

## **Art. 21**

The common attributions and responsibilities of experts, technical experts, verifiers/technical verifiers and specialists:

- a) they have the obligation of complying to the provisions of the common and specialized legislation regarding interventions on historical monuments;
- b) they have the obligation of complying to the specialty notices obtained for the interventions to be effected, in the law and the letter of the scientific restoration and conservation practices established by the Venice Charter;
- c) they have the obligation of providing, to the authorized authorities, on their request, the required data and documents for consultation;
- d) they are obligated of notifying the Commission and the Specialty Office in the Ministry of Culture and National Heritage, or its decentralized public institutions, about any situations of disrepair or violations of legal provisions concerning historical monuments;
- e) in order to effect the modifying of conceptual solutions, or those of great technical complexity, of the initially approved project, experts, technical verifiers and specialists are obligated to receive the approval of the Ministry of Culture and National Heritage.

## **Art. 22**

The duties and responsibilities specific to the specialists:

1. The specialists carry out studies, research, technical documents, through the participation as members in the inventorying, design and execution teams, as well as in through activities to follow the elaboration of works in the field of historical monuments.
2. The specialists, attested for the elaboration of studies, research and inventorying of historical monuments, have the following obligations:
  - a) they have to know the criteria for the assignment, or the loss, of the historical monument legal status;
  - b) they have to know the methodology for the elaboration of monument files and for the obligation of use for historical monuments;
  - c) they have to elaborate the primary documents which form the basis for the monument files, measurements, summary surveys, photographs, archive research, bibliography, other specific research, on a case by case basis, and they must elaborate the inspection reports;
  - d) they have to know the national laws in effect concerning the matter at hand, as well as the international conventions for the protection and conservation of historical monuments, where Romania is included;
  - e) they have to elaborate and to keep the Record Book of the elaborated studies and research up to date;
  - f) they have to comply with the provisions of the copyright law.
3. The specialists attested as coordinators of complex or specialty projects in the field of historical monuments have the following obligations:
  - a) they have to elaborate and/or, on a case by case basis, to coordinate all the specializations involved in the completion of the project;
  - b) they have to rigorously substantiate, from a scientific and technical point of view, the solutions agreed upon, according to the requests stipulated in the national legislation, and according to the recommendations present in the international documents from the field of historical monuments;
  - c) they have to comply with the conceptual conclusions of expertise, as well as the provisions of the technical verification reports;
  - d) they have to present to the Ministry of Culture and National Heritage, on request, the scientific and technical data for the support of the elaborated projects;
  - e) they have to comply with the approvals of the Ministry of Culture and National Heritage by introducing their provisions in the elaborated work;

- f) they have to present for re-approval the eventual major modifications and amends, when compared to the previous solutions, in case of new situations that arise on the restoration sites;
- g) they have to follow, to check and to approve, on site, the manner in which the elaborated documentation will be executed;
- h) they have to order, without the breach of the approval of the Ministry of Culture and National Heritage, the adaptations of the technical solutions, according to the real situation on site, by written records;
- i) they have to participate, in a compulsory way, at the analysis of the execution offers for the actual works, to the establishing of the winning offer, as well as to their reception;
- j) they have to sign and to stamp all the elaborated documents;
- k) they have to participate in the writing of the task book, for the assignment of execution works connected to historical monuments for which they elaborated the technical and economic documents as coordinators of projects or complex projects;
- l) they have to update the records register for the elaborated works.

4. The specialists attested in the domain of the execution of works have the following obligations:

- a) they have to conduct intervention works to the historical monuments, only based on the execution documentation approved by the Ministry of Culture and National Heritage, while complying with the provisions in the building permit and in the legal approvals;
- b) they have to coordinate the activity of introducing the attachments to the executed works and to appropriate the attachments books;
- c) they have to ensure the conducting of the subordinated workstation with qualified and specialized personnel in the appropriate domains;
- d) they have to know, in detail, the contents of execution documents for all subordinated workstations;
- e) they have to ensure the operational informing of the head of project of specialty and of the site master of the work, every time it's needed, about the workflow and, especially, about the necessity to adapt the solutions, from the documentation, with the real situation on site;
- f) they have to know the general restoration and conservation principles stipulated in the national law and in the recommendations of international papers in the field of historical monuments;
- g) they must not allow the deviation from the provisions of the approved documentation or from the site orders;
- h) they have to know the techniques and the traditional execution materials, specific to the domain of activity;
- i) they have to constantly tend to the professional training of the employees in the traditional crafts covering the field;
- j) they have to stop the execution of works where serious quality defects, deviations from the provisions of the execution project were made, or when traces of archaeological, architectural or artistic importance are found, they have to ensure the preservation of the discovery and they have to allow the resuming of works only after a decision was made by the head of the team, by the National Commission of Historical Monuments, or by the area commission on historical monuments;
- k) they have to guarantee, according to their duties, the achievement of the level of quality necessary for the specific conservation, consolidation, restoration and enhancement works of the historical monument;
- l) they have to make and update the records register for the works which they coordinate, from the technical point of view, and for the work that they are responsible for; they have to keep a restoration log and the all the necessary documentation for a particular type of project;
- m) they have to follow and comply with the norms for labour protection.

