or provision of which shall be restricted in accordance with legislative acts.

Article 178. Storage of Museum Objects, Auxiliary Scientific and Raw Materials

1. In order to ensure the storage of museum objects, auxiliary scientific and raw materials and exclude the cases of their damage, loss or destruction, regimes for the storage of museum objects, auxiliary scientific and raw materials shall be established in museums, their conservation and/or restoration, periodic checks on their availability shall be carried out.

2. Storage of museum objects, auxiliary scientific and raw materials is a set of measures that shall include:

2.1. Development of a system for the storage of museum objects, auxiliary scientific and raw materials in repositories;

2.2. Ensuring compliance with the regimes for the storage of museum objects, auxiliary scientific and raw materials;

2.3. Creation of proper conditions for the storage of museum objects, auxiliary scientific and raw materials in exposition and exhibition halls;

2.4. Periodic checks on the availability of museum objects, auxiliary scientific and raw materials in line with accounting documents;

2.5. Preventive inspection of museum objects, auxiliary scientific and raw materials;

2.6. Ensuring proper protection of capital buildings (constructions, structures), museum premises;

2.7. Provision of repositories, exposition and exhibition halls with appropriate equipment;

2.8. Ensuring proper packaging during the transportation of museum objects, auxiliary scientific and raw materials.

3. Museums shall be obliged to carry out annual checks on the availability of museum objects, auxiliary scientific and raw materials in line with accounting documents.

In museums with the Museum Fund of more than three thousand museum objects, auxiliary scientific and raw materials, checks on the availability of museum objects, auxiliary scientific and raw materials shall be carried out in accordance with the plans approved by the head of the museum that is a legal entity, or the head of a legal entity the museum forms the subdivision of.

Checks on the availability of museum objects, auxiliary scientific and raw materials shall be carried out by a commission consisting of at least three museum employees, which shall be created in accordance with the order of the head of the museum, who is a legal entity, or the head of a legal entity the museum forms the subdivision of.

In cases where museum staff consists of less than three museum employees, checks on the availability of museum objects, auxiliary scientific and raw materials shall be carried out by persons appointed by the head of the museum, who is a legal entity, or the head of a legal entity the museum

forms the subdivision of.

Results of checks on the availability of museum objects, auxiliary scientific and raw materials shall be recorded in the reconciliation statement.

Specifics of reconciliation checks on museum objects included into the Cultural and Historical Fund of the State Fund of Precious Metals and Jewels of the Republic of Belarus shall be established by legislation in the sphere of activities with precious metals and jewels.

4. A procedure for the preventive inspection of museum objects, auxiliary scientific and raw materials shall be established by the head of a museum.

5. Museum objects, auxiliary scientific and raw materials shall be distributed by storage groups depending on their type, kind, and material.

6. Depending on the quantitative composition of storage groups and other conditions, museums shall create a complex or separate system of storage of museum objects, auxiliary scientific and raw materials.

7. Treasures that are transferred to the museum for permanent storage shall be stored all together and may not be mixed with other museum objects.

8. In order to ensure long-term storage of museum objects, auxiliary scientific and raw materials in museums, temperature and humidity, light and biological regimes shall be established.

9. Specifics of storage of museum objects related to weapons shall be established by weapons legislation.

Article 179. Conservation and Restoration of Museum Objects, Auxiliary Scientific and Raw Materials

1. “Conservation of museum objects, auxiliary scientific and raw materials” means a set of measures for the temporary or long-term preservation of the physical condition of museum objects, auxiliary scientific and raw materials using appropriate methods that allow the prevention of its further deterioration and establish conditions for the display of conserved museum objects, auxiliary scientific and raw materials.

2. “Restoration of museum objects, auxiliary scientific and raw materials” means a set of measures for the scientifically substantiated restoration of lost fragments of museum objects, auxiliary scientific and raw materials, as well as their scientific, historical, memorial, artistic, aesthetic and other merits.

3. In order to address the issues of the conservation and restoration of museum objects, auxiliary scientific and raw materials, a Restoration Council may be established at the museum the composition and procedure of which shall be determined by the head of the museum who is a legal person or the head of a legal person the museum forms the subdivision of.

4. Conservation and restoration of museum objects, auxiliary scientific and raw materials shall be carried out in accordance with scientific and design documentation for the conservation and restoration of museum objects, auxiliary scientific and raw materials the composition of which shall be established by the head of the museum, who is a legal entity or the head of a legal entity the museum forms the subdivision of.

5. Development of scientific and project documentation for the conservation and restoration of

museum objects, auxiliary scientific and raw materials shall be carried out by museum employees or other persons of appropriate qualifications.

6. After development, scientific and project documentation for the conservation and restoration of museum objects, auxiliary scientific and raw materials shall be considered at the meeting of the restoration or another council of the museum and approved by the head of the museum, who is a legal entity or the head of a legal entity the museum forms the subdivision of.

7. Conservation and restoration of museum objects, auxiliary scientific and raw materials shall be performed by artist-restorers.

8. Conservation and restoration of museum objects granted the status of a historical and cultural asset shall be performed taking into account the specifics established by this Code.

Article 180. Republican Restoration Council

1. In order to address the most important issues on the conservation and restoration of museum objects, auxiliary scientific and raw materials, improve the coordination of activities on the conservation and restoration of museum objects, auxiliary scientific and raw materials, the Republican Restoration Council shall be established at the Ministry of Culture.

2. The Republican Restoration Council shall:

2.1. Consider and make decisions on the issues of organization, research and performance of conservation and restoration of museum objects, auxiliary scientific and raw materials;

2.2. Prepare proposals for the methods of conservation and restoration of museum objects, auxiliary scientific and raw materials;

2.3. Coordinate the activity of the Restoration Councils of museums, other legal entities, citizens, including individual entrepreneurs that perform works on the conservation and restoration of museum objects, auxiliary scientific and raw materials; provide methodological assistance to them;

2.4. Prepare conclusions on the works performed on the basis of scientific and project documentation for the conservation and restoration of museum subjects, auxiliary scientific and raw materials;

2.5. Estimate the quality of executed works and conformity of their technique for the performance of works on the conservation and restoration of museum objects, auxiliary scientific and raw materials; introduce proposals and recommendations for the improvement of conservation and restoration activity;

2.6. Decide on the issues of the involvement, if necessary, of specialists from foreign countries in the restoration of museum objects, auxiliary scientific and raw materials or consultations on restoration issues;

2.7. Inform the Ministry of Culture about the cases of breaking the established methods for the performance of works on the restoration of museum objects, auxiliary scientific and raw materials;

2.8. Consider other issues related to the use of methods for the conservation and restoration of museum objects, auxiliary scientific and raw materials.

Article 181. Museum Visitors. Rights and Responsibilities of Museum Visitors

1. Legal entities, citizens, including individual entrepreneurs, museum services provided to, are their visitors.

A list of basic services and their delivery terms shall be established in accordance with this Code, the Charter (provision) of the museum and museum visitor regulations.

2. Visitors to museums shall have the right to:

2.1. Visit museums in accordance with the mode of their work, as well as for the use of their services, including chargeable ones;

2.2. Obtain full, accurate and timely information on museum activities, except for information the dissemination and/or provision of which shall be limited in accordance with legislative acts;

2.3. Work with museum objects, auxiliary scientific and raw materials in accordance with the procedure established by this Code;

2.4. Appeal, in accordance with legislation, against illegal actions (inaction) of museum officials who restrict the rights of visitors;

2.5. Other rights in accordance with legislative acts.

3. Persons who receive general secondary, technical and vocational, secondary special, higher education, except for the persons with special psychophysical developmental characteristics, who receive general secondary, technical and vocational, secondary special, higher education shall, when visiting the museum, have the right to no more than 50% discount on the entrance ticket to examine the expositions created by museums that shall be fully or partially financed from Republican and/or local budgets on the basis of own Museum Funds.

4. In museums that are not financed out of the sources of Republican and/local budgets the right to a free (preferential) visit to the museum to examine expositions created on the basis of own Museum Funds shall be established by museum founders who are legal entities, or legal entities the museum forms the subdivision of.

5. Museum visitors shall be obliged to:

5.1. Follow museum visitor regulations;

5.2. Treat museum objects, auxiliary scientific and raw materials with care;

5.3. Perform other duties in accordance with legislative acts.

Article 182. Access to Museum Objects, Auxiliary Scientific and Raw Materials and Information on them. Procedure for Work of Museum Visitors with Museum Objects, Auxiliary Scientific and Raw Materials

1. Museum objects, auxiliary scientific and raw materials shall be available for examination by museum visitors.

2. Detailed information on particularly valuable museum subjects shall be included into the State Catalogue of the Museum Fund of the Republic of Belarus and shall be accessible to museum visitors.

3. Access to information contained in printed and electronic catalogues of museums shall be in the public domain, except for information on museum objects that are included into the Cultural and Historical Fund of the State Fund of Precious Metals and Jewels of the Republic of Belarus or are related to weapons, as well as information about the persons who have transferred museum objects to the museum.

4. Information on the origin, price, exact location of museum objects recorded in the accounting documents of the museum is information the distribution and/or provision of which shall be limited in accordance with legislative acts.

5. Work of museum visitors with museum objects, auxiliary scientific and raw materials stored at the museum shall be performed on the basis of a written statement stating the exact and reasoned purpose of work and a written permit of the head of the museum, who is a legal entity or the head of a legal entity the museum forms the subdivision of.

6. In order to ensure safety of museum objects, auxiliary scientific and raw materials and exclude possible negative effects on them, access to work with museum objects, auxiliary scientific and raw materials stored at the museum may be limited in cases where:

6.1. A museum object, the auxiliary scientific and raw material are of an unsatisfactory state of preservation;

6.2. Open access to the museum object, auxiliary scientific and raw material threatens their safety;

6.3. A museum object, the auxiliary scientific and raw material are in the process of conservation or restoration;

6.4. A museum object, the auxiliary scientific and raw material are in the process of technical processing, scientific research of museum workers;

6.5. A museum object is an authentic form of writing or fine arts (documents, manuscripts, old printed editions, photo documents, graphics, and etc.);

6.6. A museum object is a particularly valuable museum object.

7. Access to work with museum objects that are not included into the Museum Fund of the Republic of Belarus, auxiliary scientific and raw materials of the private museum may be restricted for other reasons in accordance with the decision of the head of the museum who is a legal entity, or the head of a legal entity the museum forms the subdivision of.

8. In cases where insurance copies of museum objects that are an authentic form of writing or fine arts (documents, manuscripts, old printed editions, photo documents, graphics, and etc.) are available, insurance copies of such museum objects shall be provided to museum visitors for work.

9. A museum shall organize work of museum visitors with museum objects, auxiliary scientific and raw materials in separate or office premises and in the presence of a museum employee. Work of museum visitors with museum objects, auxiliary scientific and raw materials in museum repositories shall not be allowed, except for the cases where museum objects, auxiliary scientific and raw materials are of large size.

10. Museum visitors who have gained access to museum objects, auxiliary scientific and raw materials should be registered in the Museum Visitor's Log and be familiar with museum visitor regulations on work with museum objects, auxiliary scientific and raw materials.

Museum visitor regulations on work with museum subjects, auxiliary scientific and raw materials shall be approved by the head of the museum that is a legal entity or the head of a legal entity the museum forms the subdivision of.

11. Production of fine, printed, souvenir and other circulated products and production of consumer goods using the images of museum objects, as well as publication of museum object images shall be carried out only upon a permit of a museum.

12. Use of museum objects, auxiliary scientific and raw materials in the conditions that pose a threat to their preservation and/or may cause their damage, loss or destruction shall not be allowed.

13. Museum visitors who have allowed damage, loss or destruction of museum objects, auxiliary scientific and raw materials shall bear responsibility in accordance with legislative acts.

Article 183. Exposition

1. "Exposition" means a purposeful and scientifically substantiated set of museum objects, auxiliary scientific and raw materials from the own fund of a museum, Museum Funds of other museums and/or the objects of museum importance exhibited for examination by museum visitors that shall be arranged compositionally, accompanied by a written comment, technically and artistically designed and as a result create a specific museum image of certain natural and/or social phenomena according to the profile/profiles of a museum.

2. Classification of expositions shall be understood as the grouping of expositions on the basis of unity/generalality of their features.

Expositions shall be classified depending on the subject matter (historical, art, literary, natural, architectural and etc.), a method of their arrangement (collection, ensemble, illustration and thematic) and may be classified according to other criteria, *inter alia*, depending on their goals, objectives, and intended use.

3. Depending on the period of exhibiting, expositions shall be divided into permanent and temporary.

Article 184. Creation and Opening of Permanent Expositions

1. Creation of permanent expositions is a result of the scientific research activity of a museum and one of the main types of museum activities.

2. The stages of creating a permanent exposition shall be as follows:

2.1. Development of scientific and project documentation of a permanent exposition, which includes a scientific concept, substantiation of the main idea, goals and objectives of a permanent exposition, determining the ways of their embodiment, as well as the thematic structure of a permanent exposition, a thematic exposition plan and a permanent exposition scenario;

2.2. Development of an architectural and artistic solution of a permanent exposition;

2.3. Installation of a permanent exposition.

3. Creation of a permanent exposition and development of the scientific and project documentation of a permanent exposition shall be carried out by a working group. A composition of a working group, its head, terms of the beginning and end of work on the creation of a permanent exposition shall be approved by the head of the museum, which is a legal entity, or the head of a

legal entity the museum forms the subdivision of.

4. In museums with the limited staff of researchers, preparation of scientific and project documentation for a permanent exposition by museum workers of other museums or scientists of Scientific Institutions on the basis of a civil law contract shall be allowed.

5. The prepared scientific and project documentation of a permanent exposition shall be discussed at the Scientific and Methodological Council of the museum and shall be submitted for a peer review:

By state museums of district, city and rural subordination — to the state museum of regional subordination of a corresponding profile;

By state museums of Regional (Minsk city) subordination — to the state museum of the Republican subordination of a corresponding profile;

By state museums of Republican subordination — to the Ministry of Culture for consideration at the Republican Scientific and Methodical Museology Council;

State museums that are subdivisions of legal entities — to the state museum of regional (Minsk city) or Republican subordination of a corresponding profile;

Private museums — to the state museum of regional (Minsk city) subordination of a corresponding profile.

A peer review shall be carried out no later than twenty calendar days from the date of receipt of the scientific and project documentation of a permanent exposition.

6. An architectural and artistic solution of a permanent exposition shall be developed by the professional designers and artists who constitute museum staff members, or by corresponding experts on the basis of a civil-law contract.

7. Scientific and project documentation of a permanent exposition shall be approved no later than twenty calendar days from the date of receipt of a peer review and architectural and artistic solution of a permanent exposition by the head of the museum, who is a legal entity, or the head of a legal entity the museum forms the subdivision of.

8. The approved scientific and project documentation and an architectural and artistic solution of a permanent exposition shall be the basis for the conclusion of corresponding contracts for the installation of a permanent exposition.

9. Constructive amendments to the approved scientific and project documentation and architectural and artistic solution of a permanent exposition may be introduced by decision of the head of the museum who is a legal entity or the head of a legal entity the museum forms the subdivision of only after obtaining a peer review, in accordance with the procedure provided for in [Paragraph 5](#) of this Article.

10. Opening of a permanent exposition shall be carried out after its acceptance by the commission set up by the order of the founder of the museum, who is a legal entity, or the head of a legal entity the museum forms the subdivision of.

Article 185. Creation and Opening of Temporary Expositions

1. Creation of temporary expositions shall be carried out by scientific-exposition, exhibition department of the museum or by a working group. A composition of the working group, its head, terms of the beginning and end of work on the creation of a temporary exposition shall be approved by the head of the museum, who is a legal entity, or the head of a legal entity the museum forms the subdivision of.

2. In order to create a temporary exposition, museums shall develop the following project documentation:

2.1. A temporary exposure scenario or a detailed thematic structure (in cases where an exposition period is less than thirty calendar days);

2.2. A temporary exposition scenario or a detailed thematic structure, as well as an architectural and artistic solution (in cases where an exposition period is thirty or more calendar days).

3. Project documentation of a temporary exposition calculated for a period of thirty or more calendar days or of a temporary exposition prepared for an exhibition outside the museum shall be considered by the Scientific and Methodological Council of the museum (if any) and shall be approved by the head of the museum, who is a legal entity, or the head of a legal entity the museum forms the subdivision of.

4. Project documentation of a temporary exposition calculated for a period of an exposition of less than thirty calendar days shall be approved by the head of the museum, which is a legal entity, or the head of a legal entity the museum forms the subdivision of.

5. Opening of a temporary exposition shall be carried out after its acceptance by the commission set up by the order of the head of the museum, which is a legal entity, or the head of a legal entity, the museum forms the subdivision of.

Article 186. Excursion Services for Museum Visitors

1. "Excursion services for museum visitors" means public display of the objects of museum importance, museum objects, auxiliary scientific and raw materials that shall be accompanied by comments and information on them.

2. Excursion services for museum visitors shall be provided by museum workers, as well as by agreement with the head of the museum, by museum guides and guide-interpreters who have passed professional certification that confirms their qualification, other persons in accordance with legislative acts.

CHAPTER 20 FOLK ARTS AND CRAFTS

Article 187. Folk Arts and Crafts. Folk Arts and Crafts Products

1. "Folk arts and crafts" means the direction of cultural activities on the creation and popularization of folk arts and crafts products.

2. "Folk arts and crafts products" means the objects of decorative and utilitarian purpose created in accordance with folk arts and crafts traditions using natural materials and handicrafts; are characterized by national identity and are of an artistic value.

3. When creating folk arts and crafts products, the following shall be allowed:

3.1. Creative variation, which is one of the forms of folk arts manifestation and is the main technique to transfer a typical pattern of folk arts and crafts products that involves introducing changes and/or additions to the compositional, color, ornamental, plastic and another artistic solution of products that do not lead to fundamental changes of traditional character, a deterioration in the artistic level and production quality of folk arts and crafts;

3.2. Use of mechanized work in preparatory and support operations.

4. Folk arts and crafts products may include the products of organizations of folk arts and crafts, other legal entities, individual entrepreneurs and craftsmen, as well as the objects of a decorative and utilitarian purpose created by citizens.

Attributing the production of folk arts and crafts organizations, other legal entities, individual entrepreneurs and craftsmen to the products of folk arts and crafts shall be carried out by an Expert Commission on attributing of production to folk arts and crafts products.

Attributing the objects of a decorative and utilitarian purpose created by citizens to folk arts and crafts products shall be carried out by an Expert Commission on Folk Arts and Crafts.

5. “Folk arts and crafts organizations” means cultural organizations involved in the creation of folk arts and crafts products.

