**Legislation on Cultural Heritage**

## Prof. Francesco Florian

***COURSE AIMS AND INTENDED LEARNING OUTCOMES***

The course aims to analyse and investigate Italian Legislation on cultural heritage, with a focus on the Cultural Heritage and Landscape Code - Legislative Decree 42/2004 and further amendments as well as further collateral and supplementary regulations to the Code of Cultural Heritage and Landscape.

In Italy most of cultural heritage is public-owned; therefore, it is essential that anyone approaching the world of culture economy and management is aware of the rules and laws which regulate the most “tangible” side of our cultural heritage.

At the end of the course, students will:

1. know the fundamental principles of cultural heritage legislation;

2. be able to apply knowledge based on their understanding of the topics covered in the course;

3. be able to collect and interpret data in order to develop independent judgement;

4. be able to communicate information, ideas, problems and solution to specialist and non-specialist interlocutors;

5. be able to advance in the study of Management of cultural heritage with a greater awareness of the legal and administrative aspects underlying it.

***COURSE CONTENT***

The course will cover the legislation of cultural heritage by reading and discussing the articles of the Urban Code with a particular focus on:

1. Introductory concepts of public law

1.1 Constitution and fundamental principles (in particular, Articles 7-9)

1.2 Republic, State, territorial autonomies

1.3 Law and primary sources: keynotes

1.4 Administrative powers and acts, legitimate interests

2. The Code of Cultural Heritage and Landscape

2.1 Overall system

2.3 General provisions

3. Cultural heritage

2.1 Protection, vigilance and inspection, protection and preservation, movement at national level, findings and discoveries, expropriation.

2.2 Fruition and promotion.

2.3 The international circulation of cultural heritage

3. *The “Franceschini reform”*

3.1 Regulation on the organisation of the Ministry of Cultural Heritage and (DPCM 171/2014).

3.2 Organisation and functioning of state museums (Decree of the Ministry for Cultural Heritage and Activities of 23rd December 2014).

4. *Landscape heritage*

4.1 Protection and enhancement: general provisions.

4.2 Identification of landscape assets.

5. *Sanctions*

5.1 Administrative sanctions (articles 160, 161, 163, 164).

5.2 Penal sanctions (articles 169, 172, 173, 179).

***READING LIST***

*Il Codice Beni culturali e del paesaggio*, commentary by Marco Cammelli, Il Mulino, Nuova Edizione 2007 (red cover) – only the articles in the syllabus and the introduction.

*Mandatory for all students*

1. *Compendio di legislazione beni culturali*, F. Florian-L.Dellupi (edited by), available at EDUCatt.

2. *Costituzione della Repubblica Italiana*: articles 8, 9, 117 and 118.

3. *Commenti alla riforma del 2008* available at www.aedon.it, in issue no. 3/2008, *“Le modifiche al Codice dei Beni culturali e del Paesaggio dopo i decreti Legislativi 62 e 63 del 2008”* indicated in *Blackboard*.

***TEACHING METHOD***

Lectures, *Blackboard*.

***ASSESSMENT METHOD AND CRITERIA***

Oral examination. Further information will be provided during the course and posted on the lecturer’s webpage.

The above-mentioned syllabus is for students who take the exam for 8 ECTS, whereas students who take the exam for 5/6 ECTS shall not study the parts regarding landscape and sanctions.

Assessment method and course syllabus are the same for attending and non-attending students.

***NOTES AND PREREQUISITES***

Further reading list, notes and materials will be posted on *Blackboard*.

In case the current Covid-19 health emergency does not allow frontal teaching, remote teaching will be carried out following procedures that will be promptly notified to students.

Further information can be found on the lecturer's webpage at http://docenti.unicatt.it/web/searchByName.do?language=ENG, or on the Faculty notice board.