

Museum Regulations of the PRC

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Chapter I — General Provisions

Article 1 — These Regulations are formulated for the purpose of regulating the administration of museums, promoting the development of museum undertakings, bringing into full play the public service functions of museums, and protecting the cultural heritage of the State.

Article 2 — The term "museum" as used in these Regulations refers to a non-profit organization which has been established in accordance with law, which collects and protects cultural relics and other cultural heritage, and which disseminates and displays such cultural relics and heritage to the public, providing services for purposes such as education, research, and appreciation. The establishment, alteration, termination, administration, and public services of museums within the territory of the People's Republic of China shall be governed by these Regulations.

Article 3 — Museums are classified into State-owned museums and non-State-owned museums. Museums established by the State, by enterprises, public institutions, social organizations, and other organizations or individuals using or mainly using State-owned assets are State-owned museums. Museums established using or mainly using non-State-owned assets are non-State-owned museums.

Article 4 — The State shall formulate plans for the development of museum undertakings and shall improve the system of museums. The State shall encourage the establishment of museums for industries, regions, and special subjects.

Article 5 — The administrative department for cultural relics under the State Council shall be in charge of the supervision and administration of museums throughout the country. The administrative departments for cultural relics of the local people's governments at or above the county level shall be in charge of the supervision and administration of museums within their respective administrative areas. The relevant departments of the State Council and of the local people's governments at or above the county level shall, within the scope of their respective functions and duties, coordinate in the work of administration of museums.

Article 6 — State-owned museums shall be open to the public free of charge. Museums of a special nature or within special categories may charge admission in accordance with the provisions of the State. Non-State-owned museums may be open to the public free of charge or may charge admission.

Article 7 — The State shall encourage enterprises, public institutions, social organizations, citizens, and other organizations to establish museums or to donate funds or collections to museums, and shall provide policy support for such activities in accordance with law.

Article 8 — Units and individuals that have made outstanding contributions to the development of museum undertakings shall be commended and rewarded in accordance with the relevant provisions of the State.

Chapter II — Establishment, Alteration and Termination of Museums

Article 9 — The establishment of a museum shall meet the following conditions: there is a fixed site and the necessary facilities; there is a collection commensurate with the nature and scale of the museum; there are qualified curatorial and professional personnel; there is a name and organizational charter that conform to the provisions; and other conditions prescribed by the State.

Article 10 — The establishment of a State-owned museum shall be subject to the examination and approval of the administrative department for cultural relics of the people's government at or above the county level in accordance with law. The establishment of a non-State-owned museum shall be filed for the record with the administrative department for cultural relics of the people's government at or above the county level in accordance with the provisions of the State.

Article 11 — Where a museum alters its name, site, legal representative, or other registered matters, it shall undergo the procedures for alteration with the original examination and approval or filing authority in accordance with law.

Article 12 — Where a museum is terminated, it shall undergo the procedures for cancellation or withdrawal of filing in accordance with law. Upon termination of a museum, its collections shall be handled in accordance with the provisions of the State, and shall not be privately divided, retained, or disposed of.

Article 13 — The name of a museum shall be consistent with its nature, functions, and scale, and shall not mislead the public.

Chapter III — Administration of Museums

Article 14 — A museum shall establish and improve rules and systems for the administration of its collections, and shall register, catalogue, and file its collections in accordance with law.

Article 15 — A museum shall properly keep and protect its collections, and shall take necessary measures to ensure the safety of the collections against fire, theft, moisture, and other hazards.

Article 16 — A State-owned museum shall not engage in commercial business activities by using its collections. A non-State-owned museum shall not use collections obtained with State funds for commercial business activities.

Article 17 — A museum shall not dispose of its collections, or mortgage, pledge, or otherwise encumber its collections, except as otherwise provided by laws and administrative regulations.

Article 18 — A museum shall strengthen the administration of its personnel and shall ensure that its professional personnel possess the corresponding professional knowledge and skills.

Article 19 — A museum shall strengthen safety administration, establish and improve a safety responsibility system and emergency plans, and shall regularly conduct safety inspections.

Article 20 — A museum shall establish and improve financial administration systems and shall use funds in accordance with the provisions of the State.

Chapter IV — Public Services

Article 21 — A museum shall, in accordance with its charter and the relevant provisions, determine its opening hours and make them public. A museum shall not close without cause or reduce the scope of its public services.

Article 22 — A State-owned museum shall, in accordance with the provisions of the State, be open to the public free of charge. A museum that charges admission shall, in accordance with the provisions of the State, implement preferential policies such as reduced or free admission for minors, students, the elderly, persons with disabilities, active-duty military personnel, and other groups.

Article 23 — A museum shall ensure the authenticity, accuracy, and completeness of the content of its exhibitions, and shall not make false or misleading displays.

Article 24 — A museum shall, in light of its functions and the characteristics of its collections, carry out activities such as education, research, and popularization of knowledge, and shall provide explanations and other services to the public.

Article 25 — A museum shall encourage and support scientific research, and shall provide convenience for researchers and the public to make use of its collections and information.

Article 26 — A museum shall not sell, donate, or otherwise dispose of cultural relics in its collections except in accordance with the provisions of laws and administrative regulations. A museum shall not transfer cultural relics in its collections to any unit or individual for commercial activities.

Article 27 — A museum shall accept the supervision of society and shall make public its service items, opening hours, charging standards, and other relevant information.

Chapter V — Legal Liability

Article 28 — Where a museum is established without examination and approval or without filing for the record in accordance with the provisions of these Regulations, the administrative department for cultural relics of the people's government at or above the county level shall order it to make corrections; where it fails to make corrections within the time limit, it shall be banned in accordance with law.

Article 29 — Where a museum, in violation of the provisions of these Regulations, fails to properly keep its collections, or uses, mortgages, pledges, or otherwise disposes of its collections in violation of regulations, the administrative department for cultural relics shall order it to make corrections and may impose a fine; where the circumstances are serious, the relevant approval shall be revoked or the filing withdrawn in accordance with law.

Article 30 — Where a State-owned museum uses its collections for commercial business activities, or a museum sells or disposes of cultural relics in its collections in violation of regulations, the administrative department for cultural relics shall order it to make corrections and may impose a fine; where losses are caused to the State, liability for compensation shall be borne in accordance with law.

Article 31 — Where a staff member of an administrative department for cultural relics or another relevant department neglects his or her duties, abuses power, or engages in malpractices for personal gain in the administration of museums, sanctions shall be imposed in accordance with law; where a crime is constituted, criminal liability shall be investigated in accordance with law.

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