Article 188. Rights of Citizens Involved in the Creation of Folk Arts and Crafts Products

Citizens involved in the creation of folk arts and crafts products shall have the right to:

Carry out creative activities in accordance with needs, interests and creative abilities/possibilities both on a professional and non-professional/amateur basis, in the collective or individually;

Protect their activities and protect the secrets of craftsmanship;

Use the results of their creative activities;

Establish new or join existing non-governmental organizations in the field of culture, which deal with the issues of folk arts and crafts;

Take out from the Republic of Belarus for the purpose of display, other forms of public display, and also for sale of folk arts and crafts products in accordance with this Code and other acts of legislation on culture, legislation on foreign economic activity, legislation on customs, international treaties of the Republic of Belarus, international legal acts constituting the normative legal base of the Customs Union and the Single Economic Space and/or the Law of the Eurasian Economic Union;

Other rights in accordance with legislative acts.

Article 189. Master of Folk Arts and Crafts. Status of a People’s Master

1. “Master of folk arts and crafts” means a citizen who creates the products of folk arts and crafts independently, including in the framework of entrepreneurial or craft activities, or works on the basis of an employment agreement (contract), or carries out activities on the basis of a civil law contract in the organization of culture, with another legal entity, and individual entrepreneur.

2. Creative activity of folk arts and crafts masters shall be carried out in the following kinds of folk arts and crafts:

2.1. Wood carving;

2.2. Painting on wood, fabric, glass;

2.3. Straw weaving;

2.4. Weaving and products from plant materials of local origin (vines, reeds, roots, birchbark, woodchips, bark and other materials);

2.5. Application and inlay with straws;

2.6. Weaving on hand-operated machines and looms;

2.7. Weaving, plating, belt weaving;

2.8. Hand-embroidery;

2.9. Lace weaving and lace knitting;

2.10. Pottery;

2.11. Making a clay toy;

2.12. Blacksmithing;

2.13. Cooperage;

2.14. Vytynanki;

2.15. Production of folk costumes in local and regional traditions observing traditional technologies of weaving, embroidery;

2.16. Production of souvenir ethnographic dolls in folk costumes;

2.17. Handmade artistic knitting in Belarusian folk traditions;

2.18. Artistic leather processing;

2.19. Handmade art furniture made of wood;

2.20. Beading;

2.21. Pysankarism (egg dyeing) (making Easter eggs (pisanky));

2.22. Pryaniki making and production of ceremonial cookies (wedding loaves and other cookies);

2.23. Other types of folk arts and crafts.

3. The master of folk arts and crafts, whose products are characterized by the harmonic embodiment of the collective artistic experience of Belarusian people and are of a distinct national identity and artistic value, shall be given the status of a People's Master.

4. The status of a People's Master shall be given with a view of:

- 4.1. Support and development of folk arts and crafts, preservation of creative individuality and identity of folk arts and crafts masters;
- 4.2. Popularization of creative activity of folk arts and crafts masters;
- 4.3. Preservation of traditional technologies for the creation of folk arts and crafts products;
- 4.4. Creation of conditions for the revival, preservation and continuity of traditions of folk arts and crafts;
- 4.5. Intensification of cultural and educational work;
- 4.6. Identification of priorities in the development of types of folk arts and crafts.
5. The status of a People's Master may be given to the master of folk arts and crafts who:
 - 5.1. Is the bearer of ethnic traditions that embodies the Belarusian national frame of mind; is the successor and continuer of folk arts and crafts traditions;
 - 5.2. Adopted a skill in the appropriate form of folk arts and crafts or acquired it independently in the course of creative activity;
 - 5.3. In his/her activity relies on local traditions of folk arts and crafts and creatively develops them, shows creative abilities to individual interpretation;
 - 5.4. Takes part in exhibitions, festivities, competitions, festivals of folk arts and crafts and other cultural events.
6. The status of a People's Master may be given to a citizen who creates the works of fine arts and whose creative activity is characterized by national identity.
7. An application for obtaining the status of a People's Master shall be submitted to the Ministry of Culture by:
 - 7.1. Public Association "Belarusian Union of Folk Arts and Crafts Masters" — in relation to the masters of folk arts and crafts who are the members of this public association;
 - 7.2. State Production and Trade Association "Belmastatspromysly" "Belkhudozhpromysly" — in relation to the masters of folk arts and crafts who work on the basis of an employment agreement (contract) or carry out activities on the basis of a civil law agreement in organizations that are part of the State Production and Trade Association "Belmastatspromysly" ("Belkhudozhpromysly");
 - 7.3. Structural subdivisions of local executive and regulatory bodies of the regional territorial level that exercise state-authoritative powers in the sphere of culture — in relation to other masters of folk arts and crafts based on the results of their participation in cultural events.
8. An application for obtaining the status of a People's Master shall be accompanied by the products of folk arts and crafts or their photos, videos, slides, the Certificate of creative activity of an applicant for obtaining the status of a People's Master, documents to confirm his/her ranks, awards, other incentives for participation in cultural events, recommendations of the structural units of local executive and regulatory bodies of the basic territorial level, exercising state powers in the field of culture, regional branches of the Public Association "Belarusian Union of Arts and Crafts Masters".
9. An application for granting the status of a People's Master shall be considered by an Expert

Commission on Folk Arts and Crafts no later than thirty calendar days from the date of its receipt.

Following the results of consideration of an application for obtaining the status of a People's Master, the Expert Commission on Folk Arts and Crafts shall come to a conclusion on granting (refusal to grant) the status of a People's Master. On the basis of a conclusion on granting the status of a People's Master, the Ministry of Culture shall issue the Certificate of a People's Master in the [form](#) established by this Ministry.

10. State bodies shall promote the creation of the products of folk crafts and arts by People's Masters, transfer of their professional excellence in the corresponding type of folk arts and crafts, the organization and holding of cultural events with the participation of People's Masters.

Article 190. Rights of a People's Master

1. A People's Master shall have the right to:

1.1. Exhibiting and other forms of public display of the products of folk arts and crafts;

1.2. Incentive for the creation and public use of the products of folk arts and crafts;

1.3. Acquisition and procurement of the required kinds of raw materials;

1.4. Rent of premises for their use as craft studios in accordance with legislative acts;

1.5. Provide conditions for carrying out of creative activity in accordance with labor protection requirements;

1.6. Work under an employment or civil law agreement;

1.7. Transfer professional excellence in the corresponding type of folk arts and crafts;

1.8. Opportunity to have students in accordance with legislative acts;

1.9. Protection of professional honor and dignity.

2. A People's Master shall have other rights in accordance with legislative acts.

Article 191. Expert Commission on Folk Arts and Crafts

1. For the purpose of support and development of folk arts and crafts, revival, preservation and continuity of folk arts and crafts traditions, support of the creative activity of folk arts and crafts masters, an Expert Commission on Folk Arts and Crafts shall be established at the Ministry of Culture.

2. An Expert Commission on Folk Arts and Crafts is a permanent body, which may include representatives of state bodies, cultural organizations, public associations, artists, art critics, ethnographers and other specialists whose activities are related to the preservation of cultural heritage, provision of the continuity of folk arts and crafts traditions.

3. An Expert Commission on Folk Arts and Crafts shall:

3.1. Provide methodological and expert support to the masters of folk arts and crafts with the issues of folk arts and crafts;

3.2. Consider the issues related to assigning the objects of decorative and utilitarian function created by citizens to the products of folk arts and crafts;

3.3. Carry out an estimation of products of folk arts and crafts for their conformity with folk arts and crafts traditions, preparation of proposals for improving an art level and quality of folk arts and crafts products;

3.4. Promote the revival, preservation and continuity of folk arts and crafts traditions, popularization of creative activity of the masters of folk arts and crafts, popularization and distribution of folk arts and crafts products;

3.5. Promote the organization of creative activity of the masters of folk arts and crafts, support and preservation of their creative individuality and originality, maintenance of a high artistic level and quality of the products of folk arts and crafts, expanding and updating their range;

3.6. Consider applications on granting the status of a People's Master to the masters of folk arts and crafts and provide conclusions on granting (refusal to grant) this status to them;

3.7. Prepare proposals on the topical issues of folk arts and crafts, methodological developments on the creation of folk arts and crafts products and submit them to the Ministry of Culture, other state bodies for consideration to adopt measures aimed at supporting and developing folk arts and crafts.

4. An Expert Commission on Folk Arts and Crafts shall carry out its activity in cooperation with state bodies, scientific organizations and the organizations of culture.

Article 192. Folk Arts and Crafts Organizations

1. For the purpose of the creation, distribution and realization of folk arts and crafts products, as well as the revival, preservation and continuity of folk arts and crafts traditions, satisfaction of spiritual and aesthetic needs of citizens, perfection of traditional technologies for the creation of local arts and crafts products and professional skills of folk arts and crafts masters in the Republic of Belarus, folk arts and crafts organizations shall be established and be operational.

2. Folk arts and crafts organization shall preserve its profile, irrespective of a change of its property owner.

3. An Arts Council may be established at the folk arts and crafts organization.

Article 193. Attributing the Production of Folk Arts and Crafts Organizations, other Legal Entities, Individual Entrepreneurs and Craftsmen to the Products of Folk Arts and Crafts

1. Attributing the production of folk arts and crafts organizations, other legal entities, individual entrepreneurs and craftsmen to the products of folk arts and crafts shall be carried out by an Expert Commission on attributing production to the products of folk arts and crafts for the purpose of revival, preservation and continuity of folk arts and crafts traditions.

2. An Expert Commission on attributing production to folk arts and crafts products shall be established by the Administration of the President of the Republic of Belarus at the State Production and Trade Association "Belkhudozhpromysly" (Belmastatspromysly).

3. The main tasks of an Expert Commission on attributing the production to folk arts and crafts products shall be as follows:

3.1. Examine the production of folk arts and crafts organizations, other legal entities, individual entrepreneurs and craftsmen;

3.2. Promote the creative development of folk arts and crafts organizations, other legal entities, individual entrepreneurs and craftsmen; maintain a high art level and quality of folk arts and crafts products; expand and renew their range;

3.3. Support and preserve creative individuality and national identity of folk arts and crafts masters.

4. An Expert Commission on attributing the production to folk arts and crafts products shall:

4.1. Carry out examination of the production of folk arts and crafts organizations, other legal entities, individual entrepreneurs and craftsmen;

4.2. Decide on attributing (non-attributing) the production of folk arts and crafts organizations, other legal entities, individual entrepreneurs and craftsmen to folk arts and products;

4.3. Submit to the State Production and Trade Association “Belmostatspromysly” (Belmastatspromysly) a decision on attributing the production of folk arts and crafts organizations, other legal entities, individual entrepreneurs and craftsmen to folk arts and crafts products;

4.4. Promote the maintenance of a high artistic level and quality of folk arts and crafts products, expansion and renewal of their range;

4.5. Prepare proposals on folk arts and crafts-related issues, encourage folk arts and crafts masters to create highly artistic products of folk arts and crafts;

4.6. Promote the support and development of folk arts and crafts, the revival, preservation and continuity of folk arts and crafts traditions;

4.7. Assist, in accordance with legislative acts of state support, folk arts and crafts organizations, other legal entities, individual entrepreneurs and craftsmen;

4.8. Provide methodological and expert assistance to folk arts and crafts organizations, other legal entities, individual entrepreneurs and craftsmen;

4.9. Advise on the issues of artistic and stylistic distinctiveness of folk arts and crafts products;

4.10. Prepare proposals for the perfection of traditional manufacture technologies for folk arts and crafts products; the improvement of quality and development of artistic and stylistic distinctiveness of folk arts and crafts products, expediency of the production of separate kinds of folk arts and crafts products.

5. The structure of an Expert Commission on attributing the production to folk arts and crafts products shall be approved by the Administration of the Affairs of the President of the Republic of Belarus.

An Expert Commission on attributing the production of folk arts and crafts products shall operate on the basis of regulations approved by the Administration of the Affairs of the President of the Republic of Belarus.

Article 194. Support of Folk Arts and Crafts Organizations, other Legal Entities, Individual Entrepreneurs and Craftsmen

1. Support of folk arts and crafts organizations, other legal entities, individual entrepreneurs and craftsmen shall be carried out by state bodies to provide opportunities to the specified individuals of carrying out of creative and/or production tasks.

2. Support of folk arts and crafts organizations, other legal entities, individual entrepreneurs and craftsmen shall be carried out through:

2.1. Laying down conditions for the use of financial, material-technical and information resources, as well as scientific-technical developments and traditional technologies for the production of folk arts and crafts products by them;

2.2. Promotion of their foreign economic and other related activities, including the expansion and development of trade, scientific-technical, production and information ties; participation in international exhibitions and fairs;

2.3. Organization of training, retraining and advanced training of their personnel.

3. State authorities shall develop and carry out a set of measures to assist in providing of folk arts and crafts organizations, other legal entities, individual entrepreneurs and craftsmen with equipment and modern technologies for preparatory processes and organization of production.

4. In order to promote the development of the production of folk arts and crafts products, state authorities shall, in accordance with legislative acts, provide organizations of folk arts and crafts, other legal entities, individual entrepreneurs and craftsmen with equipment, production and office premises, other property that is in the state ownership.

Article 195. Arts and Crafts Centre (House)

1. The Arts and Crafts Centre is the organization of culture or the subdivision of a legal entity carrying out activities on the revival, preservation and continuity of local traditions of folk arts and crafts, popularization of activity on the creation of folk arts and crafts products.

2. Tasks of the Crafts and Arts Center (House) shall be as follows:

2.1. Support and lay down conditions for carrying out of creative activity of the masters of folk arts and crafts;

2.2. Involvement of the population in the activities related to the creation of folk arts and crafts products;

2.3. Revival of local traditional technologies for the creation of local arts and crafts products and development of new technologies.

3. The Arts and Crafts Center (House) shall:

3.1. Carry out work on revealing of local traditions of folk arts and crafts;

3.2. Carry out collection and ensure the preservation of folk arts and crafts products;

3.3. Establish club formations and provide for their activity on folk arts and crafts types;

3.4. Assist in the organization of seminars, master classes and other events with the participation of folk arts and crafts masters;

3.5. Organize activity on uniting folk arts and crafts masters and coordination of their creative activity;

3.6. Organize and participate in exhibitions, fairs, folk art festivals and other cultural events;

3.7. Cooperate with other cultural organizations, including foreign ones;

3.8. Perform other functions related to the revival, preservation and continuity of local traditions of folk arts and crafts; popularization of activity on the creation of folk arts and crafts products.

4. The structure of the Arts and Crafts Centre (House) may, in the form of subdivisions, include exhibition halls on the sale of folk arts and crafts products, information centers, background, photo, cinema, video archives and other subdivisions.

5. The Coordination Board and Arts Council may be established at the Arts and Crafts Centre (House).

Article 196. Ensuring the Revival, Preservation and Continuity of Folk Arts and Crafts Traditions

Ensuring the revival, preservation and continuity of folk arts and crafts traditions shall be carried out through:

Transfer by People's Masters of their excellence on a corresponding type of folk arts and crafts for the purpose of preservation of authenticity of folk arts and crafts traditions;

Acquaintance with folk arts and crafts, traditional technologies for the creation of folk arts and crafts products in the course of preschool, general secondary education, additional education of children and young people;

Receiving vocational, secondary special, higher education and additional adult education;

Acquisition of knowledge, skills and abilities on the creation of arts and crafts products independently, including at Arts and Crafts Centers (Houses).

Article 197. Popularization and Distribution of Folk Arts and Crafts Products

1. State authorities, organizations of folk arts and crafts, other legal entities, including public associations in the field of culture that deal with the issues of folk arts and crafts, individual entrepreneurs, craftsmen together the interested persons shall promote popularization and distribution of folk arts and crafts products through the mass media, advertising and publishing activities, by organizing exhibitions, fairs, auctions, demonstration of folk arts and crafts products, providing incentives and by other means.

2. For the purposes of support and development of folk arts and crafts, the revival, preservation and continuity of folk arts and crafts traditions, popularization of activity on the creation of folk arts and crafts products, exhibitions of folk arts and crafts products shall be organized.

3. Museums may be created for the purposes of collecting, storing, studying and popularizing of folk arts and crafts products in accordance with this Code and other legislative acts.

4. State authorities shall promote the popularization and distribution of folk arts and crafts products outside the Republic of Belarus. For these purposes, folk arts and crafts products shall be demonstrated on the premises of Diplomatic Missions and Consulates of the Republic of Belarus.

5. In order to stimulate scientific research related to folk arts and crafts, support the masters of folk arts and crafts, as well as talented young people engaged in the creation of folk arts and crafts, state authorities shall establish incentives.

CHAPTER 21 CINEMATOGRAPHIC ACTIVITY

Article 198. Cinematography

Cinematography is a set of creative, production, scientific, technological, technical, educational, informational, enlightenment and other processes aimed at the production, demonstration and distribution of movies.

Article 199. Cinematographer

A cinematographer is a cultural worker or a creative worker who carries out the cinematographic activity.

Article 200. Cinematographic Activity

1. Cinematographic activity is the direction of cultural activity on the production, demonstration and distribution of movies.

2. Movie production is the creation of a movie by embodying a creative idea on the technological basis of cinematography.

3. Movie screening is the demonstration (public show) of a movie, which shall be carried out in cinema halls or at other specially equipped premises (places), as well as on television, via the global computer network Internet or other technical means.

4. Distribution of a movie is the sale, distribution of the original or a copy of a movie to legal entities and individual entrepreneurs for showing a movie and/or granting/transfer of rights to a movie.

Article 201. Cinematographic Organizations. Types of Cinematographic Organizations

1. Cinematographic organization is the cultural organization carrying out the production, demonstration and/or distribution of movies.

2. Types of cinematographic organizations:

2.1. Movie-producing — cinematographic organizations the main activity of which is the production of movies;

2.2. Cinema entertainment — cinematographic organizations the main type of activity of which is showing of movies;

2.3. Movie distribution — cinematographic organizations the main type of activity of which is the distribution of movies.

Article 202. Cinematography Support

Cinematography support shall be provided by the following means:

Placement of social and creative orders;

Financing of movie production from the Republican budget taking into account a differentiated approach;

Promoting the popularization of national movies, other movies of special socio-cultural significance;

Organization of cinematographic activities and participation in such activities;

Stimulation of demonstration of Belarusian cinematography pieces that are of special socio-cultural significance by cinematographic organizations;

Creation of conditions for demonstrating movies to low-income citizens, in rural settlements, urban-type settlements, cities of district and regional subordination;

Implementation of creative, educational and other programs;

Training, retraining and advanced training of cinematographers;

Establishing other support measures.

Article 203. Movie

1. A movie is an audiovisual work created by embodying a creative idea in accordance with a literary script, is composed of information and episodes/shots recorded on the tangible media and sequentially connected into a thematic whole with or without a soundtrack and is intended for perception through the use of corresponding technical devices.

2. A movie may be created in live-action, non-fiction, animation or mixed forms.

A live-action movie is a movie produced by means of acting.

