

Museum Act

2011 No 141 24 September

Entry into force 1 January 2013.

Any reference in this Act to “the Minister” or “the Ministry” not accompanied by express mention of or reference to a specific field of responsibility shall be understood as being a reference to the **Minister of Education, Science and Culture** or to the **Ministry of Education, Science and Culture** as responsible for the implementation of this Act.

Section I Purpose, scope and definitions

■ Article 1 *Purpose*

The present Act lays down provisions relating to the organisation of museum activities for the purpose of supporting the work carried out by museums to preserve the Icelandic cultural and natural heritage, ensuring that it can be passed on unscathed to future generations, providing access to it for the public, and contributing to increased knowledge of this heritage and an awareness of its place in the global context.

■ Article 2 *Scope*

This Act applies to museums in the ownership of the state and to other museums enjoying accreditation pursuant to the Act.

The Act does not apply to libraries or document archives.

■ Article 3 *Role of museums*

For the purposes of this Act, ‘museums’ are permanently established institutions which are operated in the public interest and not for the sake of profit. They shall be accessible to the public.

The role of museums, through their activities of collecting, cataloguing, preserving, studying, exhibiting and communicating in other ways, is to safeguard the Icelandic cultural and natural heritage, elucidate the country’s cultural, natural and artistic history, expand collections and strengthen documentation work within their specific subject areas, and make their collections and archives accessible to the general public and to academics. Museums shall be guided in their work by the objective of increasing people’s quality of life by enhancing their understanding of the evolution and current state of culture, art, nature and science.

Museums shall carry out systematic collection of objects and documents in order to ensure the most comprehensive representation possible of their specific subject areas.

■ Article 4 *Central museums, accredited museums and special responsibility museums*

Central museums shall be in the ownership of the state and shall serve as principal centres of museum activity in their respective subject areas. They shall be established through Acts of parliament laying down more detailed provisions on their operations.

Accredited museums are museums which have been awarded accreditation by the Minister on the proposal of the Museum Council. Such a museum shall be active in a particular field or geographic area to be specified in its founding documents.

Special responsibility museums are accredited museums which, on a proposal submitted by the relevant central museum, have been entrusted by the Minister with responsibility for specific aspects of museum activity in a particular subject or geographic region.

■ **Article 5** *Other museum-related activities, museums in the making, centres, and exhibitions*

‘Museums in the making’ are such institutions as conduct museum-related activities without meeting all requirements as museums to qualify for accreditation pursuant to Article 10.

‘Centres’ are such institutions as are normally active in the fields of research and communication, rather than in those of collection or preservation.

‘Exhibitions’ are independent business entities active in the field of communication rather than in those of collection, preservation or research.

Museums in the making, centres and exhibitions can be eligible for grants from the Museum Fund to carry out specified projects in collaboration with accredited museums, as stipulated in Article 22.

Section II Organisation

■ **Article 6** *General administration and implementation*

The Minister shall assume responsibility for the general administration of any matter governed by this Act.

The Museum Council shall advise the Minister and other public authorities on museum-related matters.

■ **Article 7** *Museum Council*

The Minister shall appoint a Museum Council for a four-year term. The Association of Local Authorities in Iceland, the Icelandic Museums Association and the Icelandic national committee of the International Council of Museums (ICOM) shall each nominate one member to the Council. Two members, one of which shall serve as Chair, shall be appointed by the Minister without nomination while the Vice-chair shall be selected from among the other members of the Council. Alternate members shall be appointed in the same manner. The same person may not be appointed as principal member of the Museum Council for more than two consecutive terms. Principal and alternate members of the Museum Council must have expert knowledge of the operation of museums as well as relevant experience or education in this field.

The Museum Council has the following roles:

- a. To supervise museum activities in Iceland;
- b. In cooperation with the central museums, to draft policies with regard to the work of museums and submit them to the Minister for approval;
- c. To discuss and approve the founding documents or statutes of museums;
- d. To discuss proposals for the accreditation of museums or the withdrawal of accreditation before they are submitted to the Minister;
- e. To lay down conditions regarding museum premises, including accessibility standards and safety issues;
- f. To lay down conditions regarding standards for museums’ cataloguing systems and the accreditation of such systems;
- g. To provide the relevant central museum with an opinion on requests or suggestions for the disposal or destruction of museum objects;
- h. To assess the need of a particular area of study or geographic region for a separate special responsibility museum and discuss proposals for such a museum before they are submitted to the Minister by the relevant central museum;
- i. To draw up the Museum Fund’s award rules, to be approved by the Minister;

j. To evaluate applications for grants from the Museum Fund;
k. To undertake other tasks related to the operation of museums as further decided by the Minister.

- The Directors of the central museums shall attend Museum Council meetings *ex officio*.
- The Minister shall decide on the location of the Museum Council.
- The Council's running costs shall be borne by the Museum Fund.

