

**REGULATION
OF
THE MINISTER OF CULTURE AND NATIONAL HERITAGE¹⁾**

of 19 February 2013

on granting of statutes to the Auschwitz-Birkenau State Museum in Oświęcim

Pursuant to Article 6 Paragraphs 1 and 2 of the Act of 21 November 1996 on museums (Journal of Laws [Dz.U.] of 1997 item 987) and Article 13, Paragraphs 1 and 2 of the Act of 25 October 1991 on organizing and conducting cultural activities (Journal of Laws [Dz.U.] of 2012 item 406,) it is hereby provided as follows:

§ 1

The Auschwitz-Birkenau State Museum in Oświęcim is to be granted statutes as set out in the Annex to this Regulation.

§ 2

1. The term of the members of the Museum Council, who are appointed in accordance with the Regulation of 8 June 2012 on appointing members of the Museum Council at the Auschwitz-Birkenau State Museum in Oświęcim (Official Journal of the Ministry of Culture and National Heritage [Dz.Urz.MKiDN] item 26) issued by the Minister of Culture and National Heritage, ends upon the expiration of the term of office for which the members have been appointed.
2. The members of the Council of the International Center for Education about Auschwitz and the Holocaust, who are appointed on the basis of the former Statutes of the Auschwitz-Birkenau State Museum in Oświęcim, perform their duties until the appointment of the new members of the Council on the basis of the Statutes granted by this Regulation.

§ 3

Regulation No 34 of the Ministry of Culture and National Heritage of 4 October 2007 on granting of statutes to the Auschwitz-Birkenau State Museum in Oświęcim (Official Journal of the Ministry of Culture and National Heritage [Dz.Urz.MKiDN] No 5, item 67), is hereby repealed.

§ 4

The Regulation enters into force upon the date of its signature.

MINISTER OF CULTURE
AND NATIONAL HERITAGE

Bogdan Zdrojewski

¹⁾The Minister of Culture and National Heritage manages the department of the government administration, culture and preservation of the national heritage on the basis of Article 1 Paragraph 2 of the Regulation of 18 November 2011 on the detailed scope of the activities (Journal of Laws [Dz.U.] No 248, item 1482) issued by the Minister of Culture and National Heritage.

STATUTES

**The Auschwitz-Birkenau State Museum
in Oświęcim**

**Chapter I
General provisions**

§ 1

1. The Auschwitz-Birkenau State Museum in Oświęcim is a state cultural institution, hereinafter referred to as the “Museum”, in particular operating on the basis of:
 - 1) the Act of 2 July 1947 on commemoration of the martyrdom of the Polish Nation and other Nations in Auschwitz (Journal of Laws [Dz.U.] No 52, item 265 and of 1999 No 41, item 412);
 - 2) the Act of 21 November 1996 on museums (Journal of Laws [Dz.U.] of 2012 No 5, item 987), hereinafter referred to as “ The Act on Museums”;
 - 3) the Act of 25 October 1991 on organizing and conducting cultural activities (Journal of Laws [Dz.U.] of 2012, item 406) , hereinafter referred to as “The Act on Organizing and Conducting Cultural Activities”;
 - 4) the Act of 7 May 1999 on protecting the sites of the former Nazi extermination camps (Journal of Laws [Dz.U.] No 41, item 412, as amended ²⁾);
 - 5) the Act of 23 July 2003 on the protection and maintenance of historical monuments (Journal of Laws [Dz. U.] No 162, item 1568, as amended ³⁾);
 - 6) the Act of 21 January 1988 on the Council for the Protection of Memory of Combat and Martyrdom (Journal of Laws [Dz.U.] No 2, item 2, as amended);
 - 7) these statutes.
2. The Museum can use the abbreviated name of “The Auschwitz-Birkenau State Museum.”

²⁾ Amendments to the said Act were announced in Journal of Laws [Dz.U.] of 2002 No 113, item 984 and No 153, item 1271 , and of 2003 No 80, item 717, and of 2006 No 220, item 1600.

³⁾ Amendments to the said Act were announced in Journal of Laws [Dz.U.] of 2004 No 96, item 959 and No 238, item 2390, and of 2006 No 50, item 362 and No 126, item 875, and of 2007 No 192, item 1394 and of 2009 No 31, item 206 and No 97, item 804, and of 2010 No 75, item 474 and No 130, item 871.

⁴⁾ Amendments to the said Act were announced in Journal of Laws [Dz.U.] of 1996 No 106, item 496 and of 2000 No 31, item 382.

§ 2

The organizer of the Museum is a minister in charge of culture and national heritage, hereinafter referred to as "the Minister".

§3

1. The Museum is entered in the register of cultural institutions maintained by the Minister under no RIK 22/92.
2. The Museum is entered in the State Register of Museums maintained by the Minister under no PRM/25/98.
3. The Museum has legal personality.

§ 4

1. The seat of the Museum is in Oświęcim.
2. The Museum operates in the Republic of Poland and abroad.

§ 5

1. Internal organization of the Museum, scopes of tasks of departments, organizational units and independent workstations are made on the basis of organizational rules and regulations issued by the director of the Museum after receiving the opinion of the Minister and opinions of trade unions and associations of authors operating in the Museum.