A non-fiction movie is a movie produced by shooting of real events and people.

An animated movie is a movie produced by the method of frame-by-frame shooting of successive phases of movement of drawn and/or three-dimensional objects.

A movie in a mixed form is a movie in which the elements of movies in live-action, non-fiction and/or animation forms may be used at the same time.

3. The source materials of a movie are the tangible media required for the preservation and/or duplication of a movie.

Article 204. Moviemaking

1. Production of a movie shall be carried out on the basis of a set of documents (movie project).

As a rule, production of a movie shall be carried out by a movie crew — a temporary collective consisting of creative workers and other citizens and is formed by a movie maker (producer) for the purpose of movie production. The composition of movie crew members shall be

indicated in the output (captions).

2. Movie maker (producer) — a legal entity, a citizen, including an individual entrepreneur, who provide for financing and production of a movie.

A movie maker (producer) shall have the right to independently determine the sources of funding, choose the technological base and technical means for the production of a movie, except for the cases of national movie production, other movies that are of special socio-cultural significance and the production of which shall be fully or partly financed from the Republican budget.

A movie maker (producer) shall have the right to indicate his/her name or require that it is indicated.

3. In cases where a movie is produced on a professional basis, requirements for technical normative legal acts in the field of technical norming and standardization that define the technical quality of technological processes and a procedure for their implementation should be fulfilled.

4. In case of joint production of a movie by two or more makers (producers), an agreement for joint production of a movie should contain guarantees for each maker (producer) on joint possession of source materials of a movie and access to them, except for the cases of production of national movies, other movies that are of special socio-cultural significance and the production of which shall be fully or partially financed out of the Republican budget.

5. Relations arising in connection with the production of a movie as a copyright object shall be regulated by the legislation on copyright and related rights.

Article 205. National Movies, other Movies of Socio-cultural Significance

1. National movies shall include movies that reflect the most important events of national history and culture, modern life of the Republic of Belarus; are devoted to universal humanitarian, social and moral issues, events of the world history that are of special socio-cultural significance of the Republic of Belarus.

2. Other movies that are of special socio-cultural significance shall include movies that reflect the events of national history and culture, modern life of the Republic of Belarus or the achievements of socio-economic development of the Republic of Belarus; movies for children and young people, movies — portraits of famous people, movies — adaptations of Belarusian and foreign pieces of literature, and also the movies that are of historico-patriotic, social and ecological subject-matter.

3. The amount and conditions of funding out of the Republican budget for the production of national movies, other movies of special socio-cultural significance shall be determined by the President of the Republic of Belarus.

4. The first demonstration of national movies, other movies of special socio-cultural significance the production of which is fully or partially financed out of the Republican budget shall be carried out in the Republic of Belarus.

5. The source materials of national movies, other movies of special socio-cultural significance the production of which is fully or partially financed out of the Republican budget shall be transferred for storage to the Institution “Belarusian State Archive of Movie and Photo Documents” in accordance with a procedure established by legislation on archive and workflow management.

Article 206. Demonstration and Distribution of Movies

1. In the territory of the Republic of Belarus, demonstration and distribution of movies shall be carried out by their right holders.

2. In the Republic of Belarus, the demonstration of movies the information on which is not included in the State Register of Movies shall not be allowed.

3. Demonstration of movies in cinema halls, other specially equipped premises/places equipped with cinematographic equipment may be carried out only after obtaining, in accordance with the procedure established by the Council of Ministers of the Republic of Belarus, of a permit for the exploitation of these cinema halls, other specially equipped premises/places.

4. Relations arising in connection with the services related to the demonstration of movies shall be regulated by legislation on the protection of consumer rights.

5. Relations arising in connection with the demonstration and distribution of a movie as a copyright object shall be regulated by legislation on copyright and related rights.

Article 207. Classification of Movies

1. Movies destined for demonstration in the territory of the Republic of Belarus shall be subject to classification.

2. Classification of a movie means attributing of a movie, depending on its subject-matter, genre, content and artistic presentation, to a certain age category.

3. Classification of a movie shall be carried out by the Ministry of Culture or a legal entity authorized by it in accordance with legislation on administrative procedures.

4. A movie shall be submitted for classification by its right holder in the case where information on a movie is missing in the State Register of Movies.

If necessary, a right holder must provide conditions for watching a movie to the employees of the Ministry of Culture or a legal entity authorized by it.

5. After watching, movies that contain:

Elements of eroticism, violence and cruelty shall be directed by the Ministry of Culture or a legal entity authorized by it to the Republican Expert Commission on the prevention of propaganda of pornography, violence and cruelty to obtain an expert conclusion;

Calls for extremism (extremist activity) shall be directed by the Ministry of Culture or a legal entity authorized by it to the Republican Expert Commission on the assessment of information products for the presence/absence of signs of extremism manifestation to obtain an expert conclusion.

If necessary, the Ministry of Culture or a legal entity authorized by it may invite persons competent in a certain field of knowledge for an expert evaluation of a movie.

6. A movie may be attributed to the following age categories:

“0” — No age restrictions;

“6+” — A movie allowed for demonstration to the viewers that have reached the age of six;

“12+” — A movie allowed for demonstration to the viewers that have reached the age of twelve;

“16+”— A movie allowed for demonstration to the viewers that have reached the age of sixteen;

“18+” — A movie allowed for demonstration to the viewers that have reached the age of eighteen. Demonstration of movies of this age category on TV from 6 am to 12 am shall not be allowed.

7. Based on the results of movie watching and considering expert conclusions of the Republican Expert Commission on the prevention of propaganda of pornography, violence and cruelty and the Republican Expert Commission on the assessment of information products for the presence/absence signs of extremism (if any), the Ministry of Culture or a legal entity authorized by it shall make a decision on the movie classification.

The Ministry of Culture or a legal entity authorized by it shall make a decision on rejecting a movie classification in cases of the detection of the elements of pornography, propaganda of violence and cruelty and/or signs of extremism in a movie.

8. An age category sign of a movie shall be indicated in all cases a movie is used (including during a TV broadcast) and its advertising (booklets, invitation tickets, leaflets, announcements and etc.) And also on the tangible media packing of movie copies.

9. Based on the movie classification results, information about a movie shall be included in the State Register of Movies no later than five calendar days from the date of a decision on the movie classification.

10. A decision to reject a movie classification may be appealed to a higher organization and/or court.

Article 208. State Register of Movies

1. The State Register of Movies shall contain information on the movies in relation to which a decision about classification has been made, and their age category, including information on the registration of movies carried out before the entry into force of this Code, information on expert conclusions of the Republican Expert Commission on the prevention of propaganda of pornography, violence and cruelty and the Republican Expert Commission on the evaluation of information products for the presence/absence of signs of extremism manifestation (if they are present) in it.

2. The State Register of Movies shall be formed and maintained by the Ministry of Culture or a legal entity authorized by it.

3. The information contained in the State Register of Movies shall be in the public domain and posted on the official website of the Ministry of Culture over the global computer network — the Internet.

CHAPTER 22 CULTURAL EVENTS

Article 209. Cultural Events, their Types. Carrying out of Cultural Events

1. Cultural event is an event on the public creation, performance, display, dissemination and/or popularization of the results of creative activity, as well as on the public demonstration, distribution and/or popularization of cultural values.

2. Cultural events shall include cultural and entertainment events, cinematographic events, a festival, a competition, an exhibition, a review, a master class, a conference, plein air, a workshop, a forum, a promotion and other events.

3. At the level of organization and composition of participants cultural events may be as follows:

3.1. International, the participants of which are the representatives of the Republic of Belarus and one or several foreign countries;

3.2. Republican, the participants of which are the representatives of all or most regions and the City of Minsk and to which the representatives of foreign countries may be invited;

3.3. Regional, the participants of which are the representatives of one or several districts (cities), regions and to which the representatives of other districts (cities), regions, and foreign countries may be invited.

4. Carrying out of cultural events in places not specially intended for this purpose outdoors or in premises shall be carried out in accordance with legislation on public events.

5. A list and a [procedure](#) for carrying out of separate centralized cultural events shall be established by the Council of Ministers of the Republic of Belarus.

Centralized cultural events shall include the cultural events held by the decision of state authorities and fully or partially financed out of the Republican and/or local budgets.

6. Holding of cultural events in cases provided for in [Paragraph 1 of Article 81](#) of this Code, as well as in other cases provided for by legislative acts, shall not be allowed.

Article 210. Cultural Event Organizer

1. An organizer of a cultural event is a subject of cultural activity by the decision of which a cultural event is held and/or who provides organizational, financial and other support in organizing and holding of a cultural event.

2. Cultural event organizers may be represented by one or several subjects of cultural activity.

3. An organizer of a cultural event shall be obliged, in accordance with the procedure and criteria established by the Council of Ministers of the Republic of Belarus, to assign a mark of an age category of an information product which will be distributed by means of a cultural event.

4. A cultural event organizer, as and when required, shall:

4.1. Approve a procedure for organizing and holding of a cultural event, estimating costs for organizing and holding of a cultural event;

4.2. Decide on the establishment of an Organizing Committee and approve its composition;

4.3. Determine the number of invitation tickets to attend a cultural event;

4.4. Decide on other issues related to organizing and holding of a cultural event, including those provided for in [Paragraph 3 of Article 211](#) of this Code, in the absence of an Organizing Committee.

5. A cultural event organizer shall have the right to delegate certain powers on organizing and holding of a cultural event to an Organizing Committee.

6. A cultural event organizer shall be responsible for the compliance of a cultural event with the requirements of this Code and other legislative acts.

Article 211. Organizing Committee

1. An Organizing Committee may be established for managing the organization and holding of a cultural event.

2. The composition of an Organizing Committee shall be formed from the representatives of a cultural event organizer, legal entities, citizens, including individual entrepreneurs, who take part in organizing and holding of a cultural event.

The members of an Organizing Committee shall exercise their powers on a voluntary basis.

3. An Organizing Committee on an as-needed basis shall:

3.1. Establish the directorate of a cultural event;

3.2. Consider and approve a list of cultural event participants, including the persons participating in the competition as contestants, the symbols of a cultural event, samples of awards, other attributes, the plan of activities for organizing and holding of a cultural event, and a cultural event program;

3.3. Approve the composition of the jury (an Expert Commission), types of incentives for cultural event participants;

3.4. Liaise with the subjects of cultural activity, other legal entities with regard to the organization and carrying out of a cultural event and its coverage in the mass media;

3.5. Determine the types and forms of information and advertising support for a cultural event, an application fee;

3.6. Make proposals to the organizer of a cultural event on the estimate of expenses related to organizing and holding of a cultural event, the number of invitation tickets to attend a cultural event, the types of incentives for cultural event participants;

3.7. Address other issues related to organizing and carrying out of a cultural event.

Article 212. Cultural Event Participants

Cultural event participants may be composed of:

Artistic groups, individual performers, other creative workers, persons accompanying them, cultural workers;

Members of an Organizing Committee, the jury (an Expert Committee);

Persons participating in a cultural event as contestants;

Representatives of the mass media;

Guests of a cultural event (persons who have an official invitation from a cultural event organizer or an Organizing Committee);

Other persons who take part in organizing and carrying out of a cultural event or ensure the participation of artistic collectives, separate performers and other creative workers in the cultural event.

Article 213. Cultural and Entertainment Event

1. Cultural and entertainment event is a cultural event on the public performance of creative activity results by artistic collectives and/or individual performers.

Cultural and entertainment events shall include shows, concerts, performances and other cultural events.

2. The organizers of cultural and entertainment events shall be legal entities of the Republic of Belarus, individual entrepreneurs registered in the Republic of Belarus, foreign citizens, stateless persons, foreign and international organizations, including non-legal entities holding of cultural and entertainment events, unless otherwise provided for by the President of the Republic of Belarus.

3. The program of a cultural and entertainment event is a document approved by the organizer of a cultural and entertainment event, which contains information about a cultural and entertainment event, including its name, information about the place and time (conditions) of its holding, design capacity of the stage (in the absence of the estimated number of spectators) that is destined to be used for holding of a cultural and entertainment event, Belarusian and/or foreign performers (hereinafter referred to as “performers” unless otherwise specified) and other information related to a cultural and entertainment event (at the wish of an organizer).

4. Belarusian performers are citizens who permanently reside in the Republic of Belarus and are individual performers, as well as artistic collectives the structure of which includes such citizens.

Foreign performers are citizens who permanently reside outside the Republic of Belarus and are individual performers, as well as artistic collectives the structure of which includes such citizens.

5. The stage area is the capital construction (building, facility), its (their) parts, and the territory that are intended for carrying out of cultural and entertainment events.

6. Advertising of a cultural and entertainment event should be carried out in accordance with legislative requirements for advertising.

7. The requirements of this Article, as well as [Articles 214-217](#) of this Code, shall not apply to cultural and entertainment events held by legal entities, citizens, including individual entrepreneurs, for their own needs without benefits (income) featuring guest performers.

Article 214. Certificate for the Right to Organize and Host a Cultural and Entertainment Event in the Territory of the Republic of Belarus

1. In order to organize and host a cultural and entertainment event, its organizer should obtain a Certificate for the right to organize and host a cultural and entertainment event in the territory of the Republic of Belarus, which is issued by the structural subdivision of the local executive and regulatory body of the regional territorial level, which exercises state powers in the field of culture, at the place of the cultural and entertainment event planned, except for the cases where such a Certificate is not required.

2. A Certificate for the right to organize and host a cultural and entertainment event in the territory of the Republic of Belarus is a special permit for the right to organize and host a cultural and entertainment event in the territory of the Republic of Belarus.

3. A Certificate for the right to organize and host a cultural and entertainment event in the territory of the Republic of Belarus shall be issued for the right to organize and host every (separate) cultural and entertainment event or several cultural and entertainment events that are hosted in the territory of one of the Regions or Minsk city during the period of 30 (thirty) calendar days as part of a tour with participation of the same performer (a cast of performers).

4. Obtaining of a Certificate for the right to organize and host a cultural and entertainment event in the territory of the Republic of Belarus for organizing and hosting of cultural and entertainment events shall not be required in cases where:

4.1. A decision to host them is made by the President of the Republic of Belarus, the Council of Ministers of the Republic of Belarus, republican bodies of the state administration, local executive and regulatory bodies of regional and basic territorial levels, local district administrations in cities;

4.2. Their organizers are structural subdivisions of local executive and regulatory bodies of the regional territorial level that exercise state powers in the field of culture, State Institutions “Palace of the Republic” and “Republican Cultural and Educational Center” of the Administration of Presidential Affairs of the Republic of Belarus, the Belarusian State Philharmonic of the Order of Red Banner of Labor, the National State TV and Radio Company of the Republic of Belarus, the Closed Joint-stock Companies “National Channel Two” and “Capital Television”, Regional Philharmonics, the State Institution “Minskconcert”;

4.3. With participation of Belarusian performers only, provided that:

Event organizers are legal entities with the awarded status of “national”, “academic” or the title of the “Honored Collective of the Republic of Belarus”, or events are hosted exclusively with participation of performers awarded with such a status and title;

An event is organized by a legal entity of the Federation of Trade Unions of Belarus;

Events are hosted exclusively with participation of performers who are staff members of an event organizer (his/her structural subdivisions) or are in the artistic collective created by him/her, and an event is organized by state theater-entertainment organizations, the Cultural Institution of Regional (Minsk city), District (city) subordination or a structural subdivision of the local executive and regulatory body of the basic territorial level that exercises state-authoritative powers in the field of culture, or legal entities subordinated to it;

An event is hosted in the facility for sanatorium-resort and therapeutic services that are

provided by the state sanatorium-resort or therapeutic organization, which is the organizer of this cultural-entertainment event;

An event is hosted exclusively with participation of performers who are staff members of an event organizer (his/her structural subdivisions) or are in the artistic collective created by him/her; on the stage, which is owned, managed or operated by an event organizer or leased by him/her for a period of at least six months;

4.4. With participation of foreign performers in the performances held by state theatres and the performances by state circuses.

5. With a view of hosting of cultural and entertainment events provided for by [Subparagraph 4.2, Paragraphs 3, 5 of Subparagraph 4.3 of Paragraph 4](#) of this Article, the organizer of a cultural and entertainment event shall be obliged, before concluding corresponding agreements with performers, artistic collectives or citizens, including individual entrepreneurs and legal entities, promoting their interests, to notify a structural subdivision of the local executive and regulatory body of the regional territorial level that exercises powers in the field of culture about the fact of hosting it in writing, at the place of a cultural and entertainment event planned, except for the case where the organizer of a cultural-entertainment event is the specified structural subdivision.

6. In order to obtain a Certificate for the right to organize and host a cultural and entertainment event in the territory of the Republic of Belarus, the organizer of a cultural and entertainment event shall apply, according to the [form](#) established by the Ministry of Culture, to the structural subdivision of the local executive and regulatory body of the regional territorial level, which exercises state powers in the field of culture, no later than 10 (ten) working days before the scheduled date for the realization of entrance tickets, except for the case where the organizer of a cultural and entertainment event is the specified structural subdivision.

7. In order to assess the artistic level of performances provided for in the programme on cultural and entertainment events, Arts Councils on Cultural and Entertainment events may be established at structural subdivisions of local executive and regulatory bodies of the regional territorial level exercising state powers in the field of culture.

A composition of the Arts Council on Cultural and Entertainment events may include creative workers, representatives of state administration bodies and other legal entities.

8. Criteria for assessing the artistic level of performances stipulated by the programme on cultural and entertainment events shall be as follows:

8.1. Aesthetic value of the performed pieces of fine literature and art;

8.2. Artistic integrity and compositional completeness of performances;

8.3. Design and choreographic solution of performances;

8.4. Ability of performers to convey stylistic features and drama of the performed pieces of fine literature and art;

8.5. Level of performing skills;

8.6. Artistry and performance technique.

9. Based on the assessment results of the artistic level of performances stipulated by the programme on a cultural and entertainment event, the Arts Council on Cultural and Entertainment Events shall issue a conclusion on the artistic level of these performances.

10. A conclusion of the Arts Council on Cultural and Entertainment Events about the artistic level of performances stipulated by the programme on cultural and entertainment events shall, no later than two working days from the date of assessment of the artistic level of these performances, be directed to the structural subdivision of the local executive and regulatory body of the regional territorial level that exercises state powers in the field of culture.

11. A Certificate for the right to organize and host cultural and entertainment events in the territory of the Republic of Belarus shall be issued in accordance with legislation on administrative procedures in the [form](#) established by the Ministry of Culture.

