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DO LEGAL REGULATIONS SUPPORT THE PROTECTION OF OBJECTS LISTED THE REGISTER OF MONUMENTS FROM NATURAL DEGRADATION?

The protection of registered monuments constitutes a crucial element of national heritage preservation policy, with appropriate legal frameworks playing a fundamental role. This article analyzes the current legal status of monument protection in Poland, highlighting the need for systemic legislative changes to enable more effective protection of properties with historical and cultural value. The research reveals significant shortcomings in existing regulations, leading to the marginalization of less prominent objects and ambiguity in their classification and conservation status. Furthermore, the article addresses the pressure from investors and developers to adapt buildings to current needs through changes in usage, often resulting in compromises that jeopardize the authenticity of monuments. The study emphasizes the need for a comprehensive system of financing and support for private owners of monuments, as well as the importance of an integrated approach to dilapidated objects losing their authenticity due to a lack of government support. Consequently, the proposed changes aim to improve the management and protection of these objects from degradation, ensuring that this valuable element of cultural heritage is preserved for future generations.

Keywords: monument protection, cultural heritage preservation, Polish law, legal framework, conservation, historical buildings, legislation, funding, private owners

1. INTRODUCTION

The preservation of cultural heritage and physical historical artifacts constitutes one of the significant challenges currently faced by public administration and society. The primary objective of activities aimed at protecting cultural goods, including the care for preserving the original historical fabric in buildings as well as the elements surrounding protected sites, is to ensure effective legal protection

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of monuments using appropriate legal instruments available to the administration in this domain. It is crucial to recognize that legal protection should not be conflated solely with conservation efforts; rather, it complements them in the context of decisions regarding planned initiatives aimed at the continued functionality of monuments within their environments. The broadly defined protection of monuments is a complex and multifaceted process that involves both administrative actions such as entries into the register of monuments, the issuance of permits for conservation works, and monitoring their implementation through specific conservation-related activities. Caring for monuments necessitates collaboration among various institutions and local communities, rendering this process dynamic and often complicated. In K. Zeidler's study, "The Law of Cultural Heritage Protection", three main instruments for the protection of cultural heritage are identified: legislation, funding for protection, and fostering public awareness of the necessity and obligation to preserve cultural heritage for current and future generations [Zeidler 2007]. Evaluating which of the aforementioned measures for the protection of monuments are effective and which require greater attention is crucial for preventing the irreversible destruction of national heritage, particularly in relation to historic artifacts in Poland. The subject of legal protection of monuments, especially in the context of challenges associated with maintaining buildings that are unfit for use, merits the attention of both the public and specialists, including experts not only in the fields of construction and architecture. It appears that the current involvement of experts from various scientific disciplines, such as history, archaeology, art, law, policy, architecture, management, and economics, is insufficient. By engaging a broader range of specialists, it is possible to develop more comprehensive and effective protection strategies. Such an integrated approach would allow for the consideration of various aspects and perspectives related to cultural heritage, which could, in turn, contribute to better management of these sites and their preservation for future generations.

The Legal Foundations of the Protection of Immovable Monuments in Poland

According to the definition provided in the statute, "An immovable monument is: a property, its part, or a collection of properties that are a work of human creation or associated with human activity and serve as a testament to a past era or event, the preservation of which is in the public interest due to its historical, artistic, or scientific value" [Art. 3, points 1 and 2 of the Act on the Protection of Monuments and the Preservation of Monuments]. "Immovable monuments are subject to protection and care, regardless of their state of preservation. This includes, in particular, cultural landscapes, urban and rural layouts, complex building structures, architectural and construction works, defensive structures, technical monuments, especially mines, foundries, power plants, and other industrial facilities,

cemeteries, parks, gardens, and other forms of designed greenery, as well as sites commemorating historical events or the activities of notable individuals or institutions” [Art. 6, paragraph 1, point 1 of the Act on the Protection of Monuments and the Preservation of Monuments] (Dz. U. 2003 Nr 162 poz. 1568, z późn. zm.).

Przedruk.		R. 1918
<div style="text-align: center;"> DZIENNIK PRAW  PAŃSTWA POLSKIEGO. </div>		
WARSZAWA.	Nr 16.	8 listopada 1918.
Treść:	36. Dekret o opiece nad zabytkami sztuki i kultury	93
	37. Dekret w przedmiocie zarządu sprawami komunalnymi na terenie c. i k. województwa Generalnego Gubernatorstwa Lubelskiego.	98
36.		
DEKRET		
Rady Regencyjnej o opiece nad zabytkami sztuki i kultury.		
MY, RADA REGENCYJNA KRÓLESTWA POLSKIEGO postanowiliśmy i stanowimy, co następuje:		
Zasady ogólne.		
<p>Art. 1. Wszelkie zabytki kultury i sztuki, znajdujące się w granicach Państwa Polskiego, wpisane do inwentarza zabytków sztuki i kultury, podlegają opiece państwa.</p> <p>Należące do Państwa Polskiego lub do jego obywateli, lub do instytucji polskich zabytki sztuki i kultury, znajdujące się zagranicą, mogą być przedmiotem szczególnych środków ochrony ze strony władzy państwowej polskiej oraz umów międzynarodowych, stosownie do osobnych w tej mierze postanowień.</p>		
<p>Art. 2. Opieka nad zabytkami sztuki i kultury należy do Ministerstwa Wyznań Religijnych i Oświecenia Publicznego.</p>		
<p>Art. 3. Czynności związane z opieką nad zabytkami sztuki i kultury sprawują konserwatorzy zabytków sztuki i kultury, mianowani przez Ministra Wyznań Religijnych i Oświecenia Publicznego.</p>		

The research conducted by the authors of this publication has shown that the origins of legal protection of immovable monuments date back to the 19th century when it was understood how crucial it was to secure cultural heritage from destruction and degradation, particularly after the third partition in 1795, which resulted in the disappearance of the Polish-Lithuanian Commonwealth from the map of Europe. The magnates, landowners, and nobility, as key social groups in Poland, undertook various efforts to maintain the remnants of Polishness in their possession. They sought to safeguard national identity, cultural heritage, and traditions that were threatened in the face of various crises, both political and military. They organized cultural events, supported local artistic and educational initiatives, and aimed to protect monuments and sites of national memory. Their actions were intended not only to preserve history but also to inspire communities to nurture Polish values and customs. In their pursuit of maintaining a connection with their homeland, they also sought to support independence and patriotic movements that aimed to restore the Polish state. In this way, efforts were made to preserve national

consciousness and care for the national heritage. In the historical context of the history of the Polish State, we observe that in various geographically distributed territories under partitions, cooperation aimed at preserving Polish cultural heritage took place differently.

In the Prussian partition, authorities sought to implement systematic regulations aimed at the protection of monuments; however, these efforts were often dominated by Prussian ideology. The focus was on adapting sites to administrative and military needs, which led to their transformation into functions other than those originally intended. The system of care for the protection of monuments that had operated for years in Prussia was also established in the partitioned territories. Thus, by virtue of the decree of Frederick William II from 1815 and the decree of July 1, 1843, introduced by William IV, the Office of the General Conservator of Monuments was established, headed by Ferdinand von Quast (1807-1877), who held this position until his death. He was one of the most distinguished figures in the emerging discipline of conservation, effectively serving as the first Conservator Monument in Polish territories [Jasieńko, Kuśnierz 2008].

In the Austrian partition, conservation policy focused on the protection of cultural goods, which was associated with a certain respect for local traditions. Austrian authorities often invested in the restoration of monuments and supported initiatives aimed at their documentation. Many of these actions sought to garner social approval and win favor among the Polish population. In contrast, in the Russian partition, the policy towards Polish monuments was significantly more repressive. Russia aimed for national assimilation, which resulted in the neglect or even devastation of Polish historical sites. The Tsarist authorities not only neglected monument protection but often implemented changes to subordinate these sites to Russian ideology. Consequently, these differing approaches to monument policy adversely affected the condition of Polish cultural heritage and the perception of the role of these sites in shaping national identity during the partition era.

For many years during the partitions, when historical sites were often neglected or destroyed, the dreams of restoring them to their original state and once again enjoying the wealth of Polish culture were strong and widespread within society. After regaining independence in 1918, hopes for the restitution of lost cultural treasures became a priority, and many individuals engaged in efforts aimed at protecting and renewing these sites, which were an integral part of national identity. Consequently, one of the first legal acts of independent Poland was the decree issued by the Regency Council of the Kingdom of Poland on October 31, 1918, concerning the protection of monuments of art and culture, published in the Journal of Laws of the Polish State on November 8, 1918 (Gaczoł A. No. 16, Item 36.), is regarded as the first volume of the Journal of Laws RP (Online Legal Acts System, 1918).

Thanks to the decisions made under this decree, the protection of monuments became part of national policy. The "Journal of Laws" laid the foundation for the

legal framework that continues to be a key element of the state structure for monument protection, ensuring further development and adaptation of regulations in the context of changing social and cultural conditions.

Characteristics of Administrative Acts Establishing Conservation Protection for Monuments Listed in the Register at the Turn of the Centuries and in Contemporary Times

The current legal status stipulates that the entry in the register of monuments constitutes a key legal tool for the protection of heritage sites in Poland. The register was established based on the regulation of the President of the Republic dated March 6, 1928, concerning the protection of monuments. The introduction of a given site into the appropriate book of the monuments register concludes the administrative process, which ends with the issuance of the entry decision. The resources of the register are continuously updated as a result of both the addition of new sites that meet the definition of a monument and the removal of those that, for various reasons, no longer qualify for further conservation protection.

According to the authors of this publication, the currently understood and implemented set of practices regarding the formulation of conservation requirements is not sufficiently precise and is ineffective for the owners, managers, or users of historic buildings or their surroundings concerning the future fate of historic fabric. The authors' extensive experiences over more than 35 years in both designing and overseeing construction works on historic sites point to a number of situations encountered in the administrative procedures carried out by provincial heritage protection authorities. These procedures, when concluding with a set of imposed requirements for implementation, often rely on the subjective perspectives and evaluations of the architectural or urban structure rather than on universally applicable principles based on previously conducted thorough evidentiary and explanatory proceedings.

In light of the imposed requirements for the protection of specific historic factory, the authors identify the failure of heritage protection authorities to account for ambiguities in determining the actual historical value of these specific sites or their elements and parts. This oversight is often due to changes made to the property, sometimes without consultation with heritage protection services, during renovations or repairs carried out over time, and even significant reconstructions. Numerous subjective conservation decisions issued by heritage protection authorities often contain irrational justifications for the continued maintenance of these sites, disregarding real, logical, and relevant factors under various important aspects and criteria. These factors include the actual state of danger to people and property due to the poor technical condition of the site or structural elements as a result of aggressive biological corrosion affecting those elements, technical obsolescence of the property, loss of original historic values, and a lack of economic capacity, leading to an inability to provide further care for them.