2. The International Center for Education about Auschwitz and the Holocaust operates within the Museum.

Chapter II

The scope of the Museum activities and collections

§ 6

The scope of the Museum activity includes commemoration and documentation of the Holocaust and the Martyrdom of Nations in the German Nazi concentration and extermination camp KL Auschwitz, hereinafter referred to as "KL Auschwitz," in particular:

- 1) collection of movable remains of KL Auschwitz and associated archive materials;
- 2) preservation and conservation of these parts of the former KL Auschwitz grounds where the Museum has been established including buildings and equipment there as well as collections referred to in Point 1;
- 3) access to collections for educational and research purposes;
- 4) conduct of research in areas related to the activities of the Museum;
- 5) dissemination of the history of KL Auschwitz;
- 6) conduct within the International Center for Education about Auschwitz and the Holocaust referred to in Article 5 Paragraph 2 conduct of educational activities in the field of KL Auschwitz history and associated subjects, in particular, related to war, racism, anti-Semitism, genocide and human rights, including:

- a) organization among others scientific, popular science and educational sessions, seminars, lectures, readings, workshops, museum and e-learning lessons;
- b) activity – related guidance and assistance during visiting the Museum;
- 7) conduct of publishing activities;
- 8) organization of permanent and temporary exhibitions;
- 9) organization of ceremonies commemorating events related to the history of KL Auschwitz.

Chapter III

Museum management, supervisory authorities, advisory bodies and methods of their appointment

§7

1. The Museum is managed by a director, hereinafter referred to as “the Director”, who is appointed and dismissed by the Minister under the principles and procedures provided for in the Act on Organizing and Conducting Cultural Activities.
2. The Director is responsible for proper implementation of statutory duties and proper management of the Museum assets and funds.
3. The scope of activities of the Director include in particular:
 - 1) external representation of the Museum;
 - 2) supervision over the parts of the former KL Auschwitz grounds where the Museum has been established including buildings and equipment there as well as the Museum collections and property;
 - 3) presentation of financial plans, reports and submission of applications for financial aid to relevant institutions and supervisory authorities;
 - 4) approval of financial expenditures within the limits of the funds available;
 - 5) issuance of internal rules and regulations;
 - 6) conclusion and termination of employment contracts and other civil-law contracts;
 - 7) creation of organizational and technical conditions for planning and implementing defensive tasks specified under separate regulations.

§ 8

1. The Director manages the activities of the Museum through the help of three deputies.
2. Deputies are appointed and dismissed by the Director of the Museum, in consultation with the Minister.

§ 9

Supervision over the Museum is held by the Minister.

§ 10

1. Through the Museum operates the Museum Council, whose members are appointed and dismissed by the Minister under the principles and in the manner prescribed by the Act on Museums.
2. The Museum Council consists of 10 members.

§ 11

1. Through the International Centre for Education about Auschwitz and the Holocaust, referred to Article 5 Paragraph 2, operates the Council as the consultative and advisory body for education, hereinafter referred to as “the Council.”
2. The Council consists of 10 members, who are appointed and dismissed by the Minister at the request of the Director.
3. The term of office of the Council members is 4 years.
4. The Council operates under the accepted Regulations.

§ 12

The consultative and advisory body for the activities of the Museum is the International Auschwitz Council at the Prime Minister’s Office.

§ 13

Deliberative and welfare functions for the Museum are performed by the Council for the Protection of Memory of Combat and Martyrdom.

Chapter IV Museum financial management

§ 14

The Ministers provides funds for the Museum maintenance and development.

§ 15

The Museum conducts financial management upon the principles specified in the Act on Organizing and Conducting Cultural Activities and other applicable provisions of law.

§ 16

The Museum activity is financed from the proceeds obtained from its operations, including selling movable assets, the proceeds from loan or rental of assets, earmarked or designated subsidies from national budget funds or local government units, funds received from individuals and legal persons and other sources.

§ 17

The Director ensures timely preparation of annual financial statements, its obligatory investigation by a certified auditor and submits it for approval to the Minister.

§ 18

1. The Museum may, on the principles provided for in existing provisions, provided that such an activity does not limit implementation of the Museum statutory tasks, pursue additional economic activity.
2. Economic activity may be pursued within the scope of providing services, selling or manufacturing, including:
 - 1) rental and loan of the Museum movable and immovable assets;
 - 2) sale of publications including, among others, albums, books, posters, postcards, films;
 - 3) services provided by the Museum for entities conducting economic activities at the Museum;
 - 4) services for the Museum visitors;
 - 5) services related to educational activities referred to in Article 6 Paragraph 6;
 - 6) PR services;
 - 7) services in the field of conservation and other activities within the above scope provided that it supports implementation of the Museum statutory tasks.
3. The proceeds derived from the economic activity may only be used to finance the Museum statutory tasks.

§ 19

1. The Director is entitled to perform legal acts on behalf of the Museum, including submission of declarations of intent within the scope of its rights and proprietary obligations.
2. The Director may appoint plenipotentiaries to perform the legal acts on behalf of the Museum and determine extent of a power of attorney.
3. Giving and revoking of a power of attorney is entered into the register of cultural institutions maintained by the Minister, except to powers of attorney.

Chapter V Final provisions

§ 20

Merger, division or liquidation of the Museum may be performed by the Minister under the conditions and procedures specified in applicable regulations.

§ 21

Changes to the statutes may be performed in a manner determined for its granting.