12. When making a decision on issuance of a Certificate for the right to organize and host a cultural and entertainment event in the territory of the Republic of Belarus, a structural subdivision of the local executive and regulatory body of the regional territorial level exercising state powers in the field of culture shall:

12.1. No later than one working day from the date of a decision, inform the organizer of a cultural and entertainment event about the decision;

12.2. Issue a Certificate for the right to organize and host a cultural and entertainment event in the territory of the Republic of Belarus to the organizer of a cultural and entertainment event;

12.3. Inform taxation authority at the place of the cultural and entertainment event about the issuance of a Certificate for the right to organize and host a cultural-entertainment event in the territory of the Republic of Belarus to a foreign legal entity, an individual entrepreneur, a foreign citizen, and a stateless person that are organizers of a cultural and entertainment event no later than one working day from the date of issuance of a Certificate for the right to organize and host a cultural and entertainment event in the territory of the Republic of Belarus.

Article 215. Grounds for a Refusal to Issue and for the Cancellation of a Certificate for the Right to Organize and Host a Cultural and Entertainment Event in the Territory of the Republic of Belarus

1. Grounds for a refusal to issue a Certificate for the right to organize and host a cultural and entertainment event in the territory of the Republic of Belarus shall be as follows:

1.1. Identification by the Republican Expert Commission on the Prevention of Propaganda of Pornography, Violence and Cruelty or the Regional (Minsk city) Commission on the Prevention of Propaganda of Pornography, Violence and Cruelty of Elements of Propaganda, Pornography, Violence and Cruelty in the cultural and entertainment event;

1.2. Identification by the Republican Expert Commission on the Assessment of Information Products for the Presence/Absence of the Signs of Extremism Manifestation of the signs of extremism manifestation in the cultural and entertainment event;

1.3. Conclusion of the Arts Council on Cultural and Entertainment events about a low artistic level of performances stipulated by the programme on a cultural and entertainment event;

1.4. Coincidence of time and place for hosting of a cultural and entertainment event with a cultural and entertainment event previously planned by another organizer of a cultural and entertainment event;

1.5. Violation of terms of payment of monetary compensation for an entrance ticket to citizens or legal entities, its non-payment or a shortfall in payment during the return of an entrance ticket in case of cancellation, change of the declared time (terms) and/or place of hosting of a cultural and

entertainment event, replacing it with another one, changes in the composition of participants of a cultural and entertainment event (twice or more during the calendar year);

1.6. Systematic cancellation of cultural and entertainment events without a good reason (twice or more during a calendar year). Good reasons shall include force majeure, illness or death of a participant (participants) of a cultural and entertainment event, other reasons recognized by a structural subdivision of the local executive and regulatory body of the regional territorial level, which exercises state powers in the field of culture as plausible;

1.7. Submission of documents and/or information that are not in compliance with the requirements of this Code, other legislative acts, including falsified, forged or invalid documents;

1.8. Violation of other legislative requirements.

2. A decision to refuse the issuance of a Certificate for the right to organize and host a cultural and entertainment event in the territory of the Republic of Belarus shall be provided to the organizer of a cultural and entertainment event or dispatched by a courier or by mail no later than one working day from the date of a decision.

A decision about the refusal to issue a Certificate for the right to organize and host a cultural and entertainment event in the territory of the Republic of Belarus shall state a motivated reason for the refusal.

A refusal to issue a Certificate for the right to organize and host a cultural and entertainment event in the territory of the Republic of Belarus for the reason of inexpediency of hosting of a cultural and entertainment event shall not be allowed.

3. Grounds for the cancellation of a Certificate for the right to organize and hold a cultural and entertainment event in the territory of the Republic of Belarus shall be the fact of identification in the documents submitted by the organizer of a cultural and entertainment event for obtaining such a Certificate, inaccurate information or non-compliance of documents and/or information with the requirements of this Code, other legislative acts, including the submission of falsified, forged or invalid documents.

4. A decision to refuse the issuance of a Certificate for the right to organize and host a cultural and entertainment event in the territory of the Republic of Belarus, to cancel such a Certificate may, within one year from the date of such a decision, be appealed to the Ministry of Culture or in court.

Article 216. Procedure for Organizing and Hosting of a Cultural and Entertainment Event

1. All activities on organizing and hosting of a cultural and entertainment event shall be carried out by the organizer of a cultural and entertainment event, including though the conclusion of agreements with legal entities and citizens, including individual entrepreneurs, in order to purchase (receive) goods (perform works, services), property rights required for organizing and hosting of a cultural and entertainment event.

2. When hosting a cultural and entertainment event, its organizer shall be obliged to:

2.1. Approve a programme on a cultural and entertainment event;

2.2. Provide for the safety of citizens, preservation of capital constructions (buildings, facilities) and other property;

2.3. Limit the number of citizens present at the cultural and entertainment event, taking into

account the design capacity of the stage area (on the stage with no seats, at the rate of no more than three people per square meters);

2.4. Provide, if necessary, the organization of health care delivery to citizens;

2.5. Stop a cultural and entertainment event in case of danger to life and health of citizens, damage to the property of legal entities, citizens, including individual entrepreneurs.

3. In order to protect public order and ensure public safety, the citizens shall not be allowed to attend a cultural and entertainment event in cases where they:

3.1. Carry alcohol, low-alcohol beverages and/or beer, narcotic agents, psychotropic substances and their analogues, toxic or other intoxicating substances; cold, firearm, gas or other weapons, explosive compounds and ammunition, their simulators and mock-ups, as well as specially made or tailored objects (objects), the use of which may endanger the life and health of citizens or cause material damage to legal entities, citizens, including individual entrepreneurs, flags and pennants not registered in a prescribed manner, as well as emblems, symbols, posters and banners the content of which is aimed at harming of public order, rights and legitimate interests of citizens;

3.2. Are in a state of intoxication or in a state caused by the use of narcotic agents, psychotropic substances, their analogues, toxic or other intoxicating substances;

3.3. Commit acts that violate public order, as well as incite other persons to such actions by any means.

4. In the course of a cultural and entertainment event, citizens shall not be allowed to:

4.1. Be in a state caused by the use of narcotic agents, psychotropic substances, their analogues, toxic or other intoxicating substances;

4.2. Carry and/or use objects and things that are prohibited from being brought to a cultural and entertainment event in accordance with [Sub-paragraph 3.1](#) of [Paragraph 3](#) of this Article;

4.3. Drink alcohol, low-alcohol beverages, beer in the places not provided for this purposes;

4.4. Use narcotic agents, psychotropic substances, their analogues, toxic or other intoxicating substances;

4.5. Smoke in places not provided for this purposes;

4.6. Carry out propaganda of war, extremist activities, violence, cruelty and pornography, including through the use of posters, banners or other means;

4.7. Pose a threat to public safety, life and health of citizens.

5. When attending a cultural and entertainment event, citizens shall be obliged to maintain public order and comply with all legal requirements of its organizer and employees of internal affairs bodies that fulfill obligations aimed at the safeguarding of public order. The order of attending of a cultural and entertainment event by minors shall be established by its organizer, taking into account the specifics of holding of such an event.

6. The organizer of a cultural and entertainment event shall have the right to refuse to host a cultural and entertainment event no later than one calendar day prior to the day of its hosting.

7. In case of cancellation, change of the announced time/terms and/or venue of hosting of a cultural and entertainment event, its replacement with another, a change in the composition of participants of a cultural and entertainment event, the organizer of a cultural and entertainment event shall be obliged to inform a structural subdivision of the executive and regulatory body of the regional territorial level, which exercises state and governmental powers in the field of culture, about it in writing, unless the organizer of a cultural and entertainment event is this structural subdivision, and shall provide the realization of entrance tickets at the venues of a cultural and entertainment event; shall at the location of the organizer of a cultural and entertainment event inform citizens about the cancellation, change in the announced time/terms and/or venue of a cultural and entertainment event, its replacement with another, change in the composition of participants of a cultural and entertainment event, terms and places of entrance ticket return.

Article 217. Entrance Tickets and Printed Materials

1. The realization of entrance tickets and printed materials containing information about a cultural and entertainment event, including programmes/booklets, shall be carried out by the organizer of a cultural and entertainment event or on his/her behalf (on the basis of related agreements) by other persons or citizens, including individual entrepreneurs, in cash or by bank transfer.

In cases where obtaining a Certificate for the right to organize and host a cultural and entertainment event in the territory of the Republic of Belarus is mandatory, the organizer of a cultural and entertainment event and other persons shall not have the right to obtain a Certificate for the right to organize and host a cultural and entertainment event in the territory of the Republic of Belarus to realize entrance tickets and printed materials that contain information about a cultural and entertainment event, including programmes (booklets).

2. Entrance tickets may be realized using telecommunication networks, including the global computer network Internet (an e-ticket), in accordance with a procedure established by the organizer of a cultural and entertainment event, taking into account legislative requirements.

3. An entrance ticket should include:

3.1. Information on the organizer of a cultural and entertainment event (name and location of a legal entity of the Republic of Belarus, a foreign and international organization, including non-legal entities; last name, first name, patronymic (if any) of an individual entrepreneur registered in the Republic of Belarus, a foreign citizen, and a stateless person);

3.2. Title of a cultural and entertainment event, time (terms) and venue of its hosting;

3.3. Row and seat number (if any);

3.4. Entrance ticket price;

3.5. Series and number of an entrance ticket (established by the organizer of a cultural and entertainment event);

3.6. Place of control (barcode);

3.7. Information about the terms and places of entrance ticket return;

3.8. Other information provided for by legislative acts.

4. In cases where an entrance ticket was issued on a document sheet with a certain degree of

protection, it should also have a stub, which remains after the use of an entrance ticket in a pack of entrance tickets printed and stitched (bound) using a printing method.

5. Entrance tickets may be returned at the initiative of a citizen, a legal entity no later than one calendar day before the day of a cultural and entertainment event. In this case, at least 75% of an entrance ticket price shall be reimbursed to a citizen or a legal entity that has returned an entrance ticket.

6. In case of a change in the composition of participants of a cultural and entertainment event, cancellation, change of the declared time/terms and/or venue of carrying out of a cultural-entertainment event, its replacement for another:

6.1. A citizen shall have the right to attend a cultural and entertainment event on the basis of an available entrance ticket (except for the case of cancellation of a cultural and entertainment event);

6.2. A citizen, a legal entity shall have the right to return an entrance ticket and receive full monetary compensation for an entrance ticket price.

7. In cases of entrance ticket return provided for by [Paragraph 6](#) of this Article, the organizer of a cultural and entertainment event shall be obliged to pay monetary compensation for an entrance ticket price to a citizen, a legal entity no later than seven calendar days from the date of submission of an application for payment of monetary compensation.

Payment of monetary compensation for an entrance ticket price purchased by bank transfer shall be made to the bank account of a citizen or a legal entity.

Article 218. Performance Tours

1. Performance tours — hosting of cultural and entertainment events with participation of performers outside the locality of their constant activity.

2. Performance tours shall be organized for the purposes of:

2.1. Preservation and development of the common cultural space of the Republic of Belarus;

2.2. Creating conditions for citizens to make them familiar with the best pieces of performing arts;

2.3. Assistance in establishing and maintaining links among performers;

2.4. Intensification of interregional and international links among performers and dissemination of creative exchange practices.

3. Performance tours of Belarusian performers shall be devisable as follows:

3.1. Regional — held within one Region or Minsk city;

3.2. Republican — held in two and more Regions or Minsk city and the Region (Regions);

3.3. Foreign — held outside the Republic of Belarus.

4. Performance tours shall be hosted in the territory of the Republic of Belarus taking into consideration the requirements of this Code and other legislative acts related to the organization and hosting of cultural and entertainment events.

Article 219. Cinematographic Events

1. Cinematographic event — a cultural event for the demonstration, distribution and/or popularization of movies, as well as the popularization of cinematography.

2. Cinematographic events shall include movie festivals, movie lectures, movie clubs, movie days, movie concerts, creative meetings with cinematographers and creative workers and other cultural events.

Article 220. Festival. Holiday

1. “Festival” means a cultural event on public demonstration, dissemination and/or popularization of creative activity results in scenic, fine, and circus arts, fiction, cinematography, and folk culture, including the products of folk arts and crafts.

Concerts, competitions, exhibitions, demonstrations, reviews, conferences and other cultural events, a list of which is provided in the cultural program, may be held as part of the festival.

2. “Holiday” means a cultural event on public demonstration, dissemination and/or popularization of creative activity results timed to public holidays, holidays and anniversaries in the Republic of Belarus or associated with the revival of Belarusian folk traditions, customs and rites.

Article 221. Contest, Plein air, Forum

1. “Competition” means a cultural event on public creation, performance and demonstration, distribution and/or popularization of creative activity results which is held for the purpose of nomination of best participants among performers, pupils of educational institutions, other citizens, legal entities or identification of best works in certain types of fiction and arts.

A competition may be held in one or several stages (rounds), as well as by one or more nominations.

A competition shall be held considering the terms provided for by civil legislation on public competition.

2. “Plein air” means a cultural event on public creation, public demonstration, distribution and/or popularization of fine arts which is held in the open air.

3. “Forum” means a cultural event on public demonstration and popularization of creative activity results, as well as museum and library activity, experience in cultural and educational work and pedagogical activity in the field of culture.

Article 222. Exhibition. Guarantees of the Preservation of Cultural Assets during the Organization of International Exhibitions

1. “Exhibition” means a cultural event on public demonstration, distribution and/or popularization of cultural assets.

2. In the case of organization of international exhibitions in the Republic of Belarus, the Ministry of Culture shall, at the request of a state body or a cultural organization arranging an international exhibition, provide on the basis of an agreement between the Parties and a document confirming the insurance of cultural assets brought into the Republic of Belarus warranty liabilities for their preservation and timely return.

A decision on providing warranty liabilities shall be made no later than fifteen calendar days from the date of receipt of a written request and shall be issued in the form of a letter of guarantee of the Ministry of Culture free of charge. Warranty liabilities shall be provided for the period cultural assets are retained in the territory of the Republic of Belarus.

CHAPTER 23

ACTIVITY OF PROFESSIONAL ARTISTIC GROUPS

Article 223. Specifics of Cultural Activity of Professional Artistic Groups

1. Activity of professional artistic groups is a direction of cultural activity on the creation of works of art, performance of works of scenic art and/or their public demonstration (public performance) on a professional basis.

2. Directions of activity of professional artistic groups:

2.1. Creation of works of art, performance of works of scenic art and/or their public demonstration (public performance);

2.2. Organization and hosting of cultural and entertainment events;

2.3. Holding of master classes and other cultural events;

2.4. Realization of joint cultural projects with other artistic groups;

2.5. Preparation, distribution and realization of promotional materials related to the cultural activity of professional artistic groups (photo-, audio- and/or video materials, booklets, posters, etc.).

3. Along with the directions of activity provided for by [Paragraph 2](#) of this Article, a professional artistic group may carry out the production and/or provision to legal entities and citizens, including individual entrepreneurs, of decorations, furniture, props, stage costumes and other belongings to host cultural and entertainment and other cultural events or participate in them.

4. In professional artistic groups, the Arts Council may be created and be operational.

A composition of the Arts Council of the professional artistic group, which is a legal entity, shall be approved by its head in coordination with the founder of the professional artistic group.

A composition of the Arts Councils of the professional artistic group, which is the subdivision of a legal entity, shall be approved by its founder.

Article 224. Main Principles and Objectives of the Activity of Professional Artistic Groups

1. Main principles of the activity of professional artistic groups shall be as follows:

1.1. Ensuring the rights of citizens to freedom of artistic activity and participation in cultural life;

1.2. Independence in the choice of directions (schools), forms, types and methods of artistic creativity, and repertoire in decision-making on the public performance of works of scenic art, in the preparation of advertising and information products on the cultural activity of professional artistic groups (photo- or audio- and/or video materials, booklets, posters, etc.);

1.3. Safeguarding of the exclusive rights of authors and the owners of related rights to the results of their creative activity, which are used by professional artistic groups;

1.4. Development of various forms of art.

2. The main objectives of the activity of professional artistic groups shall be as follows:

2.1. Aesthetic education and cultural development of citizens;

2.2. Formation and satisfaction of the needs of citizens in scenic art;

2.3. Creation of conditions for humanization of an individual, preservation and development of identity of the Belarusian national culture and language;

2.4. Popularization of works of scenic art;

2.5. Assistance in the preservation and development of the common cultural space of the Republic of Belarus, development of interethnic and interstate cultural ties.

Article 225. Rights and Responsibilities of Professional Artistic Creativity Groups

1. Professional artistic groups shall have the right to:

1.1. Independently determine the repertoire policy and contents of cultural and entertainment events;

1.2. Participate in cultural activities and the implementation of socio-creative orders;

1.3. Popularize the artistic creativity of various authors and performers;

1.4. Independently plan their activity and determine development prospects based on the purposes provided for by their Statutes (provisions), availability of own creative and material resources;

1.5. Have their own symbols (official name, emblem, other identification forms), trademark.

2. Professional artistic creativity groups shall be obliged to:

2.1. Have a name that should reflect the genre and form of the group;

2.2. Ensure the creation of works of art, performance of works of scenic art and/or their public demonstration (public performance) at a high artistic level;

2.3. Promote aesthetic education and cultural development of citizens;

2.4. Promote the formation of a positive image of the country abroad when touring.

CHAPTER 24
ACTIVITIES OF NON-PROFESSIONAL (AMATEUR) AND AUTHENTIC
FOLKLORE ARTISTIC GROUPS

Article 226. Specifics of the Cultural Activity of Non-professional (Amateur) Artistic Groups

1. Activity of non-professional (amateur) artistic groups is a direction of cultural activity on the creation of works of art, performance of works of scenic art and/or their public demonstration (public performance) on a non-professional basis.

2. Areas of activity of non-professional (amateur) artistic groups shall be as follows:

2.1. Creation of works of art, performance of works of scenic art and/or their public demonstration (public performance);

2.2. Participation in cultural and entertainment and other cultural events;

2.3. Holding master classes and other cultural events.

3. Along with the areas of activity provided for by [Paragraph 2](#) of this Article, a non-professional (amateur) artistic group may carry out the production and/or provision to citizens, individual entrepreneurs, of decoration, furniture, props, stage costumes and other belongings to host cultural and entertainment and other entertainment events or take part in them.

4. Activities of non-professional (amateur) artistic groups shall be carried out taking into account their genre and form, the level of performing skills and creative potential of participants of non-professional (amateur) artistic creativity groups, repertoire specifics, etc.

5. Activities of non-professional (amateur) artistic creativity groups shall be determined by purposefulness, a combination of various types of activity (individual, group, and common collective) and shall consist in acquiring by the participants of non-professional (amateur) artistic groups of knowledge, skills and capabilities in various kinds of art, experience in artistic creativity.

Choreographers, choirmasters, concertmasters, directors, composers, artists and other creative workers may be invited to the founders of a group to organize work with a non-professional (amateur) artistic group.