The lack of sufficiently conducted, precise, and irrefutable effective research procedures that consistently determine the future fate of the former historical fabric of architectural and urban sites does not allow for a thorough assessment of the actual historical and technical values of the building or its immediate surroundings. Consequently, owners, managers, or users of such properties are obligated to continue using buildings that are subject to legal conservation protection, even though such safe usage is not feasible. Partial or complete failures or structural disasters affecting historic buildings, as observed in numerous cases, do not result in their removal from the register or conservation protection. In some instances, despite significantly advanced damage to the structures, mandates for repairs and the reconstruction of destroyed portions, including collapsed walls, ceilings, and roofs, are enforced, thereby reducing the quantitative proportion of the original historical fabric in the site to even a majority percentage relative to the remaining materials. As a result of such administrative practices, the actual historical value diminishes and fades, yet the site continues to be referred to as a monument.

According to the authors of this publication, the lack of a precise and objective system for adjudicating the fate of historic sites, in contrast to many current situations where subjective administrative decisions impose various mandates, leads to an “artificial” formulation of requirements by conservation authorities regarding the maintenance of positions on the continued protection of substances that lose their value for further protection after repairs or major renovations are carried out by owners, managers, or users. Instead of removing such repaired (no longer historical) substances from conservation documentation such as the register of monuments, these mandates perpetuate their status, despite the diminished historical integrity.

In many cases, this approach by heritage conservation authorities hinders the ability to take action to eliminate threats to people or property. Mandating the reconstruction while retaining partially old, technically worn, or biologically damaged elements due to corrosion in many instances will not meet the required standards set forth by building regulations for continued safe use. Furthermore, in such cases, a majority percentage of the replaced structural elements, which are old, are exchanged for contemporary ones made from modern materials or constructed using contemporary building technologies. This often results in a phenomenon known as “cladding” (covering or plastering), leading to a distorted perception of the actual remaining historical fabric after these interventions due to significant contemporary modifications.

The primary goal of the authors’ research and the evidence presented in this publication is to improve existing practices in the dialogue with conservation authorities throughout the country. The authors believe this should lead to the establishment of proposed criteria and actions to clearly, albeit often subjectively, delineate the boundary separating potential continued maintenance of a historic site. By determining a set of recommendations or requirements for a specific site, which will

include improving the technical condition along with establishing criteria to guide the qualification of such a level of historical substance, as well as potential actions for its continued possible exploitation or a determination of such possibilities, a cycle of documenting the degree of damage to former structural elements will be initiated. This will involve conducting thorough expert assessments to decide on the removal or retention of the remaining structure in the register of monuments and the necessity for strict protection in accordance with applicable legal frameworks. This approach will help avoid protracted and complex disputes regarding the future of the building substance and the land it occupies while simultaneously contributing to more dynamic physical activities aimed at partially salvaging collapsing buildings and often devastated surroundings.

It is worth noting that over the years, the legal regulations governing matters related to entries in the register of monuments have undergone changes. Depending on the time when the entry was made, various legal acts could serve as the basis, such as the regulation of the President of the Republic from March 6, 1928, concerning "Protection of Monuments", the Act of February 15, 1962, "On the Protection of Cultural Goods and Museums", or the Act "On the Protection of Monuments and the Care for Monuments" u.o.z.o.z. which, together with the relevant executive acts, constituted and continue to constitute the legal basis for the registration of historic sites. Subsequent laws have shaped the development of Polish legislation concerning the protection of cultural heritage and the adaptation of regulations to changing social needs and realities. It should be emphasized that decisions regarding entries in the register of monuments made based on outdated regulations still hold legal power and consequences. This diversity of laws and regulations at the time of making entries, as analyzed by the National Heritage Institute, has revealed numerous flaws and shortcomings in the register of sites listed as monuments. Due to the variety of legal acts, the term "monument" has been understood in many different ways.

The authors of the research have undertaken an analysis of the causes of neglect of historic buildings, placing significant emphasis on identifying existing flaws in the legal system that affect the state of protection of these sites. The existing legal regulations, which should support the conservation and protection of monuments, often prove to be inadequate or even contradictory, leading to serious consequences such as buildings in poor technical condition. This analysis will encompass several key areas. The authors intend to examine the existing regulations governing the processes related to entries in the register of monuments, as well as those concerning conservation efforts. They will analyze how these regulations impact the application of measures aimed at protecting monuments. It is important to understand the extent to which gaps in legislation contribute to irregularities in the maintenance and management of historic buildings. Another objective of the research is to highlight specific examples of the inability to initiate conservation work due to a lack of funding resulting from ambiguities in the allocation of grants for the protection of

historic sites. Understanding these issues will allow for a better comprehension of the complexity of the problem and an assessment of the impact of regulations on the actual state of preservation of monuments.

The ultimate goal of this work is to propose specific recommendations that could improve the situation regarding the protection of monuments in Poland. These recommendations will include, among other things, changes in legislation that should consider more effective support mechanisms for monument owners. Through a comprehensive analysis and the involvement of specialists from various fields, the authors aim to create an integrated approach to monument protection that embraces both legal and technical aspects, while primarily addressing the needs of local communities and their relationship with cultural heritage. Such a process, undertaken in new realities, is crucial for ensuring the sustainability and integrity of Poland's cultural heritage for future generations.

2. MATERIALS AND METHODOLOGY

The researchers will focus on analyzing buildings listed in the register of monuments that are in very poor technical condition. They will identify the relationships between the legal status of ownership and the degree of degradation of unused sites, the distance of historic buildings from city centers and the extent of their destruction, as well as pinpointing sites that are deteriorating due to a lack of an ongoing functional plan, including the potential for changes in usage. It may be possible, through the conducted research, to identify a legal gap between the actions of the heritage conservation office and the state, as well as the legal issues faced by individuals wishing to donate a registered monument to the State Treasury.

The research was conducted on seven sites in very poor technical condition. They were divided according to their original functions, with two examples from each type: sacral buildings, manor houses that were subsequently transformed into residential estates, multifamily residential buildings ("tenement houses"), and single-family houses with a commercial component. Despite their very poor condition, none of these buildings have been removed from the register of monuments. The last of the studied sites is a typical "Polish Cottage", which, as the only one among the analyzed examples, was successfully removed from the register of monuments due to its poor technical state. The historic buildings under study are located in southern Greater Poland, specifically in the districts of Ostrów, Kalisz, Pleszew, and the city of Kalisz.

The research was conducted over the past few years and is based on the authors' own analyses supported by several years of studies. The scope of the analyses covers the years 2017 to 2024.

The buildings are owned both by the State Treasury and private owners. The research was conducted during site visits by the authors of the study and data obtained

from the Provincial Conservator of Monuments in Poznań, Delegatura in Kalisz. Initially, an analysis of the state of preservation was carried out, and the technical condition of the sites was examined, starting from sacral buildings, through manor residential buildings functionally linked with farmstead structures, and concluding with residential properties.

2.1. Sacral buildings

Evangelical chapel located in Koźmin

The first site under examination is an Evangelical chapel located in Koźmin, in Kalisz County, built in the early 20th century, around 1908, in the neo-Gothic style. The site served a sacred function for many years, and after World War II, until the end of the 1980s, it also served educational purposes (the building housed a pre-school). In the early 1990s, due to ownership issues, the site was returned to its rightful owner. Since the buildings are owned both by the State Treasury and private owners. The research was conducted during site visits by the authors of the study and data obtained from the Provincial Conservator of Monuments in Poznań, Delegatura in Kalisz. Initially, an analysis of the state of preservation was carried out, and the technical condition of the sites was examined, starting from sacral buildings, through manor residential buildings functionally linked with farmstead structures, and concluding with residential properties that time, due to a lack of regular maintenance and disuse, the site has experienced gradual degradation and vandalism.



Fig. 1. Evangelic chapel in Koźmin, photography from the year 2018
[arch. WKZ Delegation in Kalisz]



Fig. 2. Evangelic chapel in Koźmin, photography from the year 1910
[arch. WKZ Delegation in Kalisz]



Fig. 3. Evangelic chapel in Koźmin, photography from the year 2018
[arch. WKZ Delegation in Kalisz]



Fig. 4. Evangelic chapel in Koźmin, photography from the year 2018
[arch. WKZ Delegation in Kalisz]

Assessment of the degree of wear of individual elements of the site

The structure of the building is masonry with a traditional wooden roof truss covered with shingles. The ceiling above the usable and residential areas is constructed from wooden beams with a rectangular cross-section that are hinged on the load-bearing wall. It is double-sided boarded, filled with mortar, and plastered beneath the ceiling with reed.

The technical opinion prepared by the authors in 2018 regarding the existing technical condition revealed a significant degree of destruction of various parts of the building. The causes of degradation include unprotected areas of the roof covering and damaged gutters and downpipes. A high level of moisture present in the building, along with a lack of effective air circulation and heating, has gradually led to the development of mold and fungi, contributing to the loss of load-bearing capacity in the wooden structural elements and, consequently, to the collapse of the roof over practically the entire site.

Property building status

The site is listed in the register of monuments under number 485/Wlkp/A (*National Heritage Institute, Register of Monuments*, b.d.) as of April 17, 2007. The owner of the site is the State Treasury, and it belongs to the local government unit of the Commune Koźminek.

The second sacred site under examination is the Evangelical church located in Stawiszyn, in Kalisz County. It was built in 1874 and was maintained in very good condition until 1985. After this period, it underwent gradual degradation due to the loss of roof covering. In 2014, the site was desacralized and transferred to the Laera Foundation for the purpose of renovation and repurposing for cultural activities. Unfortunately, the renovation work never took place, and in 2022, the site was put up for sale. Inside, the church retains 18th-century organs and uniquely crafted wooden galleries.

Location of the site

The site is located in the center of the town of Koźminek at 13 Marii Konopnickiej Street, situated within a densely built urban area.

Post-Evangelical church located in Stawiszyn

Fig. 5. Post-Evangelical church in Stawiszyn, photography from the year 2024
[arch. WKZ Delegation in Kalisz]



Fig. 6. Post-Evangelical church in Stawiszyn, photography from the year 2024
[arch. WKZ Delegation in Kalisz]



Fig. 7. Post-Evangelical church in Stawiszyn, photography from the year 2024
[arch. WKZ Delegation in Kalisz]

Assessment of the degree of wear of individual elements of the site

The structure of the building is masonry with a traditional wooden roof truss covered with ceramic “turtle” roofing tiles. The church tower is constructed entirely of brick. As with the previous analyzed site, the degree of degradation has significantly progressed, leading to a gradual loss of load-bearing capacity of the roof structure. The lack of effective ventilation, heating of the building, and advancing mold have resulted in reduced static load capacity of the wooden beams used in the roof truss and roof rafters, ultimately leading to exceeded deflections and load-bearing and usage conditions of the individual structural elements of the roof.