■ **Article 8** *Central museums*

- Three central museums shall operate: the National Gallery of Iceland, the Icelandic Museum of Natural History, and the National Museum of Iceland. They shall serve an advisory role to other museums and promote cooperation between museums and the coordination of museum policies in their respective subject fields.
- The central museums shall take on a leading role with respect to museum-related matters in their respective subject areas, contribute to the strengthening and increased coordination of museum activities, and spearhead the professional collaboration of museums with other parties. Central museums shall endeavour to improve and increase the knowledge and skills of museum workers.
- Central museums shall undertake promotion activities in relation to their respective subject areas both nationally and abroad.
- The central museums shall use their collections as the basis for their educational and promotional activities. The collections shall also be made accessible for research purposes.
- Central museums may not accept donations that are made subject to conditions. The Minister may grant exemptions from this provision where duly justified.

Section III Accredited museums

■ **Article 9** *Accreditation*

- The Minister shall award accreditation to a museum based on a proposal submitted by the Museum Council. With the exception of the central museums, every museum wishing to enjoy the benefits of this Act must apply for accreditation. Applications for the accreditation of a museum shall be directed to the Museum Council. Applications shall contain information about the relevant museum's field of activity, legal form, ownership, mode of funding and annual budget, as well as about its founding documents or statutes and any other requirements for accreditation listed in Article 10.
- Based on a proposal submitted by the Museum Council, the Minister may revoke the accreditation of a museum where the Council considers that the museum in question no longer meets the requirements for accreditation.
- Accredited museums shall be entitled to the use of a special logo designed for the Museum Council for this purpose. Museums for which accreditation has been revoked may not continue to use the special logo of accredited museums.
- Accredited museums may apply for grants from the Museum Fund.

■ **Article 10** *Requirements for accreditation*

- In order to qualify for accreditation, museums must meet the following requirements:
 1. The museum must be in the ownership of a public entity, a non-profit organisation, an association or a company which is capable of ensuring the necessary funding for its normal operation and appoints its board. The museum must not be operated for the purpose of seeking a profit.
 2. The museum must have an independent budget separate from other operations of its owner. The museum's accounts must be signed by a chartered accountant. It must provide the Museum Council with annual reports relating to its activities as well as a financial statement.
 3. The museum must operate in accordance with founding documents or statutes approved by the Museum Council pursuant to Article 7. The founding documents or statutes must

identify the specialist field and geographic region to which the museum's activities extend. The founding documents or statutes of accredited museums shall be published in the B section of the Law and Ministerial Gazette.

4. The museum must operate in accordance with conditions laid down by the Museum Council as regards its premises, security policy, cataloguing systems and academic activities. Information about catalogued items in the museum's collections shall be made publicly accessible.

5. The museum must grant access free of charge to students visiting it as part of organised school visits.

6. Access to the museum's premises must conform to laws and regulations and must serve the needs of people with disabilities to the greatest extent possible.

7. The museum must operate in accordance with the ICOM Code of Ethics for Museums and the provisions of law.

8. The museum's director must have an academic background relevant to the museum's area of responsibility or have acquired an equivalent level of competence in other ways.

■ **Article 11** *Founding grants*

Accredited museums may be awarded grants from the Treasury toward the costs of establishing the museum. In order to be eligible, the museum must meet the requirements laid down by the Museum Council with regard to museum premises. Those requirements must include provisions on the safety and preservation of museum objects.

The contribution shall take place in accordance with a special contract and disbursement plan negotiated between the direction of the museum and the Ministry prior to the start of works or the signing of a purchase contract. Failure to comply with the above formalities will result in loss of eligibility to receive a founding grant from the Treasury pursuant to this Article.

Prior to the signing of a contract regarding the government's contribution under this Article, the relevant museum shall provide confirmation that funding to cover the remaining part of the startup costs has been assured.

Appropriation for founding grants pursuant to this Article are subject to the Althing's decision on allocations in the annual Budget Act.

■ **Article 12** *Cessation of activities and disposal of assets and collections*

The founding documents or statutes of each accredited museum shall provide for the disposal of its assets and collections in the event that it ceases to operate or adopts a new legal form. Where an accredited museum has received public funding pursuant to either Article 11 or Article 22, its collections shall be disposed of in accordance with the provisions of the founding documents or statutes and in consultation with the relevant central museum. Other assets shall be disposed of in consultation with the Ministry.

Section IV Special responsibility museums

■ **Article 13** *Definition and role*

Based on a proposal submitted by the relevant central museum, the Minister may entrust an accredited museum with academic responsibility for specific aspects of museum activity. The museum's responsibility may be limited to a particular subject area or geographic region.

Special responsibility museums shall cooperate closely with the central museum responsible for the relevant subject area.

Special responsibility museums shall provide advice and guidance to other museums, museums in the making, centres and exhibitions in its subject area or geographic region, to the extent possible.

The director of a special responsibility museum must be engaged in a full-time position and possess a university degree and broad knowledge in the museum's subject area or have

acquired an equivalent level of competence in other ways. Moreover, the museum must have on its staff at least one employee with a degree or broad knowledge, as well as relevant experience, in the museum's area of responsibility.

The museum's tasks, its area of responsibility and the public funding to be provided shall be further provided for in a fixed-term contract signed between the Ministry, the museum concerned and the relevant central museum.

