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No. [1039](#), 02/09/2009, Official Gazette 2009, No. 109-4627 (11/09/2009), law code 1091100NUTA00001039

R E S O L U T I O N
OF THE GOVERNMENT OF THE REPUBLIC OF LITHUANIA

**APPROVING THE PROCEDURE FOR ASSUMING A WRITTEN COMMITMENT OF
THE GOVERNMENT OF THE REPUBLIC OF LITHUANIA OR AN INSTITUTION
AUTHORISED BY THE GOVERNMENT FOR THE COMPENSATION OF LOSSES
INCURRED AS A RESULT OF DAMAGE OR LOSS OF CULTURAL GOODS OF
FOREIGN STATES DURING THEIR TEMPORARY IMPORT FOR EXHIBITIONS**

8 April 2003, No. 433
Vilnius

Acting pursuant to Article 15 of the Law of the Republic of Lithuania on protection of cultural goods (*Official Gazette*, 1996, No. 14-352; 2008, No. 81-3183), the Government of the Republic of Lithuania hereby resolves:

1. To approve the Procedure for assuming a written commitment of the Government of the Republic of Lithuania or an institution authorised by the Government for the compensation of losses incurred as a result of damage or loss of cultural goods of foreign states during their temporary import for exhibitions (attached hereto).

2. To order the Ministry of Culture of the Republic of Lithuania to assume a written commitment for cultural goods of foreign states during their temporary import for an exhibition, for a total value of not more than EUR 4,344,300.

Amendment to the paragraph:

No. [1064](#), 03/10/2014, published TAR 07/10/2014, law code 2014-13743

3. To establish that, where appropriate, the funds for implementing the written commitment of the Government of the Republic of Lithuania or an institution authorised by the Government will be allocated under a resolution of the Government of the Republic of Lithuania.

PRIME MINISTER

ALGIRDAS BRAZAUSKAS

MINISTER OF CULTURE

ROMA DOVYDĖNIENĖ

APPROVED

By Resolution No. 433 of the Government of the Republic of Lithuania of 8 April 2003
(Version of Resolution No. 1039 of the Government of the Republic of Lithuania of 2 September 2009)

THE PROCEDURE FOR ASSUMING A WRITTEN COMMITMENT OF THE GOVERNMENT OF THE REPUBLIC OF LITHUANIA OR AN INSTITUTION AUTHORISED BY THE GOVERNMENT FOR THE COMPENSATION OF LOSSES INCURRED AS A RESULT OF DAMAGE OR LOSS OF CULTURAL GOODS OF FOREIGN STATES DURING THEIR TEMPORARY IMPORT FOR EXHIBITIONS

I. GENERAL PROVISIONS

1. The Procedure for assuming a written commitment of the Government of the Republic of Lithuania or an institution authorised by the Government for the compensation of losses incurred as a result of damage or loss of cultural goods of foreign states during their temporary import for exhibitions (hereinafter referred to as “this Procedure”) shall establish the size, duration and implementation of a written commitment for the compensation of losses incurred as a result of damage or loss of cultural goods of foreign states during their temporary import for exhibitions (hereinafter referred to as “the commitment”), and the duties of an expert commission for the implementation of the commitment (hereinafter referred to as “the commission”) and national and municipal budgetary institutions acting under the Law of the Republic of Lithuania on museums (*Official Gazette*, 1995, N. 53-1292; 2003, No. 59-2638), the Law of the Republic of Lithuania on libraries (*Official Gazette*, 1995, N. 51-1245; 2004, No. 120-4431) or the Law of the Republic of Lithuania on documents and archives (*Official Gazette*, 1995, No. 107-2389; 2004, No. 57-1982) and engaged in the temporary import of cultural goods of foreign states for exhibitions in the Republic of Lithuania (hereinafter referred to as “institutions organising an exhibition”) throughout the validity of the commitment, and the determination and compensation of losses.

2. The commitment means a written commitment of the Government of the Republic of Lithuania or an institution authorised by the Government to grant funds to an institution organising an exhibition for the compensation of reasonable losses incurred by the owner of cultural goods as a result of damage or loss of such goods during the exhibition (in the process of organising exhibitions).

3. For the purposes of this Procedure, the terms used are defined in the Law of the Republic of Lithuania on protection of cultural goods (*Official Gazette*, 1996, N. 14-352; 2008, No. 81-3183).

II. SIZE AND DURATION OF THE COMMITMENT

4. The commitment shall apply to cultural goods during their temporary import for an exhibition, for a total value of not less than EUR 289,620. The decision on the implementation of the commitment shall be taken by the Minister of Culture where the value of an exhibition of imported cultural goods is not more than EUR 4,344,300, or by the Government of the Republic of Lithuania where the value of an exhibition of imported cultural goods is more than EUR 4,344,300.

Amendment to the paragraph:

No. [1064](#), 03/10/2014, published TAR 07/10/2014, law code 2014-13743

5. The commitment shall be valid from/to the moment of the import/export of cultural goods into/from Lithuania (the crossing of the border of the Republic of Lithuania).

III. IMPLEMENTATION OF THE COMMITMENT

6. The form of an application for the commitment (hereinafter referred to as “the application”) shall be approved by the Minister of Culture.

7. An institution organising an exhibition shall submit the application to the Ministry of Culture not later than 2 months before the planned import of cultural goods.