At the connection of the roof truss with the tower, significant damage has occurred in the form of moisture-decayed bricks, resulting in a multi-degree lean of the tall masonry tower away from vertical. The instability of the structural system, characterized by the failure of the tower located in close proximity to a public road, led to the issuance of an immediate protective order by the Provincial Conservator of Monuments, Delegation in Kalisz, to secure the building against an impending structural disaster by implementing appropriate safeguards without the need for conservation work. As of today, these measures have not been executed.

Property building status

The site is listed in the register of monuments under number 622/Wlkp/A (*National Heritage Institute, Register of Monuments*, b.d) as of February 5, 2000. The owner of the site is the Laera Foundation, an independent entity.

Location of the site

The site is located in the center of the town of Stawiszyn at 2 Garbarska Street, situated within a densely built urban area.

2.2. Manor complexes

Manor and farm complex in Żydów

The first site under analysis is the palace in Żydów, located in the Gmina Godziesze Wielkie, Kalisz County. The origin of the site dates back, likely, to the 1790s, having been remodeled and transformed over the years into a residence through the addition of risalits on the southern, eastern, and western sides of the building. In 1912, after being purchased by a new owner, it underwent a series of changes, particularly in the interiors. After the end of World War II, the site remained in the hands of individuals. Over time, it became neglected and vandalized.

The building is located in a park listed in the register of monuments under number 534/A (*National Heritage Institute, Register of Monuments*, b.d.) as of July 25, 1990.



Fig. 8. Manor and farm complex, photography from year 1941
[arch. WKZ Delegation in Kalisz]



Fig. 9. Manor and farm complex, photography from year 2020
[arch. WKZ Delegation in Kalisz]



Fig. 10. Manor and farm complex, photography from year 2020
[arch. WKZ Delegation in Kalisz]

Assessment of the degree of wear of individual elements of the site

The building is a single-story structure with a usable attic and a basement. It is constructed in a masonry framework of solid bricks. The roof is supported by a traditional wooden roof truss covered with ceramic tiles. The ceiling above the basement is designed as a brick arch vault made of half-bricks. Above the ground floor, the ceiling structure is a mix of wood and brick.



Fig. 11. Manor and farm complex,
photography from year 2020
[arch. WKZ Delegation in Kalisz]



Fig. 12. Manor and farm complex,
photography from year 2020
[arch. WKZ Delegation in Kalisz]

The authors' own analysis revealed a lack of a roof covering, which significantly contributed to the progressive destruction of individual structural elements of the building. The authors' own analysis revealed a lack of a roof covering, which significantly contributed to the progressive destruction of Significant dampness, the lack of an adequately secured roof, and window openings left without fillings, along with the lack of heating in the building, have contributed to the degradation of the site. In the interior, the brick ceilings of the basement have been 100% destroyed. In some areas, only a few steel beam remnants remain, which previously supported the brick ceiling. On the ground floor of the building, there are no wooden ceiling beams. In the wall at the height of the nonexistent ceiling, remnants of nesting

areas for beam supports can be observed. In the residential part, essentially only the framework of the building remains. individual structural elements of the building.

Property building status

The site is listed in the register of monuments under number 503/A as of August 26, 1988 (*National Heritage Institute, Register of Monuments*, b.d.). The owner of the site is a private individual.

Location of the site

The site is located in the village of Żydów in the Commune Godziesze Wielkie, Kalisz County.

Palace in Szkudły

The second analyzed object is the palace in the village of Szkudła, located in the Gołuchów commune, Pleszew County, near the tributary of the Trzemna River. The manor in Szkudła was constructed in the 1880s for Antoni Szkudelski, the owner of the village and the estate, who moved into it in 1789. In 1843, it came under Prussian control, and subsequently, the estate comprising 777 hectares was acquired by the German Edgar von Langendorff in 1930.



Fig. 13. Palace in Szkudły, photography from year 2021
[Przemysław Konopski]

After 1945, the building housed a kindergarten until the end of the 1980s. Following the political transformation in Poland in the early 1990s, the historic

manor was abandoned due to the lack of regulated ownership, leading to gradual degradation. Within just a few years of disuse, the structure suffered significant damage, leaving only the skeleton of the building. The ongoing degradation of the property was notable after World War II when it was transferred to state ownership, and a kindergarten was established within the building. The degradation worsened after the systemic changes in Poland in the early 1990s, leading to its abandonment.

Assessment of the degree of wear of individual elements of the site

The subject building is a single-story edifice with a habitable attic and a basement. It is highly probable that the roof was constructed using timber framing. The specific roofing material remains indeterminate. Evidence of the ceilings situated above the basement suggests that they were executed as vaulted brick constructions. The remnants of the building include well-preserved brick walls, stucco work, and cornices. Such rapid degradation of the property is likely attributable to the gradual illegal dismantling of elements, including roofing materials, wooden beams from the roof truss, and ceilings. The building's isolated location, distant from surrounding rural structures, as well as the lack of security measures to prevent unauthorized access, undoubtedly contributed to this situation.



Fig. 14. Palace in Szkudły,
photography from year 2021
[Przemysław Konopski]

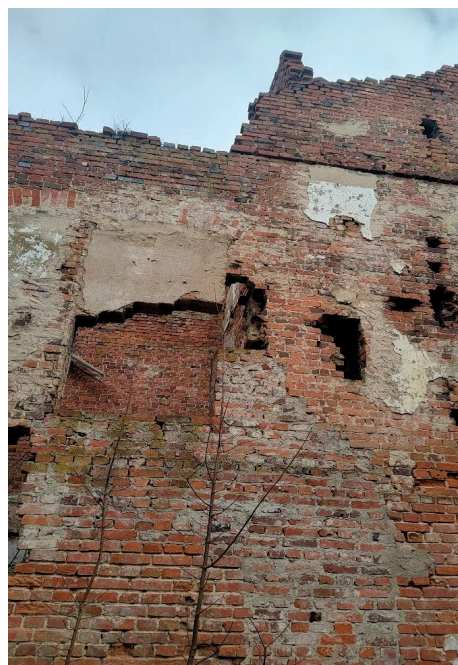


Fig. 15. Palace in Szkudły,
photography from year 2021
[Przemysław Konopski]

Property building status

The property is listed in the registry of historic sites under the number 1513/A, dated April 11, 1974 (National Heritage Institute, Register of Monuments, b.d.). The ownership of the property is currently undetermined.

Location of the site

The property is situated in the village of Szkudła, within the Gołuchów commune, Pleszew County. It is located at a considerable distance from rural buildings and is not fenced, which facilitates access for unauthorized individuals.

2.3. Residential complexes

Residential building located at 17 Stawiszyńska Street in Kalisz

The first object analyzed within this category is the building located at 17 Stawiszyńska Street in Kalisz. The construction of the building is estimated to have occurred in the 1880s. This two-story structure, featuring a basement, came under municipal ownership after 1945 and became a communal residence inhabited by families on a temporary basis. The deteriorating technical condition of the building, compounded by the lack of maintenance from the municipal authorities, led to its gradual degradation. Additionally, successive tenants of the rental property, due to their lack of financial attachment to the building, progressively vandalized the site. The absence of sewage facilities and the reluctance of the city authorities to invest in the tenement ultimately resulted in an eviction order. From 2001 onwards, the inadequately secured building faced further deterioration. In 2021, the city authorities submitted a request to remove the historic designation from the registry; however, after an assessment by the National Heritage Institute, a negative decision regarding the delisting of the property was reached. In May 2024, the building was acquired by a private investor.



Fig. 16. Residential building located at 17 Stawiszyńska Street in Kalisz, photography from year 2024 [Przemysław Konopski]



Fig. 17. Residential building located at 17 Stawiszyńska Street in Kalisz, photography from year 2024 [Przemysław Konopski]



Fig. 18. Residential building located at 17 Stawiszyńska Street in Kalisz, photography from year 2024 [Przemysław Konopski]

Assessment of the degree of wear of individual elements of the site

The subject building is a two-story structure with a basement. The construction is masonry, featuring a traditional wooden roof truss covered with roofing felt. Above the basement, the ceiling is composed of brick laid on steel beams. The inter-story ceiling is constructed from wooden beams with a rectangular cross-section, supported at the joints on the load-bearing walls. The ceiling is double-sided boarded, filled with plaster, and finished with a reed-based render. An expert technical report prepared in 2024 regarding the existing technical condition revealed a significant degree of deterioration in various components of the building. Unprotected sections of the roof covering, along with damaged gutters and downspouts, led to substantial moisture infiltration within the structure. The lack of effective air circulation and heating gradually resulted in the development of mold and fungi, contributing to the loss of load-bearing capacity in the wooden structural elements. Consequently, this deterioration led to the collapse of parts of the roof and nearly all inter-story ceilings.

Property building status

The property is listed in the registry of historic sites under the number 503/A, dated August 26, 1988 (National Heritage Institute, Register of Monuments, b.d.). The owner of the property is a private individual

Location of the site

The property is located in Kalisz, in the city center, at 17 Stawiszyńska Street, in close proximity to the historic Bernardine Monastery complex, formerly belonging to the Jesuits, registered as number 59 on September 22, 1930 (National Heritage Institute, Register of Monuments, b.d.).

The building of the water mill on the Bystrzyca River

The second analyzed building serving a residential function with a service component is located in the village of Ołobok, within the Sieroszewice commune, Ostrowski County. Until the end of World War II, the building fulfilled its designated function. Following the war, it became inhabited by a private individual who was resettled from the eastern borderlands. Since then, it has not performed its original function. In 1982, a change of ownership occurred. After this period, the building remained unused and uninhabited, gradually falling into disrepair. In 2005, the owners submitted request to the Provincial Conservator of Monuments in Poznań to remove the building from the registry of historic sites. Following an assessment conducted by the National Heritage Institute, the relevant minister did not approve the delisting of the property.



