

Ministry of Culture
Ref. no.: MK 26798/2020

Decision of the Minister of Culture
no. 4/2020,
of 21st April 2020,
on the issue of the Statute of the National Gallery in Prague

STATUTE OF THE NATIONAL GALLERY IN PRAGUE

Preamble

We can trace the very beginnings of institutionalised interest in professional management of and access to fine art in this country to 1796, when a group of important Czech revivalists from the ranks of the aristocracy and bourgeoisie founded a private Society of Patriotic Friends of Art, in an attempt to enhance declining artistic taste. One of the main activities of the Society was the establishment of the Picture Gallery of the Society of Patriotic Friends of Art, which went on to become the oldest predecessor of today's National Gallery. In 1902, a modern gallery of the Kingdom of Bohemia (administered by the Czech Lands), focusing on the art of the 19th and 20th centuries, was established at the initiative of the Emperor Franz Joseph I. The collections of the SPFA Picture Gallery were nationalised in 1936 and thus became the central art collection of the Czechoslovak Republic. In 1942, the collections from the Modern Gallery, which had been closed, were also added to it. The resulting ensemble of works was known as the Bohemian-Moravian Regional Gallery, but it was unofficially referred to as “the National Gallery”. In 1949 the National Museum's collection of graphics (including the so-called Hollarea) was also nationalised and these three units laid the foundation for the newly established National Gallery in Prague. In legislative terms, the entire process of establishing the National Gallery in Prague was completed by Act No. 148/1949 Coll. of 11 May 1949 on the National Gallery in Prague.

Article I

Basic Provisions

The National Gallery in Prague (hereinafter referred to as the “Organisation”) was established on 11 May 1949 by Act No. 148/1949 Coll., on the National Gallery in Prague. The Organisation was also established in accordance with Act No. 219/2000 Coll., on the Property of the Czech Republic and its Representation in Legal Relationships, as amended, and Act No. 203/2006 Coll., on Certain Types of Support for Culture and on amendments to certain related Acts, as amended by Act No. 227/2009 Coll.

The Organisation is a state institution in the position of a state contributory organisation for the

collection, management and making available of collections of museum character and for scientific and research activities, including culturally educative and methodological activities with nationwide scope. The Organisation's Statute also acts as a deed of foundation, with all the relevant particulars.

Identification details of the founder

Ministry of Culture, Maltézské náměstí 1, 118 11 Prague1
Founder ID number (Company Id No.): 00023671

Name, registered office and identification number of the founder

Name of the organisation: National Gallery in Prague
Registered office: Staroměstské náměstí 12, 110 15 Prague 1
ID number of the organisation (Company Id No.): 00023281

Article II

Definition of the purpose of the National Gallery in Prague and the scope of its activities

The Organisation was established for the purpose of providing services of public benefit¹ and public cultural services² and for the purpose of acquiring, collecting, permanently protecting, recording and professionally processing collections of museum character and making them available to the public, of conducting scientific research relating to the collections and the environment from which the collection items were obtained, of disseminating the results of research and development through teaching, publications, the creation of museum exhibits and functional presentations of exhibits and programmes, especially in an international context.

The Organisation's Primary Scope of Activities

- (1) It creates collections of fine art, new media and architecture, originating both in the Czech Republic and abroad. The collections are based on scientific knowledge and its own conception of its collection activities.
- (2) It carries out basic research, applied research and experimental development and disseminates the results through teaching, publishing or technology transfer.
- (3) It manages a collection of museum character, pursuant to Act No. 122/2000 Coll., on the protection of collections of museum character and the amendment of certain other Acts, as amended. It obtains professional documentation for collection items. It provides expert treatment of collection items and uses them to acquire knowledge of developments in art and society. It allows people to study its collections.
- (4) It manages and provides the public service of a specialised library, pursuant to Act No. 257/2001 Coll., on libraries and the operation of public libraries and information services (the Library Act), as amended.
- (5) It manages and provides the public service of a document archive – collections of an

¹ Section 2 (5) of Act No. 122/2000 Coll., on the protection of collections of museum character and the amendment of certain other Acts, as amended.

² Section 2 of Act No. 203/2006 Coll., on certain types of support for culture.

archival character, pursuant to Act No. 499/2004 Coll., on archiving and records management and the amendment of certain Acts, as amended.