8. The application shall have the following attachments:

8.1. A list of the cultural goods imported for the exhibition, including the catalogue information on and the value of each item of the cultural goods, as well as the total value of the exhibition;

8.2. A draft agreement between the institution organising the exhibition and the foreign institution, setting forth the terms of transportation, display, protection, insurance and compensation of losses of the cultural goods imported for the exhibition;

8.3. A detailed description of the terms of transportation, display, protection, etc. to be provided by the institution organising the exhibition that is importing the cultural goods;

8.4. An obligation of the institution organising the exhibition, specifying that, in the event of any damage, destruction or loss of the imported cultural goods, the institution will compensate 1 percent of the losses.

9. The application shall be discussed and conclusions with respect thereto shall be presented by the commission whose composition and rules of procedure shall be approved by the Minister of Culture. Members of the commission shall include art, culture, law and law enforcement professionals. The commission shall comprise from 7 to 9 members and be established for 3 years.

10. The commission shall provide the Minister of Culture with conclusions on the implementation of the commitment not later than within 20 calendar days of receipt of an application at the Ministry of Culture. Based on the commission’s conclusions, the Minister of Culture shall take the decision on the implementation of the commitment and shall, within 5 working days of adoption of the decision, notify the institution organising the exhibition thereof. If the value of the exhibition of imported cultural goods exceeds EUR 4,344,300, the Minister of Culture shall, not later than within 10 working days of receipt of the commission’s conclusion, submit to the Government of the Republic of Lithuania a draft decision on the implementation of the commitment, harmonised under the established procedure.

Amendment to the paragraph:

N. [1064](#), 03/10/2014, published TAR 07/10/2014, law code 2014-13743

11. The institution organising the exhibition shall, within a month from receipt of the decision, submit to the commission a copy of the agreement signed with the foreign institution.

12. If the agreement signed between the institution organising the exhibition and the foreign institution is not in conformity to the draft agreement submitted for the commission’s consideration as referred to in paragraph 8.2 of this Procedure, or if no copy of the agreement is provided, the Minister of Culture or the Government of the Republic of Lithuania shall have the right to repeal the decision on the commitment.

IV. DUTIES OF THE COMMISSION AND THE INSTITUTION ORGANISING THE EXHIBITION THROUGHOUT THE VALIDITY OF THE COMMITMENT

13. Throughout the validity of the commitment, the commission shall inspect the cultural goods periodically, check the technical condition of their display, fire prevention and security systems and determine how the institution organising the exhibition has complied with the terms of the agreement signed with the foreign institution.

14. Throughout the validity of the commitment, the institution organising the exhibition shall:

14.1. Comply with the requirements of the agreement signed with the foreign institution;

14.2. Participate in all customs clearing procedures at the receipt and dispatch of the cultural goods;

14.3. Upon any damage, destruction or loss of the cultural goods, rescue those goods and prevent or minimise losses as far as possible, and notify the special services and the Ministry of Culture thereof;

14.4. Submit a list of damaged, destroyed or lost cultural goods to the commission, indicating the total value of those goods before the said events and documents required for determining the causes of damage, destruction or loss of the cultural goods and the amount of losses.

V. DETERMINATION AND COMPENSATION OF LOSSES

15. Cases of damage, destruction or loss of cultural goods shall be investigated and the amount of losses shall be determined by the commission, with the participation of a representative of the foreign institution.

16. Losses shall be determined and compensated on the basis of the commission's investigation report.

17. Disputes over the compensation of losses shall be settled under the procedure prescribed by legislation of the Republic of Lithuania.

18. Persons at fault for damage caused to cultural goods during their temporary import for an exhibition in the Republic of Lithuania shall be liable under the procedure prescribed by legislation of the Republic of Lithuania.

Amendment to the paragraph:

No. [1039](#), 02/09/2009, *Official Gazette*, 2009, No. 109-4627 (11/09/2009), law code 1091100NUTA00001039

Amendments:

1.

Government of the Republic of Lithuania, Resolution

No. [360](#), 01/04/2004, *Official Gazette*, 2004, No. 50-1642 (06/04/2004), law code 1041100NUTA00000360

Amending Resolution No. 433 of the Government of the Republic of Lithuania of 8 April 2003 approving the procedure for the implementation of the commitment of the Government of the Republic of Lithuania concerning the temporary import of cultural goods of foreign states in the Republic of Lithuania

2.

Government of the Republic of Lithuania, Resolution

No. [145](#), 25/02/2009, *Official Gazette*, 2009, No. 27-1048 (10/03/2009), law code 1091100NUTA00000145

Amending Resolution No. 433 of the Government of the Republic of Lithuania of 8 April 2003 approving the procedure for the implementation of the commitment of the Government of the Republic of Lithuania concerning the temporary import of cultural goods of foreign states in the Republic of Lithuania

3.

Government of the Republic of Lithuania, Resolution

No. [1039](#), 02/09/2009, *Official Gazette*, 2009, No. 109-4627 (11/09/2009), law code 1091100NUTA00001039

Amending Resolution No. 433 of the Government of the Republic of Lithuania of 8 April 2003 approving the procedure for the implementation of the commitment of the Government of the Republic of Lithuania concerning the temporary import of cultural goods of foreign states in the Republic of Lithuania

4.

Government of the Republic of Lithuania, Resolution

No. [1064](#), 03/10/2014, published TAR 07/10/2014, law code 2014-13743

Amending Resolution No. 433 of the Government of the Republic of Lithuania of 8 April 2003 approving the procedure for assuming a written commitment of the Government of the Republic of Lithuania or an institution authorised by the Government for the compensation of losses incurred as a result of damage or loss of cultural goods of foreign states during their temporary import for exhibitions.