Fig. 19. Water mill, photography from year 2023
[arch. WKZ Delegation in Kalisz]



Fig. 20. Water mill,
photography from year 2023
[arch. WKZ Delegation in Kalisz]



Fig. 21. Water mill,
photography from year 2023
[arch. WKZ Delegation in Kalisz]

Assessment of the degree of wear of individual elements of the site

The two-story building is constructed in a rectangular plan and covered with ceramic tiles. It consists of residential rooms on the ground floor and in the western part of the upper floor, as well as production chambers in the eastern section. The ground floor, designated for residential use, is masonry, while the production area is timber-framed; the entire upper floor is also timber-framed. Inside, a wooden staircase with a balustrade featuring turned spindles has been preserved. An ornamental inscription in an oval shape, which contains the initials of the first owner, is carved into one of the boards. The condition of the building is based on a site inspection conducted by employees of the Wojewódzki Conservator of Movements branch in Kalisz in March 2024. The analysis revealed a partial absence of roofing, which significantly contributed to the ongoing destruction of various structural elements. Moisture infiltration, inadequately secured roofing, and open window openings, along with the lack of heating within the building, have contributed to the deterioration of its technical condition. Wood rot has caused biodegradation of the wooden structural elements, leading to a weakening of the structure. The timber-framed configuration of the building has lost its stability, resulting in the warping of structural components.

Property building status

The property is listed in the registry of historic sites under the number 911/A, dated February 20, 1970 (National Heritage Institute, Register of Monuments, b.d.). The owner of the property is a private individual.

Location of the site

The property is located in Ołobok at 1 Brylińskiego Street, within the Sieroszewice commune, Ostrowski County. The building is situated on private land among other structures belonging to the same owner.

The wooden cottage building in Nowa Kaźmierka

The wooden building located in the village of Nowa Kaźmierka is specifically highlighted as it is the only analyzed structure in this study that has been removed from the registry of historic sites due to its poor technical condition. This property exemplifies the unique folk architecture of wooden buildings constructed in Poland over several centuries. The residential cottage was established in 1727, as evidenced by an inscribed date on a wooden ceiling beam, and is situated at number 29 in the village of Nowa Kaźmierka. The building was inhabited by a single family for generations. Despite intentions for restoration and implementation of various protective measures, it succumbed to deterioration.



Fig. 22. The old “Polish Cottage”, photography from year 2021
[Przemysław Konopski]



Fig. 23. The old “Polish Cottage”, photography from year 2021
[Przemysław Konopski]



Fig. 24. The old “Polish Cottage”, photography from year 2021
[Przemysław Konopski]



Fig. 25. The old “Polish Cottage”, photography from year 2021
[Przemysław Konopski]

Assessment of the degree of wear of individual elements of the site

The single-story building was entirely constructed in the 1930s of the 18th century from wood in a rectangular shape. The walls are made of logs arranged in a notched construction, with the ends chamfered. The infill between the logs consists of hemp rope and moss mixed with clay. The gabled roof is supported by a rafter-and-purlin system and is thatched. The ceiling that ties the walls together is made of wooden beams placed directly on the connecting walls.

Property building status

The property is listed in the registry of historic sites under the number 11/A (National Heritage Institute, Register of Monuments, b.d.). The owner of the property is a private individual.

Location of the site

The property is located in the village of Nowa Kaźmierka, within the Chocz commune, Pleszew County. The building is situated on private land among other structures belonging to the same owner.

3. PRESENTATION OF RESEARCH AREAS

The studied objects belong to a research group from the 1830s and early 20th century and are listed in the registry of historic sites. The analysis focused on buildings, categorizing them based on their original functions, the materials from which they were constructed, ownership status, and location. This categorization was intentionally selected to assess the damage to the objects in relation to their grouping. Additionally, the examined properties were evaluated regarding the degree of wear of individual components, original function versus ownership status, the legal status of the owners of historic buildings, and the procedures for dealing with properties deemed unfit for use. The removal of a monument that has been listed in the registry may occur if specific conditions are met, which effectively means that it loses the conservation protection granted to it. The grounds for delisting a monument from the registry are outlined in Article 13 of the Act on the Protection of Monuments and the Preservation of Monuments u.o.z.o.z (Dz. U. 2003 Nr 162 poz. 1292, as amended.)

Grounds for delisting include the destruction of the property to an extent that leads to the loss of its historical, artistic, or scientific value. Delisting may also occur if new scientific findings challenge the previously established values that were the basis for its listing. Moreover, if the monument is included on the Heritage Treasures List, registered in a museum inventory, or incorporated into the national library resources, this too will result in its removal from the registry. The table below shows the number of objects delisted from the registry of historic sites from 1954 to 2016.

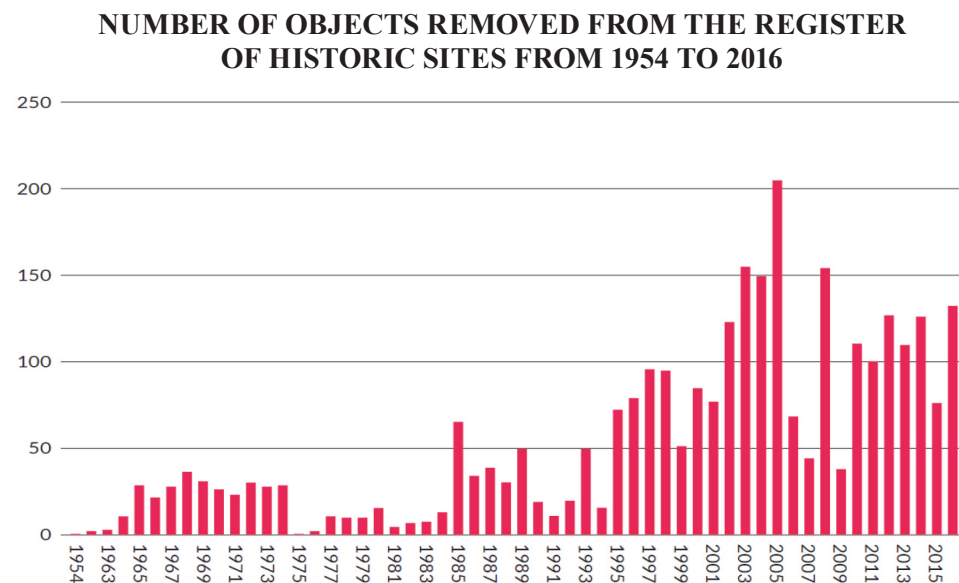


Fig. 26. Number of objects removed from the register of historic sites from 1954 to 2016
[Rozbicka et al. 2017]

The subsequent diagram presented below illustrates the percentage share of delisted historic objects based on their original function. It indicates that residential buildings constitute the largest group among those removed from the registry. This may be related to their everyday use, which leads to natural wear and tear, but primarily due to the lack of adequate funding for their conservation. The fact that this category of buildings most frequently loses its historic status underscores the need for a detailed examination of conservation policies and support for owners in maintaining and protecting cultural heritage. Residential buildings account for over 30% of all delisting cases.

This may suggest that objects with such functions are more prone to changes or degradation, leading to their removal from the registry. Often, various factors related to the need for modernization or changes in usage may contradict conservation requirements. Data from the report concerning the delisting of residential buildings clearly indicate that a key challenge in the context of protecting historic properties is ensuring adequate funding for their conservation and maintenance. This is particularly significant, as many of these properties are owned by private individuals who may not have sufficient resources to meet the costs associated with their renovation and preservation in good condition. The lack of appropriate financial support can result in the deterioration of these buildings, which in turn threatens their historical and cultural value. Therefore, it is crucial that the financial support system be well-designed, providing owners with necessary funds and guidance, which could assist in effectively protecting these valuable properties.

SHARE OF OBJECTS REMOVED FROM THE REGISTER OF HISTORIC SITES FROM 2005 TO 2016 BASED ON ORIGINAL FUNCTION

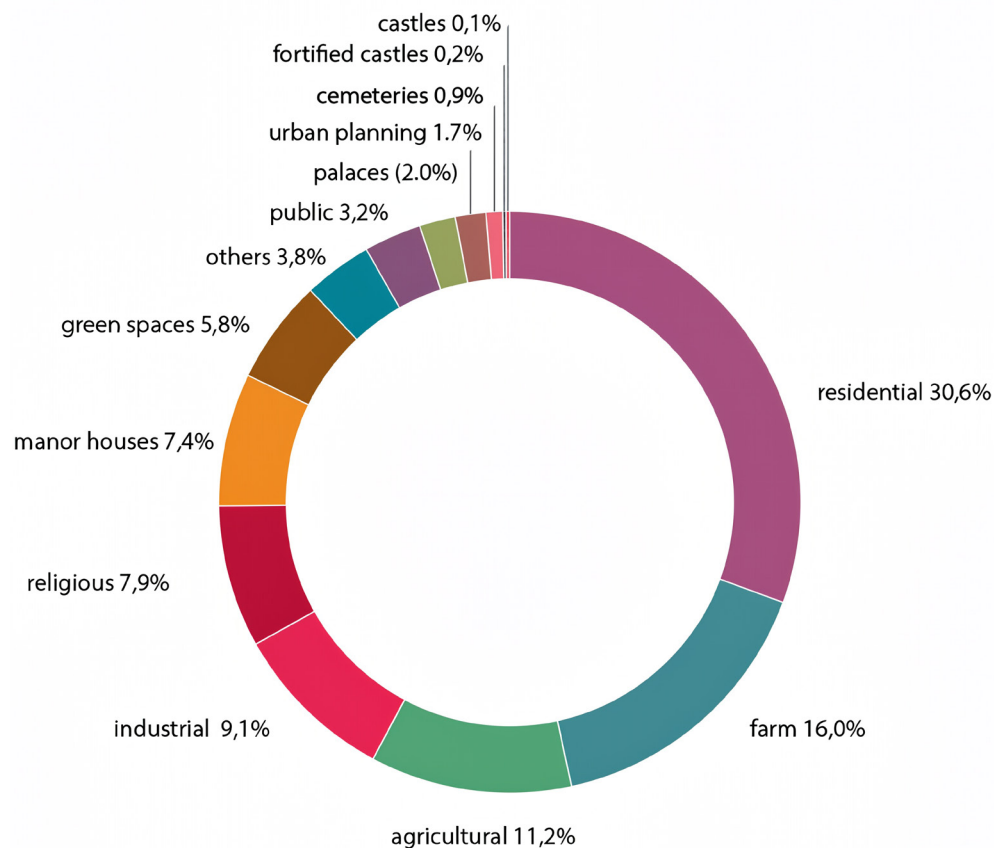


Fig. 27. Share of objects removed from the register of historic sites from 2005 to 2016 based on original function [Rozbicka et al. 2017]

ORIGINAL FUNCTION VS. OWNERSHIP STATUS

The diagrams presented in the report regarding the relationship between original function and ownership status provide clear evidence of the correlations arising from the form of ownership in relation to the function and degree of deterioration of individual objects. In the analyzed group of historic sites, they were organized according to their original functions, which included religious, defensive, residential, agricultural, industrial, residential, public utility, cemeteries, green spaces, and others. The assessment of the overall state of preservation of these objects in the context of their original functions revealed significant differences among the various groups.