5. The site managers:

- a) the site manager is the representative of the employer concerning the execution works, through which the employer wields control over the technical and economic correctness for the works under contract;
- ▣b) the site manager is the subject of all the duties and responsibilities given to him by the employer, according to the legal and technical provisions regarding the general activity in construction, and also adding the ones specific to the field of historical monuments, as follows;
1. the thorough knowledge, from the technical and scientific point of view, of the approved documentation under execution;
  2. the surveillance and control over the correctness of interventions of any kind carried out during the execution of works, according to the specifics of the conservation-restoration works;
  3. the notifying of the employer about the necessity of ensuring the protection of the monument in case of a temporary or indefinite interruption, on a case by case basis, of the restoration works under execution;
  4. the following of the strict application of written material from the registry of site communications, inspection and control, and from the registry of site orders;
  5. the constant ensuring of the best cooperation between the beneficiary and the financing body, on the one hand, and specialists – researchers, designers and executors, on the other;
  6. the constant verification of the quality of materials put into the works, according to the provisions of the approved project;
  7. the thorough verification of the written material and the sketches from the attachment books of the site, containing the exact positioning of each intervention, acknowledging the importance of these books, in the context of the restoration log;
  8. the prompt noticing of any discovery of traces of historical, artistic and architectural significance, and the extension of a request to the employer to take temporary protection measures for these traces, until their registration and until a decision is made to continue the works;
  9. the participation in and the following of the writing of the restoration log – the book of construction and its delivery to the monument holder at the reception of the works.

### ▣Art. 23

The duties and responsibilities specific to the experts and the technical experts:

- a) the experts attested according to the current methodological norms are the only ones entitled to elaborate the expert's report, but only for the specialization where they are attested, respectively: architecture, structure, city planning, artistic components restoration, studies, research;
- b) the experts are responsible for guaranteeing the conditions imposed by the doctrines or principles of the conservation and restoration of historical monuments, as well as the ones imposed by the restoration norms stipulated in the international conventions from the field of historical monuments where Romania is included, through the establishment of the domains where preliminary research and studies are necessary, as well as through restoration concepts, from conservation and consolidation, to enhancement;
- c) the experts in the domain of architecture coordinate all the specializations involved in the elaboration of expert's report, the making of the feasibility study, and of execution projects;
- d) the experts will certify, in the next design stages, that the principle solutions contained in the conclusions of the expert's report, as well as those found in the approvals of the Ministry of Culture and National Heritage, and they will certify the putting into practice of the project during the ongoing execution works and their reception;
- e) the experts will establish the specializations for which there are necessary investigations and verifications, for the extension of the expert's report and/or for the following stages of research and design;
- f) the experts will sign and stamp all the written and drawn pieces of the expert's reports they make;

- g)** the experts can elaborate studies, research and projects, but they can't verify and approve their own elaborated documentation;
- h)** the experts will keep the Record Book of elaborated expert's reports and of the agreements concerning the elaborated documentation by specialists who fulfil the editing tasks;
- i)** the responsibilities of experts that received their attestation and that exert their attributions within the demands for the verification of projects, which are head of project of specialty, execution of works, site mastering, and which are the same as those of the specialists.

#### **Art. 24**

The duties and responsibilities specific to the verifiers and technical verifiers:

- a)** they have to verify, according to their attested specialization, the content and the quality of the documentations for which their verification is requested;
- b)** they have to verify the technical documentation for the execution concerning interventions for historical monuments;
- c)** they should not exert their duties as a verifier on their own projects;
- d)** they should follow, in the presented design stages, the compliance with the approved expert's reports provisions, as well as the content of the approvals by the Ministry of Culture and National Heritage given to previous design stages;
- e)** they have to notify the designer about the modifications that can occur from other requests and/or technical regulations in effect, and they have to establish methods for a resolution;
- f)** they have to sign and stamp the written and drawn pieces that were the object of verification, and to write the verification report according to legal demands;
- g)** they have to compose and update the Record of verified documentation.