6. Activities of non-professional (amateur) artistic groups shall be considered stable, provided that:

6.1. A group holds independent cultural events at least once every two months;

6.2. A group holds reporting cultural events with their updated contents annually;

6.3. A group takes part in the events held by the founders of non-professional (amateur) artistic groups.

7. In non-professional (amateur) artistic groups, the Arts Council may be created and be operational.

A composition of the Arts Council of a non-professional (amateur) artistic group shall be formed from group members and shall be determined by voting at the general meeting by the majority of votes from the total number of group members.

Article 227. Main Principles and Objectives of the Activity of Non-professional (Amateur) Artistic Groups

1. Main principles of the activity of non-professional (amateur) artistic groups shall be as follows:

1.1. Ensuring the rights of citizens to the freedom of creative activity and participation in cultural life;

1.2. Voluntary participation in a non-professional (amateur) artistic group;

1.3. Common interests and needs of citizens during joint artistic activities;

1.4. Accessibility of artistic creativity;

1.5. A combination of personal initiative, organization and self-management.

2. The main objectives of activity of non-professional (amateur) artistic groups shall be as follows:

2.1. Development of artistic creativity, revival, preservation and development of national cultural traditions;

2.2. Making citizens familiar with artistic creativity, national cultural traditions, the best examples of national and world culture, works of modern art;

2.3. Popularization of works of fiction and art that have received public recognition;

2.4. Acquiring by citizens of knowledge, abilities and skills in various kinds of art, experience in art creativity, development and realization of their creative abilities (possibilities), creation of conditions for socialization and self-realization of an individual;

2.5. Aesthetic education and cultural development of citizens;

2.6. Organization of cultural recreation (leisure) of the population, formation and satisfaction of cultural needs of citizens.

Article 228. Rights and Responsibilities of Non-professional (Amateur) Artistic Groups. Responsibilities of their Founders

1. Non-professional (amateur) artistic groups shall have the right to:

1.1. Independently determine the genre and form of the group, a composition of participants, the repertoire policy;

1.2. Publicly show (publicly perform) the results of creative activity, participate in festivals, competitions, reviews and other cultural events;

1.3. Popularize the artistic creativity of various authors and performers;

1.4. Participate in the implementation of social and creative orders.

2. Non-professional (amateur) artistic groups shall be obliged to:

2.1. Have a full name that reflects the genre and form of the group, full name of the founder of a non-professional (amateur) artistic group (its subdivision), territorial affiliation, and may contain

the original name of a non-professional (amateur) artistic group.

The full name of a non-professional (amateur) artistic group, which includes more than 75% of participants who work at cultural institutions, educational institutions in the field of culture and have education in certain forms of art may reflect the qualitative composition of a non-professional (amateur) artistic group.

The full name of a non-professional (amateur) artistic group shall be indicated in the passport of a non-professional (amateur) artistic group;

2.2. Promote aesthetic education and cultural development of citizens;

2.3. Raise the artistic level of creative activity results.

3. Responsibility for the activity of a non-professional (amateur) artistic group shall be borne by its founder.

The founder of a non-professional (amateur) artistic group shall be obliged to:

Carry out organizational, financial and logistical support of the cultural activity of a non-professional (amateur) artistic creativity group;

Promote the development and realization of creative abilities (possibilities) of the participants of a non-professional (amateur) artistic group, the participation of a non-professional (amateur) artistic group in cultural events;

Promote the development of a professional level and encouragement of the head of a non-professional (amateur) artistic group.

Article 229. Specifics of the Cultural Activity of Authentic Folklore Artistic Groups

1. Activity of authentic folklore artistic groups is a direction of cultural activity on the preservation of authentic folklore.

2. Authentic folklore is folk art in its original, in the form pertinent to genetic origin, without any processing (adaptation). Authentic folklore functions in the natural folklore environment of a certain locality, exists as an oral tradition, which harmoniously combines the characteristic features of several types and genres of art and is focused on direct, informal relationship.

Authentic folklore has tangible and intangible forms of existence (manifestations).

Tangible manifestations of authentic folklore shall include artistically designed household objects, tools, costumes, furniture, utensils, the objects used for other purposes, housing made using natural materials (wood, clay, straw, vine, flax, wool, etc.) according to traditional technologies.

Intangible manifestations of authentic folklore shall include rites, games; vocal, instrumental, dancing, prose folklore, etc.

3. An authentic folklore artistic group is one of the factors of existence of authentic folklore manifestations and is the holder of the phenomena and processes distinctive for national cultural traditions.

4. An authentic folklore artistic group shall revive distinctive cultural traditions characteristic of a certain locality, use traditional toponymic names and have rare and distinctive examples of household objects and the objects for other purposes, works of art characteristic of a certain

historical period, a locality and an ethnic group.

5. The name of an authentic folklore artistic creativity group should include the words “authentic folklore”.

6. Creative activity of an authentic folklore artistic creativity group shall be directed at the preservation of authentic folklore manifestations of their locality in the natural setting:

6.1. Rites and customs of calendar and family-household cycles;

6.2. Traditional forms of recreation and occupation with characteristic kinds of arts and crafts;

6.3. Improvisational nature of manifestations of local singing, musical, and dance traditions; local traditions of playing musical instruments, games in the natural setting;

6.4. Local vocal, instrumental, dance, game and art styles;

6.5. Traditional performers;

6.6. Transfer in the form of oral tradition of folklore knowledge and skills to children and young people who get a feel for authentic folklore in a natural way;

6.7. Make and use stage costumes based on local authentic costumes;

6.8. Other manifestations.

7. Authentic artistic creativity groups may carry out cultural activities on the basis of cultural organizations, educational institutions, and other legal entities or at the place of residence of their participants.

The founder of an authentic folklore artistic creativity group shall, if possible, provide a separate room, equipment, musical instruments, means for fixing the intangible forms of existence (manifestations) of authentic folklore (photo-, audio-, video-equipment etc.); shall assist in the restoration and creation of stage costumes based on local authentic costumes (dresses); shall create other conditions necessary to ensure the cultural activities of an authentic artistic creativity group.

8. A position of the head of an authentic artistic group, who shall work on the basis of an employment agreement (contract) or carry out activities on the basis of a civil law agreement, may be introduced at the founder of an authentic artistic creativity group.

Article 230. Head of an Authentic Folklore Group

1. Main requirements for the head of an authentic folklore group shall be as follows:

1.1. Knowledge and study of history, ethnography, authentic folklore and cultural and ethnographic features of the locality in which an authentic folklore group carries out cultural activity;

1.2. Knowledge of the Belarusian language and one of the types of traditional art.

2. Activity results of the head of an authentic folklore group shall be determined by:

2.1. Degree of completeness and intensity of the cultural activity of an authentic folklore group in unstageable conditions (performance in the natural environment of calendar and family rites, presence of stage costumes on the basis of local authentic costumes, knowledge of local music, dance traditions, fairy tales, legends etc.); facilitating the transfer of folklore knowledge and

skills to children and young people;

2.2. Presence of a collection of tangible forms of existence (manifestations) of authentic folklore and tangible and intangible forms of existence (manifestations) of authentic folklore qualitatively fixed on the material carriers of information.

3. The head of an authentic folklore group shall organize the cultural activity of this group for the purpose of preservation of authentic folklore according to the genre and form of an authentic folklore group.

CHAPTER 25

ORGANIZATION OF CULTURAL RECREATION (LEISURE) OF THE POPULATION

Article 231. Organization of Cultural Recreation (Leisure) of the Population, its Types

1. Organization of cultural recreation (leisure) of the population – a direction of cultural activity aimed to satisfy educational, aesthetic, cognitive (intellectual) and entertaining needs of the population, as well as needs for interpersonal relations and leisure time.

2. The main types of the organization of cultural recreation (leisure) of the population shall be as follows:

2.1. Organizing and holding of cultural events;

2.2. Carrying out of club formations' activity;

2.3. Hosting of discos, balls, carnivals, children's mornings, game and other dancing and/or entertaining programs;

2.4. Carrying out of mass theatrical holidays and performances, folk festivities, rites and rituals in accordance with local customs and traditions;

2.5. Organizing of work according to local lore, scientific and technical, ecological, cultural and household, collection and other interests;

2.6. Other types.

3. The main cultural organizations and subdivisions of legal persons that organize cultural recreation (leisure) of the population are clubs, parks of culture and rest, city gardens, zoos and zoological gardens.

Article 232. Club. Types of Clubs

1. "Club" means an organization of culture or a subdivision of a legal entity that organizes cultural recreation (leisure) of the population through the creation of conditions for citizens engaging them in creative activities; for the development and realization of their creative abilities (opportunities); meeting their educational, aesthetic, cognitive and entertaining needs, as well as interpersonal and leisure needs.

2. According to the form of ownership, clubs shall be divided into public and private.

All public clubs shall be open to the public.

3. Depending on the focus of interests of certain professional, national and other socio-

demographic groups, clubs may be of the following types:

- 3.1. Palaces (Houses, Centers) of Culture (Arts);
- 3.2. Centers (Houses) of Folk Art (Folk Art, Folklore), Modern Art;
- 3.3. Craft Centers (Houses);
- 3.4. Youth Cultural Centers;
- 3.5. Centers of National Cultures;
- 3.6. Other types.

4. Depending on the content of activity clubs shall be divided into multidisciplinary and single-profile.

A multifaceted club specializes in the organization of various types of cultural recreation (leisure) of the population.

A one-profile club specializes in the organization of a certain type of cultural recreation (leisure) of the population, and shall also function as a platform for holding of cultural and other events.

5. Depending on the territory of functioning, clubs shall be divided into rural, urban-type settlement, city, district, regional, and republican.

Article 233. Club Employee

Club employee – a cultural worker who organizes cultural recreation (leisure) of the population.

Article 234. Main Principles and Goals of Club Activity

1. The basic principles of activity of clubs shall be as follows:

1.1. Ensuring the rights of citizens to freedom of creative activity and participation in cultural life;

1.2. Voluntary participation in the activities of clubs;

1.3. Accessibility of cultural recreation;

1.4. Differentiation and specialization of activity depending on the local specificities of historical and cultural development;

1.5. Priority of universal values, promotion of socialization and self-realization of a person;

1.6. Support of public and personal initiative, a combination of individual, group and mass activities; openness, management and self-government.

2. The main objectives of the clubs shall be as follows:

2.1. Creation of conditions for the development and realization of creative abilities (possibilities) of citizens; acquiring of knowledge, abilities and skills in the field of culture, household, a healthy lifestyle by them; the organization of cultural recreation (leisure) of the

population; obtaining of updated information and applied knowledge in various spheres of public life;

2.2. Involvement of citizens in artistic creativity, national cultural traditions;

2.3. Promotion of cognitive activity of citizens, their self-education;

2.4. Support of authentic folklore bearers;

2.5. Formation of needs for the rational, thorough, strong and humane organization and self-organization of cultural recreation (leisure) in citizens;

2.6. Development of artistic creativity, revival, preservation and development of traditional forms of recreation, other national cultural traditions.

Article 235. Club Activity

1. Clubs shall:

1.1. Create and organize work of artistic groups, circles and other club formations;

1.2. Provide the organization and carrying out of cultural activities aimed at the public demonstration (public performance) of the results of creative activity of artistic creativity groups, circles and other club formations;

1.3. Provide for cultural and entertainment and other cultural activities with the participation of artistic creativity groups, separate performers and authors;

1.5. Organize consultations and lectures, work of people's universities, schools and applied knowledge courses; hold theme nights, oral journals, cycles of creative meetings, carry out other forms of cultural and educational work;

1.6. Hold mass theatrical celebrations and performances, folk festivals, rites and rituals following local customs and traditions;

1.7. Hold discos and other dance and/or entertainment programs;

1.8. Provide consultative, methodical and other assistance to the subjects of cultural activity in the organization and holding of cultural activities; carry out the rental of musical instruments, stage costumes, realization of methodical materials;

1.9. Perform other functions related to the organization of cultural recreation (leisure) of the population.

2. Clubs may combine activities on the organization of cultural recreation (leisure) of the population with other activities (Houses and Clubs of Cultural and Social Services, Cultural and Sports Centers, Café Clubs, etc.).

3. Clubs may use non-stationary forms of service.

Article 236. Club Formations. Types of Club Formations

1. "Club formation" means a voluntary association of citizens based on common interests and needs in joint creative activities, which contributes to the development of their creative abilities (opportunities), skills and abilities, production of creative activity results by them; it is also based

on a common pursuit of obtaining of updated information and applied knowledge in various spheres of social life; acquiring of knowledge, skills and abilities in the field of culture, household, and a healthy lifestyle, organization of the cultural recreation (leisure) of the population.

2. Club formations may carry out cultural activities as a subdivision of a legal person or at cultural organizations, educational institutions and other legal persons.

3. Club formations may exist in the following types:

3.1. Non-professional (amateur) artistic groups;

3.2. Authentic folklore groups;

3.3. Circles;

3.4. Amateur associations (interest clubs);

3.5. Other types.

4. A club formation shall:

4.1. Organize systematic classes in theoretical and practical form, as well as in the type (types) that is characteristic of this club formation (rehearsal, lecture, lesson, training, meeting and other types);

4.2. Conduct annual cultural events (concerts, exhibitions, competitions, master classes and other cultural events);

4.3. Take part in cultural events;

4.4. Perform other functions related to the organization of cultural recreation (leisure) of the population.

Article 237. Holding of Discos

1. "Disco" means a dance and/or an entertainment program accompanied by the public performance of musical works by artistic groups and/or individual performers and/or in which a phonogram is used, with a possible demonstration of audiovisual works, holding of cultural and entertainment events, open air celebrations and other amusements.

2. Holding of a disco shall be organized in indoor and/or outdoor areas, which should correspond to sanitary-and-epidemiologic, fire-prevention requirements, including the requirements for technical regulatory legal acts in the field of technical norming and standardization.

An indoor area – the capital construction (building, construction), premises used for holding of a disco.

An outdoor area – a dance floor and other places in the open air, specially designed for a disco.

3. The organizer of discos is a legal person, an individual entrepreneur carrying out activities on the organization and holding of discos.

4. Holding of discos in outdoor areas shall be carried out till 11p.m., except for the discos which are held by the decision of state bodies or in coordination with them. The time of holding

discos in outdoor areas May be extended in coordination with the heads of local executive and regulatory bodies of the basic territorial level or the persons authorized by them.

5. Holding of discos within a period of 11 p.m. till 6 a.m. shall be realized in indoor areas, except for the cases provided for in [Paragraph 4](#) of this Article.

6. When holding of a disco in the outdoor area, the territory of this area should be fenced off from a carriageway by a fence or a barrier to ensure the safety of disco visitors, other citizens, as well as road users.

7. Organizers of discos shall have the right to:

7.1. Establish rules for holding of discos, taking into account the requirements of this Code;

7.2. Set a fee for admission to a disco;

7.3. Apply pyrotechnic means only on condition of fulfilling the requirements of corresponding technical normative legal acts.

8. Disco visitors shall have the right to:

8.1. Obtain information on the age composition and the maximum number of visitors to a disco, measures for ensuring of public order;

8.2. Attend a disco regardless of gender, race, and language; religious, political or other beliefs; nationality, social origin, property; official position and other characteristics.

9. In order to safeguard public order and ensure public safety, citizens shall not be allowed to a disco if they:

9.1. Carry alcohol, low-alcohol beverages and/or beer, drugs, psychotropic substances, their analogues, toxic or other intoxicants; cold, firearms, gas or other weapons; explosives and ammunition, their imitators and mock-ups, or specially made or adapted objects the use of which may endanger the life and health of citizens or cause material damage to legal persons, citizens, including individual entrepreneurs; flags and pennants not registered in accordance with the established order, as well as emblems, symbols, posters and banners the content of which aims to violate public order, rights and legitimate interests of citizens;

9.2. Are in a state of intoxication or in a state caused by the use of narcotic drugs, psychotropic substances, their analogues, toxic or other intoxicating substances;

9.3. Commit acts that violate public order, as well as incite other individuals to such actions by any means.

10. During the disco, citizens shall not be allowed to:

10.1. Be in a state caused by the use of narcotic drugs, psychotropic substances, their analogues, toxic or other intoxicating substances;

10.2. Carry and/or use objects and things that are not allowed to be brought to the disco in accordance with [Sub-paragraph 9.1](#) of [Paragraph 9](#) of this Article;

10.3. Drink alcohol, low-alcohol drinks, and beer in the places not provided for these purposes;

10.4. Use narcotic drugs, psychotropic substances, their analogues, toxic or other intoxicating

substances;

10.5. Smoke in places not provided for these purposes;

10.6. Propagate war, extremist activity, violence, cruelty and pornography, including with the use of posters, banners or by other means;

10.7. Pose a threat to public safety, life and health of citizens.

11. During the disco, citizens should maintain public order and observe all lawful requirements of its organizer and employees of law-enforcement units who carry out duties on the preservation of public order.

12. Disco organizers shall be obliged to:

12.1. Ensure safety of citizens, preservation of capital constructions (buildings, structures), premises and other property;

12.2. Comply with the requirements provided for in [Paragraph 9](#) of this Article;

12.3. Shall not allow discrimination in relation to disco visitors;

12.4. Preserve the rights of disco visitors provided for by this Code and other legislative acts;

12.5. Stop the disco in case of danger to the life and health of citizens, damage to the property of citizens, including individual entrepreneurs or legal persons;

12.6. If necessary, arrange the delivery of medical care to citizens;

12.7. Shall not use programs containing propaganda of war, extremist activities, violence, cruelty and pornography;

12.8. Comply with the requirements for the copyright and related rights legislation and other legislation;

12.9. Equip disco places with video surveillance systems and an alarm button with the receipt of a signal to the panel of law-enforcement units;

12.10. Perform other duties in accordance with legislative acts.

13. Organizers of discos who organize holding of discos in outdoor areas not on a permanent basis, except for the obligations provided for in [Paragraph 12](#) of this Article, in order to prevent emergencies and maintain law and order, must coordinate holding of a disco with the head of the local executive and regulatory body of the basic territorial level or with a person authorized by him/her five calendar days prior to its holding.

Article 238. Parks of Culture and Recreation, City Gardens, Zoos, Zoological Gardens

1. Parks of culture and recreation, city gardens, zoos, and zoological gardens – the organizations of culture or subdivisions of legal persons who carry out the organization of cultural recreation (leisure) of the population by means of establishing in their territory of conditions for recreation and entertainment of citizens, distribution and popularization of ecological knowledge and humane attitude to the surrounding environment.

2. All state parks of culture and recreation, city gardens, zoos, and zoological gardens shall be

open for public visits.