The classification based on the overall state of preservation of the objects is divided into four groups:

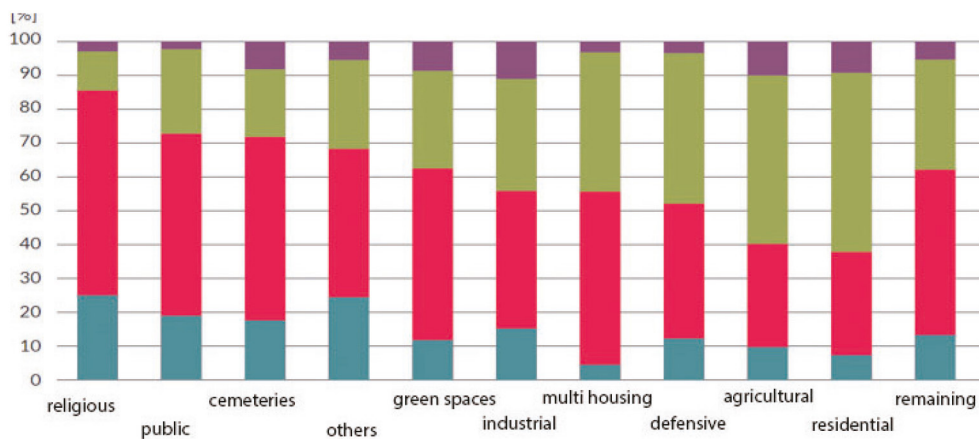
0 – very good condition,

1 – good condition,

2 – average condition,

3 – poor condition.

OVERALL CONDITION OF BUILDINGS IN RELATION TO THEIR ORIGINAL FUNCTION



3	2,0%	2,4%	8,1%	5,8%	8,8%	11,1%	3,6%	4,0%	10,4%	9,4%	5,4%
2	12,9%	24,7%	20,3%	26,1%	29,1%	33,3%	41,0%	44,0%	49,6%	52,9%	32,4%
1	60,0%	54,1%	54,0%	43,5%	50,7%	40,7%	51,1%	40,0%	30,4%	30,6%	49,0%
0	25,1%	18,8%	17,6%	24,6%	11,4%	14,9%	4,3%	12,0%	9,6%	7,1%	13,2%

Fig. 28. Overall condition of buildings in relations to their original function
[Rozbicka et al. 2017]

OVERALL CONDITION OF THE OBJECTS IN RELATION TO OWNERSHIP STATUS

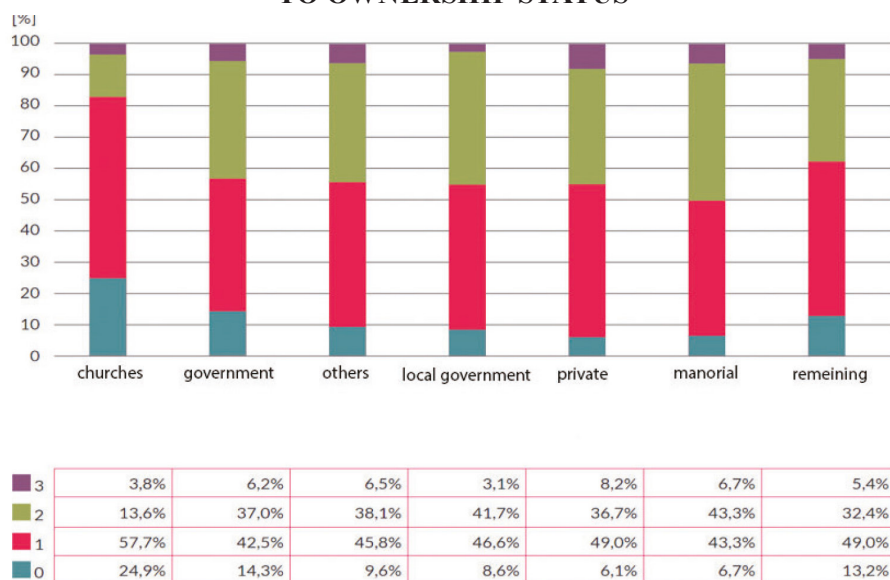


Fig. 29. Overall condition of the objects in relation to ownership status
[Rozbicka et al. 2017]

LEGAL STATUS OF THE OWNERS OF HISTORIC PROPERTIES

The legal situation after November 17, 2003, when the Act of July 23, 2003, on the Protection of Monuments and Care for Monuments came into force, underwent significant changes in terms of administration. This Act significantly contributed to the operational capabilities of legal institutions that functioned based on the previous legislation regarding monuments, namely the 1962 Act on the Protection of Cultural Goods. The introduced changes aimed to adapt regulations to contemporary challenges associated with the protection of cultural heritage and align them with current social and market needs. The new regulations included changes to the organizational structures responsible for monument protection, which seemed to enable more efficient management and oversight of conservation and restoration processes for historic objects. The importance of collaboration among various institutions, both state and local, in protecting and promoting cultural heritage was also recognized. As a result, the modernized Act on the Protection of Cultural Goods revised existing norms and created new legal frameworks that are more appropriate for contemporary realities. Following the implementation of the new law, the rights and responsibilities of owners of historic buildings were clearly defined. These issues have a significant practical dimension, as owners of heritage sites bear a range of important obligations. Failure to fulfill these can lead to serious consequences,

such as fines or even expropriation. The legislator emphasizes the crucial role of actions taken by public administration, and the status of conservation offices has been markedly strengthened. A notable increase in the supervisory powers of institutions dealing with monument protection can be observed. Additionally, the legislator initiated the strengthening of the procedural position of the conservator. According to Article 95¹⁷ u.o.z.o.z. The conservator has the right to act in various roles; they can be a party in civil and administrative proceedings, as well as a prosecutor in criminal cases and a public prosecutor in cases related to offenses. Key legal elements of the Act that significantly impact the legal status of owners of historic properties include conservation recommendations and conservation supervision. These mechanisms ensure proper protection and conservation of historic objects, which is crucial for preserving their historical and cultural value. Furthermore, criminal provisions form an important component of the cultural heritage protection system, introducing preventive measures that encompass actions that may lead to the vandalism of monuments or their illegal trade. Owners of historic properties are also required to obtain numerous permits, which are associated with various formalities that must be fulfilled to legally manage their properties. A new requirement in the regulations is the obligation to obtain a permit from the Provincial Conservator of Monuments for conducting searches for movable monuments, including archaeological finds, using metal detectors. This regulation aims to enhance control over such searches to prevent unauthorized extraction and degradation of valuable historical artifacts. The Act also includes limitations regarding property rights. According to Article 26 of the Act on the Protection of Monuments and Care for Monuments (u.o.z.o.z. in the case of entering into a sale, exchange, donation, or lease agreement for an immovable historic property, the Provincial Conservator of Monuments has the right to impose the obligation to carry out necessary conservation work within a specified timeframe. As a result, this modifies the legal relationship between the parties, whereby the conservator has the duty to oversee the conservation efforts. The Act also imposes obligations on the owner or holder of a property listed in the registry. Chapter 11 of the Act contains provisions regarding criminal law. Failure to fulfill responsibilities related to the protection of monuments, such as failing to inform the Provincial Conservator of Monuments about damage, destruction, or theft of a historic item, is treated as an offense that carries a penalty of a fine.

Furthermore, the failure to inform the appropriate conservator about any threats to historic sites is also subject to an offense or crime. This provision has significant preventive importance, as it encourages owners and managers of heritage sites to adopt a more responsible approach to their obligations, allowing for quicker responses in crisis situations. It is also important to note Article 110 of the Act. This provision clearly states that failing to secure a historic property against damage, destruction, or theft is treated as an offense, subject to severe sanctions – potentially resulting in imprisonment, restriction of liberty, or fines. Such regulations aim not only to penalize improper conduct but also to motivate owners and managers

to undertake protective measures and responsibly manage conservation efforts, which, in the long term, contributes to better protection of cultural heritage. The Act also introduced the institution of conservation oversight. The control of compliance with and application of regulations concerning the protection and care of historic sites plays a crucial role by enabling monitoring of actions in this area. The concept of oversight can be defined as the process of examining and evaluating the activities of other entities according to established criteria. Conservation oversight has the potential to become a significant tool in the hands of the conservator.

The scope of authority for those responsible for oversight is quite broad. Inspectors have the right to request the presentation of documents and any information related to the subject of the inspection, as well as to require oral and written explanations essential for accurate assessment of the situation. Additionally, inspectors have the right to enter the property, based on reasonable suspicion of damage or destruction of a historic site. In the context of inspection activities, they also have the ability to make entries in the construction log as specified by building law provisions. The conservator issues post-inspection recommendations or may choose not to issue such recommendations and instead take other actions, such as deciding to suspend construction work taking place at the monument. The recipients of these recommendations are both the managers of the inspected entities and individuals. The law, in accordance with the applicable statute, also grants rights to the owner or possessor of the property. They can submit a request for the issuance of conservation recommendations. This document, according to the Act on the Protection of Monuments and Care for Monuments, is an official document issued by the appropriate conservation authorities, containing guidelines regarding actions necessary for the preservation, protection, and conservation of the historic property, including detailed recommendations for conservation work specifying techniques and materials to be used, guidelines for managing the property to ensure proper usage, and information on formal requirements concerning the necessity of obtaining the appropriate permits before commencing any work, as well as timelines and schedules for implementing these actions, aimed at ensuring the durability of the monument for future generations. Recommendations must be issued in writing, and their issuance can be a manifestation of goodwill and cooperation with heritage protection authorities. These materials are provided free of charge along with a copy of the iconographic and documentary evidence. This is detailed in Article 25 of the Act on the Protection of Monuments and Care for Monuments u.o.z.o.z. The owner or manager of a construction facility is also subject to periodic inspections of the technical condition of the building, installations, and conduits in accordance with Article 62 of the Building Law. This article refers to the mandatory, periodic inspection of the technical condition of buildings and their installations and conduits. According to this provision, both owners and managers are required to conduct regular inspections aimed at assessing the safety and functionality of these structures. Conducting such inspections at set intervals enables early identification of potential defects and

irregularities that could pose risks to users of the building or to the structure itself. Maintaining an appropriate technical condition of the facilities is crucial for ensuring public safety and the health of individuals. Owners and managers may also seek the advice of specialists, such as structural engineers, who can provide detailed technical assessments and recommend necessary maintenance or modernization work. The incorporation of this provision into Polish legislation underscores the importance of owner responsibility in maintaining the proper quality of construction infrastructure, which is essential for the protection of heritage and the long-term durability of buildings.