- (6) It presents collection items, including professional documentation related to them, and information obtained from their expert processing. It does so mainly through exhibitions of its collections and short exhibitions, its own publications, and teaching activities in the Czech Republic and abroad. It also exhibits items of cultural value held on loan.
- (7) It lends collection items to expositions, exhibitions and presentations organised by other entities or for the purpose of their scientific examination or conservation and restoration, provided that their safety and protection are guaranteed, within the meaning of Act No. 122/2000 Coll., on the protection of collections of museum character and the amendment of certain other Acts, as amended.
- (8) As part of its publishing activities, it publishes and publicly disseminates periodic and non-periodic publications, including electronic versions, and prints, audio and video recordings, storage media, and also provides printing and copying services, and exchanges these products with domestic and foreign institutions.
- (9) It organises professional conferences, symposia, seminars, cultural, educational and other programmes (such as music, theatre, literature, film and multimedia).
- (10) It joins professional associations, including international ones, in order to coordinate its professional activities.
- (11) It issues licences for the export of objects of cultural value pursuant to Act No. 71/1994 Coll., on the sale and export of objects of cultural value, as amended.
- (12) On the basis of a registration with the Ministry of Justice of the Czech Republic, it operates as an Expert Institute for the "Economics" field of expertise, focusing on the valuation of works of art, sculpture, graphics and works created by other media, provided these fall within the Organisation's scope of activity. It also operates within the "Education and Culture" field of expertise, focusing on free art (painting, sculpture and graphics).
- (13) It organises exhibitions and presentations in the pavilion on the premises of the conservation area of the Giardini di Castello park in Venice, it carries out exhibitions and presentations. This is governed by the Agreement between the Government of the Czech Republic and the Government of the Slovak Republic on the Joint Ownership, Management and Use of the Exhibition Hall in Venice No. 95/2003 Coll. of International Agreements.
- (14) It also carries out other activities, in particular:
 - a) it allows access to expositions, exhibitions and other cultural events for a fee, or free of charge,
 - b) it provides additional services related to its scope of activities, for a fee or free of charge, including the provision of refreshments,
 - c) it collects fees for photographing, filming and video recording, making copies of documents and publications, providing photographs, negatives, ectachromes, recordings on electronic media, films and video recordings,
 - d) it sells its own publications, catalogues, souvenirs and other goods promoting its activities, copies, replicas and other reproductions of collection items, products made from precious materials of an appropriate artistic standard, audio and video recordings,
 - e) it operates conservation and restoration workshops,
 - f) it provides digitisation services and other technological transfers of the Organisation's collections, archives and books, for a fee or free of charge,
 - g) it provides advertising and promotional services to encourage visitors and to present its activities,

- h) it draws up expert opinions, investigations and expert reports,
- i) it provides information services relating to its scope of activities.

(15) It provides professional assistance and services for owners of collections of museum character.³

(16) The Organisation provides standardised public services.⁴

(17) It carries out activities pursuant to Act No. 101/2001 Coll., on the return of unlawfully exported cultural objects, as amended by Act No. 358/2015 Coll.⁵

(18) It performs other tasks assigned by its founder in accordance with the basic purpose of its establishment.

Scope of its other activities

It also carries out business activities under the line item "Production, trade and services not listed in Annexes 1 to 3 of the Trade Licensing Act" and in accordance with Act No. 455/1991 Coll., on licenced trades (the Trade Licensing Act), as amended.

Article III

Statutory Body

(1) The Organisation's statutory body is the General Director, appointed and dismissed by the Minister of Culture. The General Director manages all the Organisation's activities and financial affairs, acts on its behalf and is accountable to the Minister of Culture. In his/her absence, the General Director represents him/her in the full scope of his/her rights and obligations, with the exception of those reserved by him/her.

(2) The General Director appoints and dismisses the senior staff of the basic organisational units pursuant to Article VI a) to g), after discussion in the Guarantee Council for the National Gallery in Prague (hereinafter referred to as the "Guarantee Council"). A similar procedure shall apply in the case of persons delegated to manage or represent the basic organisational units referred to in Article VI a) to g).

(3) The General Director appoints and dismisses the Scientific Council of the National Gallery in Prague and the Advisory Board for the Collection Activities of the National Gallery in Prague as his/her advisory bodies.

(4) The General Director shall submit to the Guarantee Council the draft documents referred to in Article IV e), h) and ch).

Article IV

Guarantee Council for the National Gallery in Prague

The Guarantee Council is an advisory body to the Minister of Culture and the General Director of the Organisation.

³ Pursuant to Annex no. 5 of Decree of the Ministry of Culture no. 275/2000 Coll., implementing Act No. 122/2000 Coll., on the protection of collections of museum character and the amendment of certain other Acts, as amended.

⁴ Pursuant to Act No. 122/2000 Coll. on the protection of collections of museum character and the amendment of certain other Acts, as amended.

⁵ Section 5(2) of Act No. 101/2001 Coll., on the return of unlawfully exported cultural objects, as amended by Act No. 358/2015 Coll.