Article 239. Activity of Culture and Recreation Parks, City Gardens, Zoos, Zoological Gardens

1. Parks of culture and recreation, city gardens, zoos, and zoological gardens shall:

1.1. Organize the activities of dance, auditorium and sports halls, summer stages and circuses, exhibition halls, playgrounds and pavilions, planetariums, billiard rooms, video libraries, game libraries, salons, shooting ranges, stadiums and sports grounds, skating rinks, ski and boat stations, ecological and walking trails, swimming pools, solariums, cultural and household and sports equipment rental bases, autodromes, equestrian sports bases and other objects of cultural and health and fitness designation, stationary and non-stationary retail facilities;

1.2. Hold discos;

1.3. Purchase and make attractions and slot machines available for use;

1.4. Create an equipped and well-equipped base for work with children and young people;

1.5. Provide cultural and housekeeping and sports equipment for use;

1.6. Establish artistic creativity groups and other club formations, green houses, nurseries, laboratories, scientific stations, etc.;

1.7. Organize and hold cultural and sporting events;

1.8. Upon availability of material and technical base and skilled employees, create repair and production and construction facilities; creative, pyrotechnic and other workshops;

1.9. Perform other functions related to the organization of cultural recreation (leisure) of the population.

2. Holding by the park of culture and recreation, the city garden, the zoo, the zoological garden of events or the implementation of other activities, which may have ecological, social and other results that affect interests of the population of a certain territory, shall be coordinated with the local executive and regulatory body at their location.

3. Local executive and regulatory bodies of the basic territorial level shall promote the development and effective activity of parks of culture and recreation, city gardens, zoos, zoological gardens, handover of premises, other objects in accordance with their material needs.

CHAPTER 26 INCENTIVES IN THE FIELD OF CULTURE

Article 240. Incentives in the Field of Culture

1. Incentives in the field of culture shall be established in order to stimulate the implementation and/or provision of cultural activities.

2. In accordance with this Code, as well as other legislative acts, the following incentives in the field of culture shall be used:

2.1. Rewarding of citizens with the state awards of the Republic of Belarus;

2.2. Rewarding of citizens, artistic creativity groups and legal persons with the special awards and special prizes of the President of the Republic of Belarus;

2.3. Awarding the state prize in the field of literature, art and architecture;

2.4. Awarding the prize of the President of the Republic of Belarus “For Spiritual Revival” and the special prize of the President of the Republic of Belarus;

2.5. Awarding talented young people with the incentives of the special fund of the President of the Republic of Belarus for the support of talented young people;

2.6. Awarding the status of “national” to theatrical and entertainment organizations, professional artistic creativity groups, museums, and artistic associations;

2.7. Assigning the status of “public” to museums;

2.8. Awarding the title of the “Honored Collective of the Republic of Belarus”, the status of “academic” to professional artistic groups;

2.9. Awarding the title of the “Honored Amateur Collective of the Republic of Belarus” to non-professional (amateur) artistic groups;

2.10. Assigning the name of “people’s” (“exemplary”) to non-professional (amateur) artistic groups;

2.11. Incentives of the Ministry of Culture;

2.12. Incentives of local executive and regulatory bodies, other state bodies, public associations and other legal persons;

2.13. Other incentives.

Article 241. Rewarding Citizens with the State Awards of the Republic of Belarus

Rewarding citizens with the state awards of the Republic of Belarus shall be implemented in accordance with legislation on the state awards of the Republic of Belarus.

Article 242. Rewarding Citizens, Artistic Creativity Groups and Legal Persons with the Special Awards and Special Prizes of the President of the Republic of Belarus

Rewarding citizens, artistic creativity groups and legal persons with the special awards and special prizes of the President of the Republic of Belarus shall be carried out in accordance with the acts of the President of the Republic of Belarus.

Article 243. Awarding the State Prize in the Field of Literature, Art and Architecture

Awarding the state prize in the field of literature, art and architecture shall be implemented in accordance with the acts of the President of the Republic of Belarus.

Article 244. Awarding the Prize of the President of the Republic of Belarus “For Spiritual Revival” and the Special Prize of the President of the Republic of Belarus

Awarding the prize of the President of the Republic of Belarus “For Spiritual Revival” and the special prize of the President of the Republic of Belarus shall be carried out in accordance with the

acts of the President of the Republic of Belarus.

Article 245. Awarding Talented Young People with the Incentives of the Special Fund of the President of the Republic of Belarus for the Support of Talented Young People

Awarding talented people with the incentives of the special fund of the President of the Republic of Belarus for the support of talented young people shall be carried out in accordance with the acts of the President of the Republic of Belarus.

Article 246. Awarding the Status of “National” to Theatrical and Entertainment Organizations, Professional Artistic Creativity Groups, Museums, and Creative Unions. Confirmation and Deprivation of this Status

1. The status “national” shall be awarded to theatrical and entertainment organizations, professional artistic creativity groups, museums, which are the organizations of culture and the property of which is in the Republican ownership, as well as to creative associations.

2. The status “national” shall be awarded to theatrical and entertainment organizations and professional artistic creativity groups, which have made a considerable contribution to the development of the Belarusian national culture and meet, unless otherwise provided for by the President of the Republic of Belarus, the following requirements:

2.1. Carry out their activities for at least twenty years;

2.2. Have the status “academic” or the title of the “Honored Collective of the Republic of Belarus” (for professional collectives of art);

2.3. In the course of the last five years they were awarded with prizes at International and Republican cultural events;

2.4. Hold cultural and entertainment events in the country and abroad (at least sixty events a year);

2.5. Constantly update the repertoire, including through the works of Belarusian authors, (at least five new theatrical productions (performances, concert programs) in the course of five years);

2.6. Have at least ten employees awarded with the state awards of the Republic of Belarus in the field of culture or are the Laureates of the state prize of the Republic of Belarus in the field of literature, art and architecture.

3. The status “national” shall be awarded to museums that have made a considerable contribution to the development of museum studies (museology) and meet, unless otherwise provided for by the President of the Republic of Belarus, the following requirements:

3.1. Have been carrying out their activities for at least twenty years;

3.2. Implement all types of museum activity provided for by this Code;

3.3. Possess museum objects that are historical and cultural assets of category “0” or “1” (at least two museum objects);

3.4. Have a permanent museum exposition created on the basis of own Museum Funds.

4. The status of “national” shall be awarded to creative unions that have made a significant contribution to the development of the Belarusian national culture and meet the following

requirements:

- 4.1. Have distinguished achievements in the field of culture for at least fifteen years;
- 4.2. Have public recognition of achievements in the field of culture in the Republic of Belarus and abroad;
- 4.3. Have structural subdivisions that are operational in all or most Regions of the Republic of Belarus;
- 4.4. Include members who have been awarded with honorary titles or are Laureates of national and international awards in the field of culture;
- 4.5. Have had positive working experience with creative young people for many years;
- 4.6. Make a significant contribution to the development and implementation of state policy in the field of culture;
- 4.7. Carry out vigorous statutory activity (popularization of creative activity results; meetings with working collectives and various categories of the population; international contacts and other activities).

5. In order to consider an issue on granting the status of “national”, a theatrical and entertainment organization, a professional artistic group, a museum, and an artistic association shall direct to the Ministry of Culture the following documents:

- 5.1. Petition for awarding the status of “national”;
- 5.2. Extract from the minutes of the general meeting of employees of a theatrical and entertainment organization, a professional artistic group, a museum, members of an artistic association;
- 5.3. Certificate on the activity of a theatrical and entertainment organization, a professional artistic group, a museum, an artistic association confirming the fulfillment of the requirements stipulated by [Paragraphs 2-4](#) of this Article respectively.

6. The Ministry of Culture shall have the right to require from a theatrical and entertainment organization, a professional artistic group, a museum, and an artistic association other documents confirming the fulfillment of the requirements stipulated by [Paragraphs 2-4](#) of this Article respectively.

7. A decision on awarding (refusal to award) of the status “national” to a theatrical and entertainment organization, a professional artistic group, a museum, an artistic association shall be made by the Collegium of the Ministry of Culture (in case of an artistic association – together with the Council of the Civil Society Association “Belarusian Confederation of Artistic Associations”) no later than thirty calendar days from the date of receipt of the documents provided for in [Paragraph 5](#) of this Article.

8. The Ministry of Culture shall prepare, no later than thirty calendar days from the date of a decision on awarding of the status of “national” to a theatrical and entertainment organization, a professional artistic group, an artistic association, a draft of a corresponding Decree of the President of the Republic of Belarus and submit it, in accordance with the established procedure, along with an extract from the decision of the Collegium of the Ministry of Culture (in case of an artistic association – together with the Council of the Civil Society Association “Belarusian Confederation of Artistic Associations”) and documentation provided for in [Paragraph 5](#) of this Article to the

Council of Ministers of the Republic of Belarus for the subsequent submission of it, in accordance with the established procedure, to the President of the Republic of Belarus.

9. A decision on awarding of the status of “national” to the theatrical and entertainment organization, a professional artistic group, a museum, and an artistic association shall be made by the President of the Republic of Belarus by issuing of a corresponding Decree of the President of the Republic of Belarus.

10. After awarding the status of “national” to a theatrical and entertainment organization, a professional artistic group, a museum, an artistic association, corresponding alterations shall be introduced to their Charter and name within two months from the date of the issuance of a corresponding Decree of the President of the Republic of Belarus.

11. A theatrical and entertainment organization, a professional artistic group, a museum, and an artistic association with an awarded status of “national” shall confirm it every five years. With a view of the above, they shall direct a petition to confirm the status of “national” and documentation provided for in [Subparagraphs 5.2 and 5.3 of Paragraph 5](#) of this Article.

12. A decision on deprivation of the status of “national” shall be made by the President of the Republic of Belarus by issuance of a corresponding Decree of the President of the Republic of Belarus.

13. After deprivation of a theatrical and entertainment organization, a professional artistic group, a museum, and an artistic association of the status of “national”, corresponding alterations shall be introduced to their Charter and name within two months from the date of issuance of a corresponding Decree of the President of the Republic of Belarus.

14. State bodies that carry out state administration in the field of culture shall, within the ambit of their powers and in accordance with legislative acts, establish for theatrical and entertainment organizations, professional artistic groups, and museums with an awarded status of “national” conditions for carrying out of their cultural activities, strengthening their material and technical base (providing facilities, financial resources for creating of new theatrical performances, concert programs, purchasing of equipment and musical instruments).

15. To the employees of theatrical and entertainment organizations, professional artistic groups, museums with the status of “national”, increased pay shall be established in accordance with labour legislation.

16. Decisions on the refusal to award the status of “national” to a theatrical and entertainment organization, a professional artistic group, a museum, and an artistic association and the refusal to confirm this status may be appealed in court.

Article 247. Granting the Status of “Public”. Confirmation and Deprivation of this Status

1. The status of “public” shall be awarded to museums, which are divisions of legal persons and meet the requirements as follows:

1.1. They have been carrying out cultural activities at the appropriate professional level for at least ten years;

1.2. They have at least six hundred museum objects;

1.3. They have accounting documentation for all museum objects;

1.4. They have a permanent exposition created on the basis of own Museum Funds;

1.5. They place expositions and Museum Funds in separate capital constructions (buildings, facilities) or premises;

1.6. They have had at least three thousand visitors in the last three years.

2. In order to consider an issue of awarding the status of “public” to a museum, a legal person the museum forms the subdivision of shall direct to the structural subdivision of the local executive and regulatory body of the regional territorial level, which exercises state powers in the field of culture, the following documents:

2.1. Petition for granting the status of “public”;

2.2. A copy of the provision on the museum;

2.3. A Certificate on the museum's activity, confirming the fulfillment of requirements provided for in [Paragraph 1](#) of this Article.

3. The structural subdivision of the local executive and administrative body of the regional territorial level, which exercises state powers in the field of culture, shall have the right to require from a legal entity the museum forms the subdivision of other documents confirming the requirements provided for in [Paragraph 1](#) of this Article.

4. The documents provided for in [Paragraph 2](#) of this Article, after checking the museum's compliance with the requirements provided for in [Paragraph 1](#) of this Article, shall, no later than thirty calendar days from the date of their receipt, be directed by the structural subdivision of the local executive and regulatory body that exercises powers in the field of culture to the Ministry of Culture.

5. A decision on awarding (refusing to award) the status of “public” to the museum shall be made by the Ministry of Culture no later than thirty calendar days from the date of receipt of the documents provided for by [Paragraph 2](#) of this Article.

6. After awarding the status of “public” to the museum, corresponding alterations shall, within two months from the date of a corresponding decision, be introduced to the provision on the museum and its name.

7. Museums awarded with the status of “public” shall confirm it every five years. With a view of the above, a legal person, the museum with the status of “public” forms the subdivision of, shall direct to the structural subdivision of the local executive and regulatory body of the regional territorial level that exercises state powers in the field of culture petitions to confirm the status of “public” and documents provided for by [Subparagraphs 2.2 and 2.3](#) of [Paragraph 2](#) of this Article, which shall, after their consideration, be directed to the Ministry of Culture.

The Ministry of Culture shall, no later than thirty calendar days from the date of receipt of a petition confirming the status of “public” and documentation provided for in [Subparagraphs 2.2 and 2.3](#) of [Paragraph 2](#) of this Article, consider an issue on the confirmation of the status of “public” and make a decision.

In the case, where the museum meets the requirements of [Paragraph 1](#) of this Article, the Ministry of Culture shall make a decision on the confirmation of the status of “public”.

In the case, where the museum fails to meet the requirements provided for in [Paragraph 1](#) of this Article, the Ministry of Culture shall make a decision on the deprivation of the museum of the

status of “public”.

8. After deprivation of the museum of the status of “public”, corresponding alterations shall, within two months from the date of a corresponding decision, be introduced to the provision on the museum and its name.

9. Decisions to reject the award of the status of “public” to the museum or deprive it of this status may be appealed in court.

Article 248. Awarding the Title of the “Honored Collective of the Republic of Belarus” to Professional Artistic Groups, the Status of “Academic”. Confirmation and Deprivation of this Title and Status

1. The title of the “Honored Collective of the Republic of Belarus” shall be awarded to professional artistic groups that have made a significant contribution to the development of the Belarusian national culture and meet the requirements as follows:

1.1. They have been involved in cultural activities for at least ten years;

1.2. They have remarkable achievements in art;

1.3. They take part in cultural and entertainment events in the Republic of Belarus and/or abroad (no less than thirty events per year) and/or in concerts timed to events with participation of the President of the Republic of Belarus and/or state holidays, public holidays, memorable and festive dates, in international and/or Republican cultural events in the territory of the Republic of Belarus and/or beyond its borders, including the events involving the upbringing of young people;

1.4. They have public recognition in the Republic of Belarus and abroad;

1.5. They have many years of positive work experience with creative young people;

1.6. They have creative workers as staff members awarded with the state awards of the Republic of Belarus in the field of culture or who are Laureates of the state prize of the Republic of Belarus in the field of literature, art and architecture, Laureates of the special fund of the President of the Republic of Belarus for support of talented young people.

2. The status of “academic” shall be awarded to professional artistic groups that have made a significant contribution to the development of the Belarusian national culture and meet the requirements as follows:

2.1. They have been involved in cultural activities for at least fifteen years;

2.2. They have remarkable achievements in art;

2.3. They take part in cultural and entertainment events in the Republic of Belarus and/or abroad (no less than forty events per year);

2.4. They have been recognized with awards at Republican and International cultural events over the last five years;

2.5. They have at least five creative workers as staff members awarded with state awards of the Republic of Belarus in the field of culture or who are the laureates of the state prize of the Republic of Belarus in the field of literature, art and architecture.

3. Nomination of a professional artistic group for the title of the “Honored Collective of the

Republic of Belarus”, the status of “academic” shall be made by the collective of workers of a professional artistic group or a legal entity a professional artistic group forms the subdivision of.

A decision on nomination shall be considered as made, provided that no less than 51 percent of the members of a professional artistic group or a legal entity a professional artistic group forms the subdivision of have supported it, and shall be formalized by the minutes of the general meeting.

An extract from the minutes of the general meeting shall be directed to the republican body of state administration, the local executive and administrative body of the regional territorial level, a professional artistic group or a legal entity a professional artistic group forms the subdivision of and come under jurisdiction of the above.

An extract from the minutes of the general meeting of the members of a professional artistic group or a legal entity a professional artistic group forms the subdivision of that are not under subordination of the republican body of state administration shall be directed to local executive and regulatory body of the regional territorial level at the place of state registration of a legal entity.

4. A decision to recommend (not to recommend) a professional artistic group for the award of the “Honored Collective of the Republic of Belarus”, the status of “academic” shall be made by the Collegium of the republican body of state administration, local executive and regulatory body of regional territorial level no later than ten calendar days from the day of receipt of an extract from the minutes of the general meeting.

5. In the case of a decision to recommend a professional artistic group for the award of the title of the “Honored Collective of the Republic of Belarus”, the status of “academic”, the republican body of state administration, the local executive and regulatory body of the regional territorial level shall, no later than ten calendar days from the date of a decision, submit the following documents to the Ministry of Culture:

5.1. Petition for the award of the title of the “Honored Collective of the Republic of Belarus”, the status of “academic”;

5.2. Extract from the decision of the Collegium of the republican body of state administration, the local executive and regulatory body of the regional territorial level;

5.3. Extract from the minutes of the general meeting;

5.4. Certificate on the activity of a professional artistic group confirming the fulfillment of the requirements provided for in [Paragraphs 1 and 2](#) of this Article respectively;

5.5. Copy of the constituent document of a professional artistic group (in case, where a professional artistic group is a legal entity);

5.6. Promotional products on the cultural activities of the group (photo-, audio- and/or video materials, booklets, posters etc.), copies of reviews in the mass media and/or documents on the award of prizes at international and national cultural events evidencing public recognition.

6. The Ministry of Culture shall have the right to require from the professional artistic creativity group or a legal entity the professional artistic creativity group forms the subdivision of other documents confirming the fulfillment of the requirements provided for in [Subparagraphs 1 and 2](#) of this Article accordingly.

7. A decision to recommend (not to recommend) a professional artistic creativity group of the

title of the “Honored Collective of the Republic of Belarus”, the status of “academic” shall be made by the Ministry of Culture no later than thirty calendar days from the date of receipt of documentation provided for in [Subparagraph 5](#) of this Article.

8. After awarding the title of the “Honored Collective of the Republic of Belarus”, the status of “academic” to the professional artistic group, corresponding alterations shall be introduced to its constituent document (in case, where a professional artistic group is a legal entity) and its name within two months from the date of a corresponding decision.

9. A professional collective of an artistic group awarded with the title of the “Honoured Collective of the Republic of Belarus”, the status of “academic” shall confirm the title, the status every five years. For this purpose, a professional artistic group awarded with the title of the “Honoured Collective of the Republic of Belarus”, the status of “academic”, or a legal entity a professional artistic group forms the subdivision of shall direct a petition to the Ministry of Culture to confirm the title of the “Honoured Collective of the Republic of Belarus”, the status of “academic” and the documents provided for in [Subparagraphs 5.2-5.6](#) of [Paragraph 5](#) of this Article.