PROCEDURES FOR HANDLING PROPERTIES NOT FIT FOR USE

In situations where the technical condition of a building shows signs of imminent failure or has already experienced a failure, it is crucial to conduct an objective analysis to determine the causes of this unfavorable condition. Such assessments aim not only to identify the sources of the problem but also to formulate specific recommendations regarding how the property can be permitted for continued use. To ensure the reliability and impartiality of these findings, the participation of an expert who is independent of all entities responsible for the construction, management, or use of the property is essential. This specialist, possessing the necessary knowledge and experience, can conduct a thorough evaluation of the technical condition and identify both the causes of potential failures and recommend necessary repair or protective measures. To secure a building that is unfit for use, specific actions must be taken to protect the structure and ensure the safety of the surrounding area. Initially, a detailed assessment of the building's technical condition should be conducted with the involvement of a qualified specialist to identify key structural issues, allowing for the safeguarding of the property against further degradation. Next, access to the building must be restricted by installing appropriate fencing and informational signs to prevent unauthorized entry and to deter break-ins or other hazardous incidents. As part of the security measures, any dangerous elements, such as loose structural fragments that could pose a threat to the surroundings, should be removed. Additionally, it is important to protect the building from adverse weather conditions. This may involve repairing the roof and covering windows and doors with materials that effectively guard against water, moisture, and wind. Regular inspections of the building's technical condition, even after implementing protective measures, will allow for early detection of potential problems and their immediate resolution. It is also essential to document all protective works meticulously, as this may aid in future decisions regarding further use or renovation of the property. Before undertaking any actions, it is necessary to inform the relevant conservation authorities of the intention to conduct an analysis regarding further proceedings related to the protection and conservation of historic properties. Such notification is crucial to ensure that all actions taken in this regard comply with legal regulations and principles of cultural heritage protection. Highlighting

the need to collaborate with the conservator will enable the acquisition of necessary guidance and recommendations for subsequent steps, aiming to ensure proper management of the property and its safety.

GRANTS FOR IMMOVABLE MONUMENTS IN 2016 BASED ON THE ORIGINAL FUNCTION OF THE MONUMENT WITH THE PARTICIPATION OF STATE ORGANIZATIONAL UNITS

The characteristics of the funding level for immovable monuments listed in the registry are limited to issues related to the amount of funding allocated for conservation, restoration, and construction works, taking into account the eligible entities receiving grants. Tabular data indicates the percentage share of financial resources allocated by individual state units

GRANTS AWARDED IN 2016 BY THE MINISTER OF CULTURE AND NATIONAL HERITAGE, PROVINCIAL CONSERVATORS OF MONUMENTS, LOCAL GOVERNMENT UNITS, AS WELL AS THE NATIONAL FUND FOR THE REVALUATION OF MONUMENTS IN KRAKÓW AND THE CHURCH FUND FOR IMMOVABLE MONUMENTS, INCLUDING CATEGORIZATION BASED ON THE FUNCTIONS OF MONUMENTS

Function of the building	Minister		WKZ		Commune		County	
	grants	%	grants	%	grants	%	grants	%
Religious	50 299 420	64,6	9 365 483	56,6	20 189 613	39,4	3 464 556	84,8
Defensive	2 821 300	3,6	219 216	1,3	1 223 700	2,4	0	0
Castles	5 724 207	7,4	432 000	2,6	45 000	0,1	86 500	2,1
Public utility	485 772	0,6	473 941	2,9	1 771 905	3,5	133 000	3,3
Residential	4 292 773	5,5	1 065 055	6,4	153 000	0,3	13 000	0,3
Green space	128 630	0,2	0	0	28 500	0,1	50 000	1,2
Manor	0	0	40 000	0,2	0	0	0	0
Agricultural	940 000	1,2	248 155	1,5	180 000	0,3	0	0
Residential	11 579 095	14,9	3 810 444	23,0	24 352 617	47,5	201 792	5,0
Industrial	0	0	225 958	1,4	274 000	0,5	30 000	0,7
Cemeteries	180 000	0,2	188 000	1,1	666 000	1,3	20 000	0,5
Archaeology	0	0	0	0	0	0	0	0
Others	1 390 000	1,8	493 882	3,0	2 345 583	4,6	85 000	2,1
In summary	77 841 197	100	16 562 134	100	51 229 918	100	4 083 848	100

Fig. 30. Grants awarded in 2016 by Minister of Culture and National Heritage, Provincial Conservators of Monuments [Rozbicka et al. 2017]

Regional Government		NFRZK		FK		in summary	
grants	%	grants	%	grants	%	grants	%
0	0	-	-	1 022 000	14,7	24 928 966	13,2
1 035 925	11,8	-	-	527 500	7,6	8 246 256	4,4
0	0	-	-	35 000	0,5	2 351 332	1,3
790 867	9,0	-	-	153 500	2,2	6 520 548	3,5
1 582 955	18,1	-	-	440 000	6,3	9 619 432	5,1
680 000	7,7	22 700 352	100	135 000	1,9	36 098 517	19,2
0	0	-	-	1 513 800	21,7	27 428 332	14,6
0	0	-	-	0	0	6 639 711	3,5
2 194 000	25,0	-	-	649 100	9,3	11 609 834	6,2
0	0	-	-	50 000	0,7	3 092 057	1,6
628 011	7,2	-	-	390 250	5,6	12 341 243	6,6
365 000	4,2	-	-	158 500	2,3	6 551 096	3,5
43 000	0,5	-	-	45 300	0,6	2 149 192	1,1
33 000	0,4	-	-	235 500	3,4	10 097 795	5,4
493 000	5,6	-	-	823 800	11,8	9 854 578	5,2
919 000	10,5	-	-	793 700	11,4	10 626 268	5,6
8 764 758	100	22 700 352	100	6 972 950	100	188 155 157	100

Fig. 31. Grands awarded in 2016 by Provincial Conservators of Monuments, Local Government Units, as well as The National Fund for the Revaluation of Monuments in Krakow and The Church Found [Rozbicka et al. 2017]

The diagram below illustrates the implementation of substitute renovations to be carried out by the Voivodeship Conservators of Monuments. Substitute renovations at historic sites are actions undertaken in situations where the owner or user of the monument fails to fulfill the obligation to maintain the site in an adequate condition. In such cases, the Voivodeship Conservators may commission the necessary conservation, renovation, or protective works on behalf of and at the expense of the owner. The aim of these renovations is to protect the monument from further deterioration, to preserve its historical, artistic, or scientific value, and to safeguard it against destruction. The costs of these renovations may subsequently be recovered from the owner through administrative or legal procedures.

Voivodeship	2010		2011		2012		2013		2014		2015		2016		2008-2016	
	costs	%	costs	%	costs	%	costs	%	costs	%	costs	%	costs	%	costs	%
Dolnośląskie	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Kujawsko-pomorskie	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Lubelskie	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Lubuskie	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Łódzkie	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Małopolskie	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Mazowieckie	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Opolskie	78 787	96,0	0	0	0	0	62 743	47,0	131 715	99,0	0	0	58 018	100	331 263	52,0
Podkarpackie	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Podlaskie	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Pomorskie	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Śląskie	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Świętokrzyskie	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Warmińsko-mazurskie	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Wielkopolskie	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Zachodniopomorskie	2 900	4,0	6 769	100	71 229	100	70 100	53,0	1 722	1,0	153 381	100	0	0	306 101	48,0

Fig. 32. Grands awarded in 2016 by the Voivodeship Conservators of Monuments
[Rozbicka et al. 2017]

4. CONCLUSIONS AND RESULTS

The analyzed cases of the condition of immovable monuments demonstrate a significant relationship between their state and various characteristics, such as spatial form, utility values related to their original purpose, the form of ownership in relation to the intended function of the monument, and location. This is indicated by both the authors' own research and the data presented in the NID report. The degree of deterioration of the examined objects is dependent on many factors. The relationships presented in the graphs illustrate certain correlations, which are also confirmed by the authors' own studies. Each of the presented correlations results in a degree of destruction and indicates which objects have a chance of survival and which are subject to degradation. The quality of a historic site is influenced not only by characteristics related to its form and substance but also by the attitudes of owners, users, and others engaging with its attributes, as well as conservation practices concerning its assessment. An important element affecting the condition of immovable monuments is also their form of ownership and the associated mode of use. The analyses conducted regarding removals from the register of immovable monuments, which significantly increased at the beginning of the 21st century, reveal a substantial rise in removals compared to previous years. The increase in the number of removals not only negatively impacts phenomena associated with the loss of cultural heritage but also indicates insufficient actions in the field of monument protection and non-compliance with existing norms and regulations. This may be a result of inadequate management of these properties, as well as a lack of public awareness regarding the cultural and historical value of the buildings and areas that have been registered. The removal procedure is typically initiated by the owner or user of the

property; however, it can also be initiated by the appropriate heritage protection authorities based on field verifications. The registration of a monument is executed by the Voivodeship Conservators, while the actual decision to remove a property from the register is made by the Chief Conservator, often after obtaining the opinion of the National Heritage Institute (NID). The decision-making process involves the necessity of interpreting legally undefined concepts. A key consideration is whether the technical condition or new scientific discoveries justify the decision to remove the object from the register. Although decisions regarding removals are generally exceptional – since the vast majority of applications receive negative responses – there remains significant administrative discretion in this area, and the jurisprudence can be inconsistent. Despite the general principle of protecting monuments regardless of their physical condition, the actual state of the property often determines its retention in the register. Furthermore, this decision has irreversible consequences, as objects removed from the register typically undergo rapid demolition or significant renovation. The phenomenon of intentional destruction of historic objects to facilitate their removal from the register is a challenging and controversial issue in the field of cultural heritage protection. Owners may engage in such actions with the intent to free up land for new investments that would not be burdened by conservation restrictions. This practice not only undermines the principles of monument protection but can also lead to the irreversible loss of cultural heritage, which constitutes a significant part of history and social identity. The inadequacy of legal procedures and their potential gaps can unfortunately facilitate such actions. It is crucial for the relevant legislative bodies and conservation institutions to implement effective preventive measures, reinforcing legal regulations and educating owners about the value of the heritage they possess.

The following diagram illustrates the percentage of removals of historic objects based on their original function. It indicates that residential buildings constitute the largest group among those removed from the register. This may be related to their everyday usage, which leads to natural wear and tear, but primarily stems from a lack of adequate resources for their conservation. The fact that this category of buildings most frequently loses its historic status underscores the need for a detailed examination of conservation policies and support for owners in maintaining and protecting cultural heritage. Residential buildings account for over 30% of all removal cases. This may suggest that objects with such a function are more susceptible to changes or degradation, leading to their withdrawal from the register. Often, such decisions may stem from factors associated with the need for modernization or changes in usage that may contradict conservation requirements. Data from the report regarding removals of residential buildings clearly demonstrate that a key challenge in the protection of historic properties is ensuring adequate funding for their conservation and maintenance. This is particularly important, as many of these properties belong to private owners, who often may not have sufficient resources to cover the costs associated with their renovation and upkeep. A lack of proper financial support can

lead to the deterioration of the technical condition of these buildings, which in turn threatens their historical and cultural value. Therefore, it is essential that the financial support system is well-designed, providing owners with necessary funds and guidance, which could help in the effective preservation of these valuable objects.