Its responsibilities include:

- a) ensuring that the Organisation's mission is consistently followed,
- b) discussing the founder's proposal for a selection procedure to fill the post of General Director of the Organisation,
- c) discussing, always in the presence of the Minister of Culture, proposals for the Minister of Culture to appoint and dismiss the General Director of the Organisation,
- d) proposing that the Minister of Culture dismiss the General Director of the Organisation,
- e) discussing proposals to amend the Statute of the Organisation,
- f) proposing amendments to the Statute of the Organisation,
- g) discussing proposals to appoint senior staff of the basic organisational units, pursuant to Article VI a) to g) and to delegate the management of these organisational units,
- h) discussing proposals from the Organisation's General Director to change the Organisation's General Rules and Procedures,
- ch) discussing the Organisation's Development Plan prior to its submission to the founder,
- i) discussing the Annual Report on the Organisation's Activities and Management,
- j) electing and removing the Chair and Vice-Chair of the Guarantee Council,
- k) discussing its own Report on the Activities of the Guarantee Council.

The rules for the establishment, composition, conduct and decision-making of the Guarantee Council are laid down in the Rules of Procedure, issued by the Minister of Culture.

Article V List of Assets

The Organisation is competent to manage property transferred to the State on the basis of Act No. 148/1949 Coll., on the National Gallery in Prague, as well as assets owned or acquired by the State during the period of its existence.

List of assets, broken down as follows:

1. Immovable property owned by the Czech Republic – buildings, structures and land registered as at 31.12.2011 – attached to this Statute as Annex 1.
2. Immovable property owned by the Czech Republic declared to be cultural and national cultural monuments as at 31.12.2011, as well as the collection of museum character, the archive and the library, within the scope determined by the Organisation as at 31.12.2011, attached to this Statute as Annex 1.
3. In accordance with Ministry of Culture Measure ref. no. MK 58753/2013 of 20 December 2013, from 1 January 2014 the Organisation has been authorised to manage the Czech Republic's co-ownership, consisting of an ideal two-thirds of the exhibition pavilion on the conservation site of the Giardini di Castello park in Venice (Italy) and with the movable property listed in Annex 1 to the aforementioned Measure, attached as Annex 2 to this Statute.

Article VI Basic Organisational Structure and General Rules and Procedures

The Organisation is divided into separate organisational units, each headed by a senior member of staff, who serves as the Director of the units listed under sub-paragraphs a) to e). The basic organisational units are:

- a) Collection of Old Masters
- b) Collection of 19th century art and classical modernism
- c) Collection of Modern and Contemporary Art
- d) Collection of Prints and Drawings
- e) Collection of Asian and African Art
- f) National Gallery Archives Prague⁶
- g) Library⁷

The detailed organisational structure, organisational units and their competencies are laid down in the General Rules and Procedures, which are issued by the General Director, after discussions by the Guarantee Council.

Article VII

Duration of the Organisation

The Organisation has been established for an indefinite period.

Article VIII

Final Provisions

On the date of entry into force of this Statute, the following shall be repealed:

1. Statute of the National Gallery in Prague issued by Decision of the Minister of Culture ref. no. 13 301/2003,
2. Decision of the Minister of Culture no. 12/2004 of 5 November 2004,
3. Decision of the Minister of Culture no. 23/2009 of 22 December 2009,
4. Decision of the Minister of Culture no. 4/2011 of 29 April 2011,
5. Decision of the Minister of Culture no. 8/2012 of 26 April 2012,
6. Decision of the Minister of Culture no. 34/2012 of 21.12.2012,
7. Decision of the Minister of Culture no. 1/2015 of 25.3.2015,
8. Decision of the Minister of Culture no. 4 of 15.7.2015,
9. Decision of the Minister of Culture no. 8 of 29.5.2018.
10. Decision of the Minister of Culture no. 9 of 29.5.2018.

⁶ Specialised archive pursuant to Section 80 (4) of Act No. 499/2004 Coll., on archiving and records management and on amendments to certain Acts, as amended by Act No. 167/2012 Coll.

⁷ Section 13 of Act No. 257/2001 Coll., on libraries and conditions for operating public libraries and information services (Library Act).

This Decision no. 4/2020 on the issue of the Statute of the National Gallery in Prague shall enter into effect on the day of its signature.

Done in Prague, on 21st April 2020

PhDr. Lubomír Zaorálek, Minister of Culture



Annex 1 – Immovable and movable property of the Czech Republic

Annex 2 – Ministry of Culture Measure ref. no. MK 58753/2013 of 20 December 2013, issued in accordance with Act No. 219/2000 Coll., on the Property of the Czech Republic and its Representation in Legal Relationships, as amended.