The collegium of the Ministry of Culture shall, no later than thirty calendar days from the date of the receipt of the petition to confirm the title of the “Honoured Collective of the Republic of Belarus”, the status of “academic” and the documentation provided for in [Subparagraphs 5.2-5.6](#) of [Paragraph 5](#) of this Article, consider an issue related to the confirmation of the title of the “Honoured Collective of the Republic of Belarus”, the status of “academic” and make a decision.

In the case, where a professional artistic group meets the requirements provided for in [Paragraphs 1](#) and [2](#) of this Article, the Collegium of the Ministry of Culture shall make a decision on the confirmation of the title of the “Honored Collective of the Republic of Belarus”, the status of “academic”.

In the case, where a professional artistic group fails to meet the requirements provided for in [Paragraphs 1](#) and [2](#) of this Article, the Collegium of the Ministry of Culture shall make a decision on the deprivation of the title of the “Honored Collective of the Republic of Belarus”, the status of “academic”.

10. After deprivation a professional artistic group of the title of the “Honoured Collective of the Republic of Belarus”, the status of “academic”, corresponding alterations shall be introduced into its constituent document (in the case, where a professional artistic group is a legal person) and its name within two months from the date of a corresponding decision.

11. In accordance with legislation on labour, additional remuneration shall be awarded to the members of professional artistic groups with the title of the “Honoured Collective of the Republic of Belarus”, the status of “academic”.

12. Decisions not to recommend a professional artistic group for the award of the title of the “Honored Collective of the Republic of Belarus”, the status of “academic” and decisions not to award, deprive of such a title and status may be appealed in court.

Article 249. Awarding the Title of the “Honored Amateur Collective of the Republic of Belarus” to Non-professional (Amateur) Artistic Groups. Confirmation and Deprivation of this Title

1. The title of the “Honored Amateur Collective of the Republic of Belarus” shall be awarded to non-professional (amateur) artistic groups that have made a significant contribution to the development of the Belarusian national culture, popularization of national cultural traditions and

meet the requirements as follows:

- 1.1. They have been involved in stable cultural activity for at least ten years;
 - 1.2. They have the name “people’s” (“exemplary”);
 - 1.3. They have obtained at least two titles of Laureate of International, Republican and/or Regional cultural events;
 - 1.4. Results of their creative activity correspond to national cultural traditions;
 - 1.5. They hold cultural events independently, every two months at least, while the duration of cultural and entertainment events for adult non-professional (amateur) artistic groups shall be at least forty minutes, for children – at least twenty minutes, the exhibition area of works – no less than nine square meters;
 - 1.6. They hold reporting cultural events annually with an update of their content by at least 20 %;
 - 1.7. They take part in cultural events at least once a month;
 - 1.8. They have a high level of performing skills, stagy and exhibition culture, artistic and aesthetic design of cultural events;
 - 1.9. They perform works of fiction and art without the use of phonograms;
 - 1.10. They have promotional products of cultural activities of the group (photo-, audio- and/or video materials, booklets, posters, etc.), mass media reviews;
 - 1.11. They carry out regular pilot and collection and local lore work;
 - 1.12. They cooperate with scientific organizations, methodological folk art centers (cultural and educational work centres).
2. In order to consider an issue on awarding of a non-professional (amateur) artistic group with the title of the “Honored Amateur Collective of the Republic of Belarus”, local executive and regulatory body of the regional territorial level, the Ministry of Education of the Republic of Belarus, other republican bodies of state administration, the Federation of Trade Unions of the Republic of Belarus shall direct to the Ministry of Culture the following documents:
- 2.1. Petition for the award of the title of the “Honored Amateur Collective of the Republic of Belarus”;
 - 2.2. Copy of the passport of a non-professional (amateur) artistic group;
 - 2.3. Certificate for the activity of a non-professional (amateur) artistic group for the last five years confirming the fulfillment of requirements provided for in [Paragraph 1](#) of this Article;
 - 2.4. Characteristic of the creative activity of the head of a non-professional (amateur) artistic group, and also an accompanist, a choirmaster, a choreographer, a concertmaster, a director and other creative specialists working with a non-professional (amateur) artistic group;
 - 2.5. A list of works of the repertoire of a non-professional (amateur) artistic group;
 - 2.6. A list of participants of a non-professional (amateur) artistic group with the indication of a

place of work (study), a role they play in a group;

2.7. Promotional products on the cultural activity of a group (photo-, audio- and/or video materials, booklets, posters, etc.), mass media reviews for the last five years;

2.8. Copies of Diplomas of the Laureate of International, Republican, and Regional cultural events for the last five years;

2.9. A copy of the first page of the constituent document of the founder of a non-professional (amateur) artistic group.

3. A Special Commission shall be formed at the Ministry of Culture to evaluate creative activity results of non-professional (amateur) artistic groups.

A Special Commission may consist of creative workers, cultural workers, representatives of the Ministry of Culture, the Ministry of Education of the Republic of Belarus, the Federation of Trade Unions of Belarus, structural subdivisions of local executive and regulatory bodies of the regional territorial level that exercise state powers in the field of culture, other legal persons.

A Special Commission shall carry out a review of creative activity results of a non-professional (amateur) artistic group and shall, no later than ten calendar days from the date of a review, draw a conclusion on compliance (non-compliance) of a non-professional (amateur) artistic group with the requirements provided for in [Paragraph 1](#) of this Article.

4. A decision on the award (rejection of the award) to a non-professional (amateur) artistic group of the title of the “Honored Amateur Collective of the Republic of Belarus” shall be made by the Ministry of Culture no later than thirty calendar days from the date of issuance of a conclusion on compliance (non-compliance) with the requirements provided for in [Paragraph 1](#) of this Article.

5. A special Diploma shall be awarded to a non-professional (amateur) artistic group awarded with the title of the “Honored Amateur Collective of the Republic of Belarus”.

6. After awarding the title of the “Honored Amateur Collective of the Republic of Belarus” to a non-professional (amateur) artistic group, corresponding alterations shall be introduced to its full name within two months from the day of a corresponding decision and a new passport of a non-professional (amateur) artistic creativity group shall be drawn up.

A full name of a non-professional (amateur) artistic creativity group awarded with the title of the “Honored Amateur Collective of the Republic of Belarus” shall start with the wording “Honored Amateur Collective of the Republic of Belarus” and shall include the words “People’s” or “exemplary”.

7. Local executive and regulatory bodies and founders of non-professional (amateur) artistic groups shall create for a non-professional (amateur) artistic group awarded with the title of the “Honored Amateur Collective of the Republic of Belarus” conditions for carrying out of cultural activities, strengthening their material and technical base (allocation of separate premises; funds for the purchase of stage costumes, equipment, sound equipment, development of promotional products, etc.)

8. A budgetary organization that is the founder of a non-professional (amateur) artistic creativity group awarded with the title of the “Honored Amateur Collective of the Republic of Belarus”, regardless of the number of staffing positions provided for in [Paragraph 12](#) of [Article 250](#) of this Code, may be maintained out of the funds obtained as a result of income-generating activities, other sources not prohibited by law, and additionally, due to the required number of

creative specialists and employees carrying out technical maintenance.

9. In order to improve performance skills, scenic and exhibition culture, artistic and aesthetic design of cultural events, as well as hold cultural events, a non-professional (amateur) artistic group awarded with the title of the “Honored Amateur Collective of the Republic of Belarus” may be given recommendations, directions for participating in prestigious International and Republican cultural events.

10. A non-professional (amateur) artistic group awarded with the title of the “Honored Amateur Collective of the Republic of Belarus” shall confirm it every five years through the demonstration of creative activity results over this period to the Special Commission.

11. In order to confirm the title of the “Honoured Amateur Collective of the Republic of Belarus” of a non-professional (amateur) artistic group, the local executive and regulatory body of the regional territorial level, the Ministry of Education of the Republic of Belarus, other republican bodies of state administration, the Federation of Trade Unions of Belarus shall, no later than 31 October of the year on which a five-year period from the date of the award (preliminary confirmation) of the title of the “Honoured Amateur Collective of the Republic of Belarus” expires, direct a petition to confirm the title of the “Honoured Amateur Collective of the Republic of Belarus” and documentation provided for in [Subparagraphs 2.2-2.9](#) of [Paragraph 2](#) of this Article to the Ministry of Culture.

12. A Special Commission shall carry out a review of creative activity results of a non-professional (amateur) artistic group and shall, no later than ten calendar days from the date of the review, draw a conclusion on compliance (non-compliance) of a non-professional (amateur) artistic creativity group with the requirements provided for in [Paragraph 1](#) of this Article.

13. In the case, where a non-professional (amateur) artistic group meets the requirements provided for in [Paragraph 1](#) of this Article, the Ministry of Culture shall make a decision on the confirmation of the title of the “Honored Amateur Collective of the Republic of Belarus” no later than thirty calendar days from the date of receipt of a conclusion on compliance of a non-professional (amateur) artistic group with the requirements provided for in [Paragraph 1](#) of this Article.

14. A non-professional (amateur) artistic group shall be deprived of the title of the “Honored Amateur Collective of the Republic of Belarus” in cases, where:

14.1. It, in accordance with the conclusion of the Special Commission, fails to meet the requirements provided for in [Paragraph 1](#) of this Article;

14.2. Provided that until 31 December of the year on which a five-year period from the date of the award (preliminary confirmation) of the title of the “Honoured Amateur Collective of the Republic of Belarus” expires, a decision on the confirmation of the title of the “Honored Amateur Collective of the Republic of Belarus” has not been made, in accordance with the established procedure, on the confirmation of the title of the “Honoured Amateur Collective of the Republic of Belarus” and the documents provided for in [Subparagraphs 2.2-2.9](#) of [Paragraph 2](#) of this Article and/or in connection with non-submission by a non-professional (amateur) artistic group of creative activity results for a review by the Special Commission.

15. A decision on deprivation of a non-professional (amateur) artistic group of the title of the “Honored Amateur Collective of the Republic of Belarus” in the case provided by in [Subparagraph 14.1](#) of [Paragraph 14](#) of this Article shall be made by the Ministry of Culture no later than thirty calendar days from the date of receipt of a conclusion about non-compliance of non-professional (amateur) artistic group with the requirements provided for by [Paragraph 1](#) of this Article.

A decision on deprivation of a non-professional (amateur) artistic group of the title of the “Honored Amateur Collective of the Republic of Belarus” in the case provided for in [Subparagraph 14.2 of Paragraph 14](#) of this Article shall be made by the Ministry of Culture by 1 February of the year following the end of a five-year period from the date of the award (preliminary confirmation) of the title of the “Honored Amateur Collective of the Republic of Belarus”.

16. After deprivation of a non-professional (amateur) artistic group of the title of the “Honoured Amateur Collective of the Republic of Belarus”, corresponding alterations shall be introduced to its name within two months from the date of a corresponding decision, and a new passport of a non-professional (amateur) artistic group shall be drawn up.

17. Decisions to reject the award of the title of the “Honoured Amateur Collective of the Republic of Belarus” to a non-professional (amateur) artistic group, on deprivation of this title may be appealed in court.

Article 250. Assigning the Name of “People’s” (Exemplary) to Non-professional (Amateur) Artistic Groups. Confirmation and Deprivation of this Name

1. The name “People’s” (“exemplary”) shall be assigned to non-professional (amateur) artistic groups that have made a significant contribution to the development of amateur artistic creativity, popularization of national cultural traditions and meet the following requirements:

1.1. They have been involved in constant cultural activity for three or more years;

1.2. They have the titles of a Laureate, a prize winner of International, Republican, and Regional cultural events and other awards;

1.3. Content of cultural activity of non-professional (amateur) artistic groups reflects their genre and form;

1.4. They have the works of Belarusian authors and/or local folklore works in their repertoire;

1.5. Their creative activity results correspond to national cultural traditions;

1.6. They hold cultural events independently, at least every two months, while the duration of cultural and entertainment events for adult non-professional (amateur) artistic groups shall be at least forty minutes, for children’s – at least twenty minutes; the exhibition area of works – no less than nine square meters;

1.7. They hold reporting cultural events annually with an update of their content by 20 % at least;

1.8. They take part in cultural events at least once a month;

1.9. They have a high level of performing skills, stage and exhibition culture, artistic and aesthetic design of cultural events;

1.10. They perform works of fiction and art without the use of phonograms.

2. The name “People’s” shall be assigned to adult non-professional (amateur) artistic groups in which at least 80% of their participants are eighteen years of age or older.

The name “exemplary” shall be assigned to children's non-professional (amateur) artistic groups, in which at least 80% of their participants are under eighteen.

3. In order to consider an issue of assigning the name “People’s” (“exemplary”) to a non-professional (amateur) artistic group, the founder of a non-professional (amateur) artistic group shall direct to the structural subdivision of the local executive and regulatory body of the regional territorial level that exercises state powers in the field of culture the following documents:

3.1. A petition for assigning the name “People’s” (“exemplary”);

3.2. A copy of the passport of a non-professional (amateur) artistic group;

3.3. Coordination of Republican governance bodies in accordance with the subordination of the founder of a non-professional (amateur) artistic group (if any);

3.4. A Certificate for the activity of a non-professional (amateur) artistic group for the last three years, confirming the fulfillment of requirements provided for in [Paragraphs 1 and 2](#) of this Article;

3.5. Characteristic of the creative activity of the head of a non-professional (amateur) artistic group, as well as an accompanist, a choirmaster, a choreographer, a concertmaster, a director and other creative specialists working with a non-professional (amateur) artistic group (if any);

3.6. A list of works of the repertoire of a non-professional (amateur) artistic group or a list of works of arts and crafts, and visual arts that are in the funds of a non-professional (amateur) artistic group;

3.7. A list of participants of a non-professional (amateur) artistic group with the indication of the date of their birth, a place of work (study), a role they perform in the group;

3.8. Promotional products related to the cultural activity of the group (photo-, audio- and/or video materials, booklets, posters, etc.), mass media reviews for the last three years;

3.9. Copies of Diplomas of International, Republican, Regional cultural events and other awards for the last three years;

3.10. A copy of the first page of the constituent document of the founder of a non-professional (amateur) artistic creativity group.

4. A Republican Attestation Commission shall be established at the Ministry of Culture to evaluate creative activity results of non-professional (amateur) artistic creativity groups.

A composition of the Republican Attestation Commission shall be formed, taking into account the proposals of the Ministry of Education of the Republic of Belarus, the Federation of Trade Unions of Belarus, structural subdivisions of local executive and regulatory bodies of the regional territorial level that exercise state powers in the field of culture.

5. The structural subdivision of the local executive and regulatory body of the regional territorial level that exercises state powers in the field of culture shall organize a review of the Republican Attestation Commission of creative activity results of non-professional (amateur) artistic groups.

6. For a review of creative activity results by the Republican Attestation Commission, non-professional (amateur) artistic groups shall, depending on their genre, demonstrate:

6.1. Drama, music and drama theater, puppet theater – one multi-act performance with the duration of no less than sixty minutes or two one-act performances with the total duration of no less than sixty minutes;

6.2. Opera and ballet theatre, poetry and prose, pop, miniature, musical comedy – a one-act performance or a concert consisting of one part with the duration of no less than sixty minutes;

6.3. Vocal-choral, choreographic, musical-instrumental collective – a concert with the duration of no less than sixty minutes in one part;

6.4. Circus collective – a circus performance with the duration of at least forty minutes;

6.5. Photo studio, fine and applied arts studio – an exhibition with an area of no less than sixteen square meters for demonstrated works;

6.6. A film studio – a movie with at least fifty-two minutes of duration, or two movies from ten to fifty-two minutes of duration, or three movies with at least ten minutes of duration each, or six movies with at least five minutes of duration each, or at least thirty minutes of total duration.

7. The Republican Attestation Commission shall carry out a review of creative activity results of a non-professional (amateur) artistic group and shall, no later than ten calendar days from the date of a review, draw a conclusion on compliance (non-compliance) of a non-professional (amateur) artistic group with the requirements provided for in [Paragraphs 1 and 2](#) of this Article.

8. A conclusion of the Republican Attestation Commission on compliance of a non-professional (amateur) artistic group with the requirements provided for in [Paragraphs 1 and 2](#) of this Article along with the documentation provided for in [Paragraph 3](#) of this Article shall, no later than ten calendar days from the date of receipt of a conclusion, be directed by the structural subdivision of the local executive and regulatory body of the regional territorial level, which exercises state powers in the field of culture, to the Ministry of Culture or the Federation of Trade Unions of Belarus (for non-professional (amateur) artistic groups that form part of the system of trade unions, other non-governmental organizations, except for artistic associations).

9. A decision on the award (refusal to award) to a non-professional (amateur) artistic group of the title of “People’s” (“exemplary”) shall be made by the Ministry of Culture or the Federation of Trade Unions of Belarus (for non-professional (amateur) artistic groups, which form part of the system of trade unions, other non-governmental organizations, except for artistic associations) no later than thirty calendar days from the date of receipt of a conclusion on compliance of a non-professional (amateur) artistic group with the requirements provided for in [Paragraphs 1 and 2](#) of this Article.

10. A non-professional (amateur) artistic group awarded with the title of “People’s” (“exemplary”) shall be awarded in a solemn ceremony in the presence of a representative of a structural subdivision of the local executive and regulatory body of the regional territorial level, exercising state powers in the field of culture, and/or the Regional (Minsk city) Association of Trade Unions with a Certificate for the award to a non-professional (amateur) artistic group of the title of “People’s” (“exemplary”) the [form](#) of which shall be established by the Ministry of Culture.

11. After the award of the title of “People’s” (“exemplary”) to a non-professional (amateur) artistic group, corresponding alterations shall, within two months from the date of a corresponding decision, be introduced to its full name and a new passport of a non-professional (amateur) artistic group shall be drawn up.

The full name of a non-professional (amateur) artistic group awarded with the title of “People’s” (“exemplary”) should start with the words “People’s” or “exemplary”, except for a non-professional amateur collective awarded with the title of the “Honored Amateur Collective of the Republic of Belarus”.

12. At the budgetary organization, which is the founder of a non-professional (amateur) artistic group awarded with the title of “People’s” (“exemplary”), up to three staffing positions of creative specialists and the specialists that carry out technical maintenance may additionally be introduced out of budgetary funds and/or other sources that are not prohibited by legislation.

13. A non-professional (amateur) artistic group awarded with the title of “People’s” (“exemplary”) shall confirm it:

13.1. Every three years, through the demonstration to the Republican Attestation Commission of creative activity results over this period, except for a non-professional (amateur) artistic creativity group awarded with the title of the “Honored Amateur Collective of the Republic of Belarus”;

13.2. In the case of a change of the founder of a non-professional (amateur) artistic group, full name, genre and/or the form of a non-professional (amateur) artistic group, the majority of its members;

13.3. In the case of the deprivation of the title of the “Honored Amateur Collective of the Republic of Belarus”.

14. In order to confirm the title of “People’s” (“exemplary”) of a non-professional (amateur) artistic group in the case provided for in [Subparagraph 13.1](#) of [Paragraph 13](#) of this Article, the founder shall, no later than 31 October of the year a three-year term expires of the date of the award (preliminary confirmation) of the title of “People’s” (“exemplary”), direct to the structural subdivision of the local executive and regulatory body of the regional territorial level that exercises state powers in the field of culture or the Regional (Minsk city) Association of Trade Unions (for non-professional (amateur) artistic groups that form part of the system of professional unions, other non-governmental organizations, except for artistic associations) a petition on the confirmation of the status of “People’s” (“exemplary”) and documentation provided for in [Subparagraphs 3.2-3.10](#) of [Paragraph 3](#) of this Article.