Analyzing the diagram related to the correlation between damages and original function confirms the authors' own research. Through a broad spectrum of analysis, it can be stated that among the group of objects most susceptible to damages are those in the hands of private individuals, local governments, and properties managed by these mixed groups. In particular, the highest degree of degradation pertains to objects used for residential, economic, and estate purposes. Residential objects often suffer damage due to insufficient financial support for their conservation, which is problematic in cases where owners lack the ability to invest in necessary renovation work. On the other hand, economic buildings, which may receive less protection, also suffer from a lack of appropriate regulations, and their loss of historical value is often a result of the absence of protection plans and management strategies. Moreover, residential objects, predominantly owned by private individuals who may have significant historical importance, are exposed to destruction related to modernization and changes in purpose, leading to partial or complete loss of their value. In such scenarios, it becomes urgent to undertake actions aimed at protecting these valuable resources, both by increasing owners' awareness and by supporting conservation institutions in their efforts to protect cultural heritage. The research has shown a crucial correlation confirming the degree of damages to historic objects in relation to the financial investments allocated to individual objects analyzed based on their functional division. Grants provided in 2016 by the Minister of Culture and National Heritage, Voivodeship Conservators of Monuments, Local Government Units, and the National Fund for the Revaluation of Monuments in Krakow demonstrated the funding levels for each object according to its functional purpose. The correlations between the properties in the best technical condition and the percentage of funds allocated for their protection indicate that 84.8% of the best-funded objects are sacred buildings. Data presented in the NID Report align with the authors' own research, as exemplified by two sacred objects mentioned in the research method. The building of an evangelical chapel in Koźminek received funding for renovation and reconstruction in 2022. As of today, the facade has been completed and restored, along with the installation of a new roof structure and covering. Meanwhile, the other sacred object, the Evangelical church in Stawiszyn, received approval for the repair of the church tower and replacement of the damaged roof structure and covering as part of general construction repairs, so the tower does not collapse and destroy the remaining part of the building. Local government units also became financially involved in the reconstruction. The location of the analyzed sacred buildings is also important. They are situated in city centers, which significantly influences the willingness to make repairs to buildings at risk of destruction. Public awareness has played a key role

in shaping behaviors related to sacred objects, affecting not only their perception but also the way in which they are utilized and respected in the community. Shared values, norms, and social beliefs determine how people relate to places and objects of religious significance, ultimately leading to the protection and nurturing of sacred cultural heritage.

Conversely, the remainder of the buildings received only 15.2% of funding, indicating that financial support for their protection and conservation was significantly limited, negatively affecting their technical condition. Both the authors' analyses and studies by other experts (NID Report) show how low the financial support is for buildings in the categories of estate, economic, and residential objects, which received 0% funding from the Ministry of National Heritage and Culture, Voivodeship Conservators of Monuments, and local governments. This represents the most neglected and endangered functional group of monuments. A common denominator for many of them is the loss of original functions, resulting from systemic, economic, and social transformations. Residential, economic, and estate objects are gradually undergoing degradation, losing not only their functions but also their historical and architectural values.

The execution of substitute renovations for historic objects at risk of destruction shows even worse results. Substitute renovations, as conservation actions aimed at securing and maintaining monuments, especially in cases where the owner or possessor of the object is unable or unwilling to carry out the necessary renovation work, are not being conducted at all. Such renovations should be undertaken by appropriate institutions, such as the Voivodeship Conservators of Monuments, which in crisis situations can perform conservation work at public expense. The purpose of substitute renovations is to protect monuments from further degradation and to preserve their historical and cultural values. These actions may include basic protective works, such as sealing roofs, securing facades, or repairing structural elements that are crucial for maintaining the stability of the object and can prevent the loss of load-bearing capacity of individual structural components, which could ultimately lead to the destruction of the object. Conducting substitute renovations is a significant tool in the protection of cultural heritage, especially when objects are in poor technical condition and their owners lack sufficient resources to carry out appropriate conservation work. Through such actions, it is possible not only to halt the process of destruction but also to provide an opportunity for future restoration and adaptation of the objects for social or tourist purposes. Data analysis reveals a complete lack of execution of such procedures by the Voivodeship Conservators of Monuments that could save monuments from total destruction. Data from the years 2010-2016 shows that Voivodeship Conservators did not allocate any funds for ongoing repairs that would allow for the preservation of the historic fabric of the objects throughout the analyzed period. Only two voivodeships, Opole and West Pomerania, allocated part of their funds for this purpose, while the remaining 14 voivodeships recorded zero funding for ongoing repairs.

5. CONCLUSIONS – DISCUSSION

The analysis of the condition of immovable monuments conducted within this study clearly indicates the urgent need for systemic changes, particularly regarding the necessity to adapt legislation concerning the protection and care of monuments. The research results highlight the need for specific legal amendments in the monument protection system. The study particularly emphasizes key issues that require attention, underscoring the general directions in which future changes should progress. These concerns encompass not only the area of funding and the process of removals from the register but also the support of experts in various fields such as history, archaeology, art, law, policy, architecture, management, and economics, whose efforts would contribute to the preservation of historic objects.

In recent years, there has been a noticeable trend reflecting a shift in focus from the traditional notion of “monument” to the much broader concept of “heritage”. The increasing significance of protecting cultural landscapes is becoming more evident in the context of safeguarding historical and aesthetic values. In the diagnosed situation described in this study, special attention must be paid to the necessity of enhancing cooperation between regulations governing the protection and care of monuments and other legislative acts. Key in this context is the connection of heritage law with regulations regarding construction activities, spatial planning, and development, which could significantly strengthen the effectiveness of protective measures.

Among the numerous negative factors that may contribute to the deterioration of the condition of immovable monuments over the long term, the lack of clearly defined areas of responsibility for both governmental and local administration regarding certain tasks related to the protection and care of monuments is paramount. Furthermore, it is essential to develop a uniform approach to the interpretation of existing legal regulations. This harmonization would contribute to the consistency of policies implemented by individual Voivodeship Conservators of Monuments. Moreover, the continuous development of professional competencies among conservation staff is crucial for ensuring high-quality services in the area of cultural heritage protection. In light of these challenges, it is necessary to strengthen the institutional position and consolidate the services responsible for heritage protection in Poland, which should be accompanied by a significant increase in their funding levels.

The conducted research has also revealed a significant lack of information regarding various funding opportunities for historic properties owned by private individuals. The studies indicate that the primary reason for the neglect of the protection of buildings from destruction, which are owned by individual monument owners, is the absence of specific information about different forms of financial support. The lack of clear and reliable guidance on this matter limits the potential of individual owners and prospective investors concerning financing conservation,

restoration, and maintenance of historic properties, which may lead to further degradation and loss of historical value. This highlights the necessity for creating an information system that can help interested parties access funding and financial support from both public and private sources, such as associations or foundations. Such a system could include informational platforms, workshops, or guides that provide essential data on available support programs and best practices for financing protective and adaptive measures for monuments. Furthermore, it is appropriate to establish mechanisms that facilitate cooperation between monument owners and institutions involved in cultural heritage protection. Additionally, the lack of widely disseminated information about the possibility of tax exemption for owners of registered historic properties, as mentioned in the law on “Local Taxes and Fees” in Article 7, Paragraph 1, Point 6, which exempts the owner from tax payments for that part of the property not used for business activities, results in potential investors or owners of such properties often being unaware of available reliefs and rights entitled to them. Consequently, they may be reluctant to undertake investment actions in buildings that are in poor technical condition, which in turn hinders their renovation and protection processes, leading to further degradation of these invaluable cultural resources. Such a system could significantly contribute to improving the condition of monuments as well as increasing their accessibility and tourist value. Restored buildings indeed have the potential to become attractive places that draw tourists. They can significantly impact tourism development not only at the local level but also on a broader scale within the national tourism offering. Efficiently conducted renovation and preservation processes can foster greater interest in the history and cultural heritage of the region, ultimately increasing tourist traffic and yielding economic benefits for local communities.

Another significant issue related to financing is the distribution of public funds allocated for subsidized sacred objects and religious associations. Allocating nearly 85% of the total funding pool for this group of objects in 2016, leaving only 15% for other buildings, raises concerns and opens up a discussion about the balance in fund allocation. This situation certainly results from the large number of high-value monuments within the studied group of objects, but it likely also relates to greater accessibility of grants for churches and religious associations, which have more capacity for co-funding and easier access to information about the application procedures for grants. Owners of historic properties in this group also have easier access to information and support from tax and legal advisors, allowing them to more effectively secure funding for the conservation and renovation of these objects. Through collaboration with experienced specialists, they can receive advice on improving the quality of grant applications, which increases their chances of obtaining the necessary funding. Lawyers can help not only in understanding complex regulations and formal requirements but also in developing strategies that can effectively lead to securing state funds. Such professionalism in preparing and submitting applications is crucial, especially in the competitive landscape of securing funds alongside

other researched groups of owners. The diagrams and tables indicate significant disparities in this regard. The allocation of financial resources occurs at the expense of marginalizing historic objects with fewer opportunities and limited activity in obtaining external funding. The funding system favors objects with the highest historical values, resulting in the sidelining of those less valuable, which are often in much poorer condition. This arrangement means that more valuable objects receive disproportionately greater support, while others, deserving of attention and protection, remain underfunded and neglected. To prevent this unfavorable situation, thorough research should be conducted on the existing systems of financing monuments from public funds. These changes should focus on creating special funds designated exclusively for securing historic properties against destruction and degradation. Such actions would allow for more effective protection of valuable properties that lack both financial resources and legal support, leaving them with little chance of survival.

Creating a separate funding pool specifically for substitute renovations could direct resources towards ongoing conservation work, which is crucial for maintaining these objects in good condition, as well as towards preventive measures aimed at preventing damage from adverse weather conditions, human activities, or other threats. This funding arrangement would ensure that objects of lesser historical value, but equally important from the cultural and historical perspective, receive the necessary support, ultimately contributing to the comprehensive protection of the country's cultural heritage. Heritage protection services should be equipped with broader tools that allow them to decide on the flow of financial resources allocated for the protection and conservation of monuments, as well as to independently select objects that will qualify for grants. This would enable a more flexible and effective prioritization of support. One step towards resolving this situation could involve establishing an organizational unit within the structures of Voivodeship Conservators of Monuments, with funds planned to be sourced from fines imposed for violations against monuments, primarily allocated for securing and rescuing objects that require the most urgent protection. Such funds would allow for a financial focus on the most threatened monuments that cannot secure their protection for various reasons. It is also important to link income from the tourism sector with the funding system for monument protection, which could benefit both historic objects and local communities. This integrated funding model would support not only the protection of cultural heritage but also the development of tourism, potentially leading to economic and social growth in regions where these valuable objects are located.