Section V Accredited museums and their activities

■ Article 14 *Activities*

Museums covered by this Act shall be in continuous operation and shall have the purpose to serve Icelandic society. They shall be open to the public and shall collect, preserve, study and communicate whatsoever bears witness to humanity, its history and culture, and the natural and physical environment on behalf of society and for its advancement. They shall be guided by the objective of enhancing the understanding of the evolution and current state of culture, art, nature and science.

Museums shall contribute to increased professionalism in their respective fields and must satisfy minimum requirements with regard to collection, cataloguing, preservation, research and communication activities. They must submit a document detailing the policy on which their work is based to the relevant central museum every four years.

Museums shall participate in local, national and international academic cooperation to the extent that this is feasible.

■ Article 15 *Loan of museum objects*

Museums may loan objects or works from their collections to other museums or institutions, or for exhibition or research purposes, on a temporary basis. The creators of works shall always be entitled to the loan of their works for their personal exhibitions.

Secure measures shall be taken to ensure the preservation of museum objects lent out, and appropriate insurance shall be taken out as decided by the director of the relevant museum.

■ Article 16 *Disposal of museum objects*

Where an accredited museum has received public funding pursuant to either Article 11 or Article 22, its collections shall be disposed of in accordance with the provisions of the founding documents or statutes and in consultation with the relevant central museum.

■ Article 17 *Destruction of museum objects*

The destruction of museum objects is only permitted in duly justified cases. Collections may be culled on the basis of a plan approved by the relevant central museum.

Decisions on the destruction of museum objects shall be made by the central museum in question after receiving the opinion of the Museum Council.

■ Article 18 *Use of images of museum objects*

Depictions of objects or works found in the collections of museums may not be used as brands or for advertising purposes, and may not be copied or reproduced except when authorised by the relevant director and provided that the rights of copyright holders under the Copyright Act are respected.

■ Article 19 *Authorisation to charge fees*

All museums falling under the scope of this Act by virtue of Article 2 may charge entry fees. They may furthermore charge fees for services rendered, such as loans of museum objects, the photographic reproduction thereof, copies of photographs, specially compiled lists of objects and extracts from computer files, specialist documentation services, copying of archive material, and any other services, in order to recover the costs therefor. Museums shall issue tariffs for the abovementioned services.

Decisions on entry fees and other fees charged by museums shall be made by their owners.

■ Article 20 *Donations and financial contributions*

The availability of deductions from income tax for donations or financial contributions made to museums shall be governed by the Income Tax Act.

Section VI Museum Fund

■ Article 21 *Remit and organisation*

The remit of the Museum Fund is to bolster the activities of museums falling under the scope of this Act. For this purpose, the Fund may award grants to support the operation of accredited museums as well as specific projects which they carry out, cooperation between such museums, and other projects. The Fund may support other types of activity with a view to raising the professional standards of museum practice, including research within the Fund's area of responsibility and the communication of information on such research.

The Museum Fund may use up to 40 per cent of its available financial resources for grants intended to strengthen the operation of accredited museums.

The Museum Fund's revenues shall consist of:

- a. a contribution from the Treasury as provided for in the annual Budget Act;
- b. other contributions.

■ Article 22 *Grants*

Grants from the Museum Fund shall be decided in accordance with the Fund's award criteria as laid down in Article 7, second paragraph, item i.

Accredited museums which are not in Government ownership may apply to the Fund for operating grants to support their work.

All accredited museums may apply for grants for specified projects.

Other museums, museums in the making, centres and exhibitions can be eligible for grants from the Museum Fund to carry out specified projects carried collaboration with accredited museums. The accredited museum concerned shall act as principal applicant responsible for the project. Central museums and other government-operated museums may participate in such projects.

The Museum Fund may award grants for international projects involving accredited museums.

The Fund may require grants to be repaid in cases where the supported project has not been carried out in accordance with the application and the documents on which the decision to award the grant was based or has not been carried out in accordance with conditions laid down by the Fund, or where a final report has not been submitted within a year of the planned completion of the project.

The Minister shall decide on the award of grants from the Museum Fund based on proposals submitted by the Museum Council.

Section VII General provisions

■ Article 23 *Issuing of Regulations*

The Minister shall issue a Regulation⁽¹⁾ containing further provisions on the implementation Sections II, III, V and VI of this Act.

⁽¹⁾Regulation No 900/2013.

■ Article 24 *Entry into force*

This Act shall enter into force on 1 January 2013. ...

■ Transitional provisions The Minister may use the period until 1 January 2013 to prepare the ground for the entry into force of this Act.

The mandate of the Museum Council appointed under the Act previously in force shall expire on the entry into force of this Act.

The accreditation of museums pursuant to the provisions of previous legislation shall remain valid for a period of one year following the entry into force of this Act.

Disclaimer: This is an English translation. The original Icelandic text, as published in the Law Gazette (Stjórnartíðindi) is the authoritative text. Should there be discrepancy between this translation and the authoritative text, the latter prevails.