In order to confirm the title of “People’s” (“exemplary”) of a non-professional (amateur) artistic group in cases provided for in [Subparagraphs 13.2](#) and [13.3](#) of [Paragraph 13](#) of this Article, the founder shall, no later than thirty calendar days of the date of the emergence of the grounds for the confirmation of the title of “People’s” (“exemplary”), direct to the structural subdivision of the local executive and regulatory body of the regional territorial level, which exercises state powers in the field of culture, or the Regional (Minsk city) Association of Trade Unions (for a non-professional (amateur) artistic groups that form part of the system of trade unions, other non-governmental organizations, except for artistic associations) a petition for the confirmation of the title of “People’s” (“exemplary”) and documentation provided for in [Subparagraphs 3.2-3.10](#) of [Paragraph 3](#) of this Article.

15. A decision to confirm the title of “People’s” (“exemplary”) to a non-professional (amateur) artistic group in the case provided for in [Subparagraph 13.2](#) of [Paragraph 13](#) of this Article shall be made by the structural subdivision of the local executive and regulatory body of the regional territorial level in the field of culture, or the Regional (Minsk city) Association of Trade Unions (for non-professional (amateur) artistic groups that form part of the system of trade unions, other non-governmental organizations, except for artistic associations) no later than thirty calendar days from the day of receipt of a petition on the confirmation of the title of “People’s” (“exemplary”) and documentation provided for in [Subparagraphs 3.2-3.10](#) of [Paragraph 3](#) of this Article.

A decision on the confirmation of the title of “People’s” (“exemplary”) to a non-professional (amateur) artistic group in the cases provided for in [Subparagraphs 13.1](#) and [13.3](#) of [Paragraph 13](#) of

this Article shall be made by the structural subdivision of the local executive and regulatory body of the regional territorial level in the field of culture, or Regional (Minsk city) Association of Trade Unions (for non-professional (amateur) artistic groups that form part of the system of trade unions, other non-governmental organizations, except for artistic associations) on the basis of a conclusion of the Republican Attestation Commission on compliance of a non-professional (amateur) artistic group with the requirements provided for in [Paragraphs 1 and 2](#) of this Article no later than thirty calendar days from the date a conclusion was issued.

An extract from the decision on the confirmation of the title of “People’s” (“exemplary”) of a non-professional (amateur) artistic group shall, no later than ten calendar days from the date the decision was made, be directed to the Ministry of Culture or the Federation of Trade Unions of Belarus (for non-professional (amateur) artistic groups that form part of the system of trade unions, other non-governmental organizations, except for artistic associations).

16. A non-professional (amateur) artistic group shall be deprived of the title of “People’s” (“exemplary”) in the cases as follows:

16.1. It, in accordance with a conclusion of the Republican Attestation Commission, fails to meet the requirements provided for in [Paragraphs 1 and 2](#) of this Article;

16.2. Until 31 December of the year of the expiry of a three-year period of the date of the award (preliminary confirmation) of the title of “People’s” (“exemplary”), no decision was made, in accordance with the established procedure, on the confirmation of the title of “People’s” (“exemplary”) in connection with failure to submit a petition on the confirmation of the title and documentation provided for in [Subparagraphs 3.2-3.10](#) of [Paragraph 3](#) of this Article, and/or in connection with failure to demonstrate by non-professional (amateur) artistic group of creative activity results for a review by the Republican Attestation Commission.

17. A decision on deprivation of a non-professional (amateur) artistic group of the title of “People’s” (“exemplary”) shall be made by the Ministry of Culture or the Federation of Trade Unions of Belarus (for non-professional (amateur) artistic groups that form part of the system of trade unions, other non-governmental organizations, except for creative unions) on the basis of a petition of the structural subdivision of the local executive and regulatory body of the regional territorial level that exercises state powers in the field of culture, or the Regional (Minsk city) Association of Trade Unions (for non-professional (amateur) artistic groups that form part of the system of trade unions, other non-governmental organizations, except for creative unions).

A petition on deprivation of a non-professional (amateur) artistic group of the educational institution of the title of “People’s” (“exemplary”) shall be coordinated by the structural subdivision of the local executive and regulatory body of the regional territorial level that exercises state powers in the field of education.

18. After deprivation of a non-professional (amateur) artistic group of the title of “People’s” (“exemplary”), in a two-month term from the date of a corresponding decision, corresponding alterations shall be introduced to its full name and a new passport of a non-professional (amateur) artistic group shall be designed.

19. Decisions to refuse the award of the title of “People’s” (“exemplary”) to a non-professional artistic group, to deprive of this title may be appealed in court.

Article 251. Encouragements of the Ministry of Culture

1. A badge of the Ministry of Culture of the Republic of Belarus “For the Contribution to the Development of Culture of Belarus” shall be approved by the President of the Republic of Belarus. A procedure for the recommendation for the reward with a badge of the Ministry of Culture of the Republic of Belarus “For the Contribution to the Development of Culture of Belarus” shall be established by the Ministry of Culture.

2. The Ministry of Culture shall determine other encouragements for the subjects of cultural activity, including the sponsors and patrons of culture, and their reward procedure.

Article 252. Encouragements of Local Executive and Regulatory Bodies, other State Bodies, Non-governmental Organizations and other Legal Persons

Local executive and regulatory bodies, other state bodies, non-governmental organizations and other legal persons may determine encouragements for the subjects of cultural activity, including the sponsors and patrons of culture and establish their reward procedure.

SECTION V FINAL PROVISIONS

Chapter 27 Final Provisions

Article 253. Introducing Changes and Additions to the Civil Code of the Republic of Belarus

The following changes and additions shall be introduced to the Civil Code of the Republic of Belarus of December 7, 1998 (Viedamaści Nacyjanalnah Schodu Respubliki Bielaruś 1999, No. 7-9, Art. 101; the National Register of Legal Acts of the Republic of Belarus, 2007, No. 118, 2/1309; No. 132, 2/1330; 2010, No. 6, 2/1650; the National Legal Internet Portal of the Republic of Belarus 2/1940 of July 17, 2012; 2/2094 of January 2, 2014; 2/2189 of July 22, 2014; 2/2311 of November 3, 2015):

In [Paragraphs 12 and 15 of Part 4, Paragraph 1 of Article 1](#), the word “handicrafts” shall be replaced with the words “products of folk arts and crafts”;

[Paragraph 2 of Article 121](#) shall be supplemented with the wording “unless otherwise provided for by legislative acts”;

[Paragraph 2 of Article 226](#), the wording “about archaeological artifacts (Article 234-2)” shall be added after the words “(Article 234-1)”;

In [Article 234](#):

[Paragraph 1](#) shall be supplemented with part 3 of the following content:

“The rules of parts 1 and 2 of this Paragraph shall not apply to treasure consisting of archaeological artifacts.”;

[1st sentence of Part 1, Paragraph 2](#) shall be worded as follows:

“2. In the case of treasure discovery consisting of tangible cultural assets with distinctive spiritual, artistic and/or documentary merits and meeting one of the criteria for granting them the

status of a historical and cultural asset; such tangible cultural Assets shall be transferred to the state ownership.”;

The [Code](#) shall be supplemented with Article 234-2 of the following content:

“Article 234-2. Acquiring the right of ownership of archaeological artifacts

Unless otherwise provided for by legislative acts, archaeological artifacts discovered during archaeological research or otherwise shall be transferred to state ownership in accordance with the procedure established by legislation.

In case of discovery of archaeological artifacts that are a treasure, have distinctive spiritual, artistic and/or documentary values and meet one of the criteria for giving them the status of a historical and cultural asset, the rules provided for in Paragraphs 2 and 3 of Article 234 of this Code shall apply.”;

In [Part 2, Paragraph 1, Article 553](#) the wording “to museums and other cultural institutions” shall be replaced with the wording “to cultural organizations and other organizations carrying out cultural activity”.

Article 254. Declaring Certain Legislative Acts and Particular Provisions of Laws to Be No Longer in Force

The following shall be declared to be no longer in force:

1. The [Law](#) “On Culture in the Republic of Belarus” of the Republic of Belarus of June 4, 1991 (Viedamaści Viarchoŭnaha Savieta Biełaruskaj SSR, 1991, No. 20, Art. 291).

2. The [Law](#) “On Library Services in the Republic of Belarus” of the Republic of Belarus of March 22, 1995 (Viedamaści Viarchoŭnaha Savieta Respubliki Biełaruś, 1995, No. 20, Art. 238).

3. The [Law](#) “On Folk Arts, Folk Arts and Crafts in the Republic of Belarus” of the Republic of Belarus of July 9, 1999 (National Register of Legal Acts of the Republic of Belarus, 1999, No. 56, 2/62).

4. The [Law](#) “On Creative Unions and Creative Specialists” of the Republic of Belarus of December 16, 1999 (National Register of Legal Acts of the Republic of Belarus, 2000, No. 4, 2/117).

5. [Paragraphs 3 and 10 of Article 2](#) of the Law “On Recognizing Legislative Acts to Be No Longer in Force and Introducing Amendments to Certain Legislative Acts of the Republic of Belarus on Property Issues” of the Republic of Belarus of May 14, 2001 (National Register of Legal Acts of the Republic of Belarus, 2001, No. 48 , 2/759).

6. The [Law](#) “On Introducing Amendments and Additions to the Law of the Republic of Belarus “On Library Services in the Republic of Belarus” of the Republic of Belarus of November 11, 2002 (National Register of Legal Acts of the Republic of Belarus, 2002, No. 128, 2/896).

7. The [Law](#) “On Introducing Amendments and Additions to the Law of the Republic of Belarus “On Culture in the Republic of Belarus” of the Republic of Belarus of May 18, 2004 (National Register of Legal Acts of the Republic of Belarus, 2004, No. 87, 2/1031).

8. The [Law](#) “On Cinematography in the Republic of Belarus” of the Republic of Belarus of June 14, 2004 (National Register of Legal Acts of the Republic of Belarus, 2004, No. 103, 2/1041).

9. The [Law](#) “On Museums and the Museum Fund of the Republic of Belarus” of the Republic of Belarus of December 12, 2005 (National Register of Legal Acts of the Republic of Belarus, 2005, No. 197, 2/1167).

10. The [Law](#) “On the Safeguarding of the Historical and Cultural Heritage of the Republic of Belarus” of the Republic of Belarus of January 9, 2006 (National Register of Legal Acts of the Republic of Belarus, 2006, No. 9, 2/1195).

11. The [Law](#) “On Introducing Amendments and Additions to the Law of the Republic of Belarus “On Culture in the Republic of Belarus” of the Republic of Belarus of May 16, 2006 (National Register of Legal Acts of the Republic of Belarus, 2006, No. 78, 2/1202).

12. [Articles 13 and 47](#) “On Introducing Amendments and Additions to Certain Laws of the Republic of Belarus on Technical Rate Setting, Standardization and Conformity Assessment of Technical Normative Legal Acts in the Field of Technical Rate Setting and Standardization” of the Law of the Republic of Belarus of July 20, 2006 (National Register of Legal Acts of the Republic of Belarus, 2006, No. 122, 2/1259).

13. The [Law](#) “On Introducing Amendments and Additions to the Law of the Republic of Belarus “On Culture in the Republic of Belarus” of the Republic of Belarus of November 8, 2006 (National Register of Legal Acts of the Republic of Belarus, 2006, No. 186, 2/1274).

14. [Articles 8, 18 and 19](#) “On Introducing Amendments and Additions to Certain Laws of the Republic of Belarus and Recognizing the Resolution of the Presidium of the Supreme Council of the Republic of Belarus to Be No Longer in Force “On Reorganization of Affairs on the Safeguarding of the Historical and Cultural Heritage in the Republic of Belarus” of the Law of the Republic of Belarus of May 7, 2007 (National Register of Legal Acts of the Republic of Belarus, 2007, No. 118, 2/1309).

15. [Articles 1, 2, 5 and 6](#) “On Introducing Amendments and Additions to Certain Laws of the Republic of Belarus on the Issues Related to the Activities with Precious Metals and Precious Stones” of the Law of the Republic of Belarus of July 18, 2007 (National Register of Legal Acts of the Republic of Belarus, 2007, No. 173, 2/1362).

16. [Article 2](#) of the Law “On Introducing Amendments and Additions to Certain Laws of the Republic of Belarus on the Issues of a Free Obligatory Copy of Documents and Library Services” of the Republic of Belarus of May 2, 2008 (National Register of Legal Acts of the Republic of Belarus, 2008, No. 119, 2/1434).

17. The [Law](#) “On Introducing Amendments to the Law of the Republic of Belarus “On Culture in the Republic of Belarus” of the Republic of Belarus of May 7, 2009 (National Register of Legal Acts of the Republic of Belarus, 2009, No. 119, 2/1567).

18. [Articles 2, 9 and 14](#) “On Introducing Amendments and Additions to Certain Laws of the Republic of Belarus on Educational Issues” of the law of the Republic of Belarus of November 9, 2009 (National Register of Legal Acts of the Republic of Belarus, 2009, No. 276, 2/1603) .

19. [Articles 1 and 6](#) “On Introducing Amendments and Additions to Certain Laws of the Republic of Belarus on the Movement of Certain Types of Goods across the Customs Border of the Republic of Belarus” of the Law of the Republic of Belarus of December 28, 2009 (National Register of Legal Acts of the Republic of Belarus, 2010, No. 6, 2/1645).

20. [Articles 3, 13, 21, 33 and 34](#) of the Law “On Introducing Amendments and Additions to Certain Laws of the Republic of Belarus on Budgetary Relations” of the Republic of Belarus of

December 31, 2009 (National Register of Legal Acts of the Republic of Belarus, 2010, No. 15, 2/1666).

21. [Article 18](#) of the Law “On Introducing Amendments and Additions to Certain Laws of the Republic of Belarus on the Implementation of Administrative Procedures” of the Republic of Belarus of January 4, 2010 (National Register of Legal Acts of the Republic of Belarus, 2010, No. 17, 2/1661).

22. The [Law](#) “On Introducing Amendments and Additions to the Law of the Republic of Belarus “On Museums and the Museum Fund of the Republic of Belarus” of the Republic of Belarus of July 3, 2011 (National Register of Legal Acts of the Republic of Belarus, 2011, No. 78, 2/1833).

23. The [Law](#) “On Introducing Amendments and Additions to the Law of the Republic of Belarus “On Culture in the Republic of Belarus” of the Republic of Belarus of May 4, 2012 (National Register of Legal Acts of the Republic of Belarus, 2012, No. 55, 2/1908).

24. The [Law](#) “On Introducing Amendments and Additions to the Law of the Republic of Belarus “On Cinematography in the Republic of Belarus” of the Republic of Belarus of May 4, 2012 (National Register of Legal Acts of the Republic of Belarus, 2012, No. 55, 2/1909).

25. The [Law](#) “On Introducing Amendments and Additions to the Law of the Republic of Belarus “On the Safeguarding of the Historical and Cultural Heritage of the Republic of Belarus” of the Republic of Belarus of May 8, 2012 (National Register of Legal Acts of the Republic of Belarus, 2012, No. 56, 2/1926).

26. [Articles 6](#) and [9](#) “On Introducing Amendments and Additions to Certain Laws of the Republic of Belarus on Educational Issues” of the Law of the Republic of Belarus of July 10, 2012 (National Legal Internet Portal of the Republic of Belarus of July 26, 2012, 2/1978).

27. The [Law](#) “On Introducing Amendments and Additions to the Law of the Republic of Belarus “On Folk Arts, Folk Arts and Crafts in the Republic of Belarus” of the Republic of Belarus of May 20, 2013 (National Legal Internet Portal of the Republic of Belarus of May 23, 2013, 2/2023).

28. [Article 1](#) of the Law “On Introducing Amendments and Additions to Certain Laws of the Republic of Belarus” of the Republic of Belarus of April 23, 2014 (National Legal Internet Portal of the Republic of Belarus of April 26, 2014, 2/2130).

29. The [Law](#) “On Introducing Amendments and Additions to the Law of the Republic of Belarus “On Library Services in the Republic of Belarus” of the Republic of Belarus of July 1, 2014 (National Legal Internet Portal of the Republic of Belarus of July 8, 2014, 2/2171).

30. The [Resolution](#) “On the Procedure for Enacting the Law of the Republic of Belarus “On Culture in the Republic of Belarus” of the Supreme Soviet of the Republic of Belarus of June 4, 1991 (Viedamaści Viarchoŭnaha Savieta Bielaruskaj SSR, 1991, No. 20, Art. 292).

Article 255. Transitional Provisions

1. Movies, which prior to entry into force of this Code, were given indices determining the procedure for the use of these movies shall not be subject to classification.

The ratio of the [indices](#) provided for in [Part 1](#) of this Article and age categories provided for in [Paragraph 6](#) of [Article 207](#) of this Code shall be determined by the Ministry of Culture.

2. Permits for the performance of works on tangible historical and cultural assets and/or in the zones of the safeguarding of immovable tangible historical and cultural assets and Certificates for the management of the development of scientific and project documentation on the performance of restoration and renovation works on tangible historical and cultural assets and/or in the zones of the safeguarding of immovable tangible historical and cultural assets before entry into force of this Code shall be valid until the expiry of their validity date.

3. Permits for carrying out of archeological studies and for the right to perform archeological explorations and excavations issued by the Ministry of Culture and the National Academy of Sciences of Belarus before entry into force of this Code shall be valid until the expiry of their validity date.

4. The owner/user of a historical and cultural asset, a land user on whose land lot an immovable tangible historical and cultural asset is located, and who before entry into force of this Code signed conservation obligations shall, no later than two years from the date of entry into force of this Code, be obliged to sign new conservation obligations.

Article 256 entered into force after the promulgation (Paragraph 3 of Article 257 of this document).

Article 256. Measures to Implement the Provisions of this Code

The Council of Ministers of the Republic of Belarus shall within six months:

Ensure the harmonization of legislation with this Code;

Introduce other measures needed to implement the provisions of this Code.

Article 257 entered into force after the promulgation.

Article 257. Entry of this Code into Force

This Code shall enter into force in accordance with the following order:

[Articles 1-255](#) – in six months after the promulgation of this Code;

Other provisions – after the promulgation of this Code.

President of the Republic of Belarus

A. Lukashenko