It is essential to take a broader perspective on the possibility of implementing substitute execution for objects listed in the register of monuments. In cases where decisions mandating conservation work or construction activities do not effectively eliminate the risk of destruction or serious damage to an immovable monument, and where such actions are not carried out within a specified timeframe or do not provoke a response from the owner of the monument, it should become

necessary to implement administrative enforcement in the form of substitute execution. Undoubtedly, delays in initiating conservation or construction work lead to a further deterioration of the condition of the historic object, which is why substitute execution serves such an important protective function. It is applicable when enforcement relates to the obligation to carry out actions that can be commissioned to other parties to perform on behalf of and at the expense of the obligated individual. In cases where the owner of the monument fails to fulfill their responsibilities regarding the care of the object, the conservation oversight authority should secure funding for the necessary conservation or construction work. Actions related to substitute execution are a crucial step in preventing the destruction of the monument.

The goal of substitute execution is to protect the current state of the substance from further degradation that could lead to the complete destruction of the object. Whenever a monument has a chance of being saved, and the execution of the work proposed by the conservation oversight authority can secure it against further damage, this can serve as a starting point for future actions aimed at restoring its former glory. Substitute execution is temporary in nature and is justified only in the context of the necessity to carry out basic work to protect the monument from destruction or significant damage. However, this does not exempt the owner of the monument from the obligation to finance conservation, restoration, and construction work (according to Article 71, Paragraph 1 of the Monument Protection Act). It can be said that substitute execution involves the execution of such work on behalf of the owner or manager, but the costs are borne by the public administration authority, as this is the only way to secure and protect the monument from ongoing degradation. In the case of substitute execution, the Voivodeship Conservator of Monuments covers the costs of conservation or construction work and then directs a claim for reimbursement of incurred expenses to the obligated party. However, if the amounts of expenditures exceed the budgetary capabilities of the heritage protection authority, it is necessary to submit a request to the appropriate voivode for an increase in funds to fulfill its statutory obligations. In practice, Voivodeship Offices for the Protection of Monuments often face insufficient funding, which significantly hampers the conduct of enforcement proceedings, including the implementation of substitute executions. Therefore, it is crucial to examine this issue of financial assistance in a broader context. Although the Voivodeship Conservator of Monuments could undertake substitute execution, in reality, due to budgetary constraints, this solution becomes difficult to implement in practice. It can be said that substitute execution involves carrying out the necessary work on behalf of the owner or manager, but the costs are borne by the public administration authority, as this is the only way to secure and protect the monument from ongoing degradation. In cases of substitute execution, the Voivodeship Conservator of Monuments covers the costs of conservation or construction work and then submits a claim for reimbursement of incurred expenses to the obligated party. However, if the expenditure amounts exceed the budgetary capabilities of the heritage protection authority, it becomes necessary

to request an increase in funds from the appropriate voivode to fulfill its statutory responsibilities. In practice, Voivodeship Offices for the Protection of Monuments often face insufficient funding, which significantly hampers the conduct of enforcement proceedings, including the realization of substitute executions. Therefore, it is essential to examine the issue of financial assistance in a broader context. Although the Voivodeship Conservator of Monuments could undertake substitute execution, in reality, due to budgetary constraints, this solution becomes difficult to implement in practice (Dz. U. 2003 Nr 162 poz. 1292, as amended).

Another negative aspect revealed by the research is the significant lack of uniform procedures defining at what point a damaged historic building is still classified as a monument. This improper inconsistency in defining when a historic object no longer meets the criteria for being recognized as a monument can lead to chaos in the protection of cultural heritage. In practice, this means that different institutions and local authorities may have differing opinions on the technical condition of buildings, which fosters an inconsistent approach to their protection and conservation. The varying conservation policies implemented by individual Voivodeship Conservators of Monuments largely stem from the lack of coherent standards and operational principles related to the conservation of different groups of registered monuments. Such a lack of standardized procedures at the national level results in significant differences in the approach to similar groups of objects, often influenced by local conditions and changing interpretations of regulations in different regions. These differences may be more pronounced in certain voivodeships or even within individual branches of Provincial Offices for the Protection of Monuments, where the lack of a unified approach further highlights existing discrepancies. This situation exacerbates the chaos in conservation rulings, leading to erroneous decisions and directly impacting the condition of monuments during conservation activities. Consequently, the lack of consistency in practices undermines the value of the objects, particularly regarding their integrity and authenticity, both structurally and aesthetically. To improve this situation, it is essential to develop coherent standards and principles for conservation that specifically take into account the groups of monuments distinguished by their cultural and historical values. This process should consider individual and complex principles, as well as a doctrinal approach to conducting research, design, construction, and conservation activities. A crucial element of this initiative is the creation of a reliable methodology for assessing resources that would allow for a better understanding of the condition of monuments and the establishment of appropriate directions for further actions.

It is also important to establish clear requirements regarding scientific and project documentation, as well as principles for conducting renovation and conservation work, which will undoubtedly contribute to improving the quality of monument protection. Such a comprehensive approach could significantly enhance the effectiveness of cultural heritage protection in Poland, as well as increase the engagement of local communities in protective processes. The location of historic objects

is also crucial in this regard, as they often find themselves in areas exposed to various threats, such as urban development or investment activities. Monuments situated in regions with high building density frequently fall victim to economic pressures associated with the desire to utilize space for new infrastructure, which can lead to their deliberate degradation or even total destruction by owners or managers. In such circumstances, the lack of appropriate regulations and ineffective protection systems can result in intentional neglect of their condition and significantly impact decisions regarding their future.

Heritage protection offices also operate under significant pressure from developers and investors, which greatly influences their decision-making processes and strategies for cultural heritage protection. This situation arises from the increasing interest in real estate markets and the desire of investors to maximize profits, often leading them to advocate for changes to historic properties in order to transform them for modern uses. This pressure can create scenarios where conservators must balance the necessity of protecting the historical values of monuments against the demands of developers, resulting in compromises that may threaten the authenticity of these objects. As a consequence, there is a risk that valuable architectural features may be lost due to hasty investment actions. Additionally, pressure from developers can affect the speed of decision-making within conservation offices, sometimes leading to rushed resolutions that do not take into account the long-term implications for the preservation of cultural heritage. Therefore, it is essential to introduce more effective regulations and protection mechanisms that enable heritage conservators to respond adequately to the demands of the real estate market, while also safeguarding the integrity and authenticity of monuments, which are key elements of the history and culture of a place. Intentional destruction of historic buildings by developers in pursuit of financial gain is a serious issue that threatens cultural and historical heritage. Developers, often driven by the desire to maximize profits, may make decisions regarding the demolition or significant remodeling of these properties, which can appear unprofitable in their original form within the real estate market. Such actions are frequently justified with arguments about the necessity of modernization, compliance with contemporary building standards, or enhancing spatial efficiency. However, in reality, the destruction of monuments may stem from a lack of respect for their cultural values and ill-considered decisions aimed at quick financial gains. As a result of this process, many valuable objects that could serve as testaments to local history and architecture are permanently lost. Developers may also employ various manipulative techniques, such as deliberately neglecting properties, to justify their demolition. When a building is not properly conserved or maintained, it becomes easier to argue that it is no longer suitable for further use. Unfortunately, such practices are commonly observed, supported by numerous cases and evidence of criminal proceedings in courts.

In summary, the analysis of the condition of immovable monuments reveals an urgent need for systemic changes in the protection and conservation of cultural

heritage, including the adaptation of appropriate legislation concerning registered monuments. There is also a significant need for greater cooperation among regulations governing the protection of monuments and other supporting laws. The research has shown that insufficient funding leads to the marginalization of monuments of lesser value that require support. Therefore, it is crucial to create an information system that facilitates monument owners in securing funds from various sources, as well as to undertake actions aimed at improving monument protection through the allocation of special funds. Attention should be focused on financial issues that encompass not only assistance from experts but also the modification and systematization of problems related to buildings with significant damage. Another critical issue is the intentional destruction of monuments by developers or investors in pursuit of financial gains. These actions lead to the loss of valuable cultural resources and a lack of respect for historical values. In light of the growing economic pressure and complexity of the challenges, it is essential to introduce effective regulations and protection mechanisms that ensure valuable elements of cultural heritage are preserved for future generations.

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CZY OBOWIĄZUJĄCE REGULACJE PRAWNE WSPIERAJĄ BUDYNKI WPISANE DO REJESTRU ZABYTEKÓW?

Streszczenie

Ochrona zabytków wpisanych do rejestru stanowi kluczowy element polityki zachowania dziedzictwa narodowego, a odpowiednie regulacje prawne odgrywają fundamentalną rolę w tym procesie. W artykule zanalizowano aktualny stan prawny dotyczący ochrony zabytków w Polsce, wskazując na konieczność wprowadzenia systemowych zmian w zakresie

legislacji, które umożliwią skuteczniejszą ochronę nieruchomości o wartości historycznej i kulturowej. Przeprowadzone badania ujawniają istotne braki w istniejących przepisach, które prowadzą do marginalizacji mniej wartościowych obiektów oraz do wprowadzania niejednoznaczności w kwestii ich klasyfikacji zachowania jako zabytek. Ponadto zwrócono uwagę na presję zmian mających na celu dostosowanie budynków do aktualnych potrzeb poprzez zmiany sposobu użytkowania ze strony inwestorów i deweloperów, co często skutkuje kompromisami zagrażającymi autentyczności zabytków. W opracowaniu wskazano na potrzebę stworzenia kompleksowego systemu finansowania oraz wsparcia dla prywatnych właścicieli zabytków, a także na znaczenie zintegrowanego podejścia do zniszczonych obiektów tracących swój autentyzm w związku z brakiem wsparcia przez instytucje rządowe. W rezultacie proponowane zmiany mają na celu lepsze zarządzanie i ochronę obiektów przed ich degradacją, tak aby wartościowy element dziedzictwa kulturowego pozostał zachowany dla przyszłych pokoleń.

Słowa kluczowe: ochrona zabytków, przepisy prawne, dziedzictwo kulturowe, konserwacja, autentyzm, degradacja, inwestycje, finansowanie, wpis do rejestru zabytku