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## THE FUNCTION OF THE INVENTORY OF MONUMENTS IN THE HERITAGE PROTECTION SYSTEM – THE INFORMATIVE ROLE OR THE LEGAL FORM OF PROTECTION?

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**ABSTRACT:** The aim of this article is to examine the functions of the monuments inventory within the current system of heritage protection and to consider its potential role in a new system of monument protection. The first part outlines the historical development of the inventory, tracing its evolution from a purely informational role to a legal basis for formal decisions concerning activities affecting monuments. The subsequent section identifies and analyses the functions of the respective inventories—the national, voivodeship, and municipal—within the contemporary system of heritage protection. The next part addresses the most significant issues related to the monuments inventory, including the failure by municipalities to establish municipal inventories, dependence of the archaeological heritage protection on the voivodeship inventory, judgment of the Constitutional Tribunal declaring the procedure for including monuments in the municipal inventory unconstitutional, and the difficulties faced by monument owners in determining the scope of protection afforded to their properties. The following section is devoted to the verification of inventories—taking into account the distinct characteristics of architectural and archaeological monuments—as well as to the issues related to the inventorying and documentation of monuments. The article concludes with remarks on the potential role of the inventory in a new system of heritage protection, envisaged as a legal form of monument protection.

**KEY WORDS:** Inventory of monuments, inventory verification, documentation, architectural heritage, archaeological heritage

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### 1. The Inventory of Monuments in Historical Perspective

The inventory of monuments<sup>1</sup> was originally intended to fulfil an informational function, facilitating the identification and assessment of heritage assets. Acting on this premise, in 1959 the Government Commission for the Protection, Reconstruction, and Use of Historic Monuments adopted a resolution initiating the systematic inventorying of immovable monuments. At the initial stage, the inventory covered individual monuments entered in the register<sup>2</sup> of monuments and was maintained in the form of a card index (the so-called “green cards”) (Szałygin, 2012, 119).

In 1986, following an amendment to the relevant regulation, cultural property began to be included in the inventory already at the stage of preliminary qualification for entry in the register. At the same time, the inventory itself assumed the form of a collection of documentation prepared for specific categories of monuments (Dziennik Ustaw, 1986, para. 1, point 10). Notably, during the period in which the 1962 Act on the Protection of Cultural Property remained in force, the inventory was maintained exclusively at the central level. The presidia of county and municipal national councils were merely obliged to notify the monument conservator of objects warranting entry in the register (Dziennik Ustaw, 1962, Art. 13). Subsequently, municipal authorities were required to maintain inventories of cultural property not entered in the register but located within their administrative boundaries, although solely for informational purposes (Dziennik Ustaw, 1999, Art. 13, point 2). Pursuant to the 1999 amendment to the Act on the Protection of Cultural Property, inventory cards prepared by the conservator and address cards compiled by municipalities were incorporated into the central inventory (Dziennik Ustaw, 2000, § 10, point 1).

Following the adoption of the new Act on the Protection of Monuments in 2003, the inventory retained its original function as a basis for the preparation of monument protection and conservation programmes. It was only with the 2010 amendment to the Act that the inventory became a basis for binding decisions issued by the monument conservator. At that point, the scope of the municipal inventory was extended to include monuments entered by the head of the commune, the mayor, or the city president.

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<sup>1</sup> Inventory of monuments – *ewidencja zabytków*.

<sup>2</sup> Register of monuments – *rejestr zabytków*.

## **2. The Legal Status and Structure of the Monument Inventory in the Contemporary System of Heritage Protection**

Within the current system of heritage protection, the inventory of monuments operates at three administrative levels: national, voivodeship (regional), and municipal (Fig. 1). Its legal basis and operational framework are defined by the Act of 23 July 2003 on the Protection and Care of Monuments (Dziennik Ustaw, 2025a)<sup>3</sup>, as well as by the Regulation of the Minister of Culture and National Heritage of 26 May 2011 on the Maintenance of the Register of Historic Monuments, the National, Voivodeship and Municipal Inventories of Monuments, and the National List of Monuments Stolen or Illegally Exported Abroad (as amended in 2019) (Dziennik Ustaw, 2021)<sup>4</sup>.

The national inventory of monuments constitutes a compilation of inventory cards drawn from the voivodeship inventories (Dziennik Ustaw, 2025a, Art. 22(1)). Pursuant to the Act, responsibility for its maintenance rests with the General Conservator of Monuments<sup>5</sup>, who has delegated this task to the National Heritage Board of Poland<sup>6</sup>. The voivodeship inventory of monuments is maintained by the voivodeship conservator of monuments and comprises inventory cards relating to monuments located within the territorial jurisdiction of a given voivodeship (Dziennik Ustaw, 2025a, Art. 22(2)).

At the local level, the municipal inventory of monuments is maintained by the head of the commune, mayor, or city president and takes the form of a collection of address cards relating to monuments situated within the municipality. In accordance with statutory provisions, the municipal inventory should include: (1) immovable monuments entered in the register of monuments; (2) other immovable monuments listed in the voivodeship inventory; and (3) additional immovable monuments designated by the head of the commune (mayor or city president) in consultation with the voivodeship conservator of monuments (Dziennik Ustaw, 2025a, Art. 22(4)–(5)). As a result, the municipal inventory constitutes the most extensive catalogue of heritage assets, encompassing also those objects which are not included in the voivodeship inventory and, consequently, in the national inventory.

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<sup>3</sup> *Ustawa z dnia 23 lipca 2003 r. o ochronie zabytków i opiece nad zabytkami – tekst jednolity* (Dz.U. 2024, poz. 1292, 1907; Dz.U. 2025, poz. 537, 1168).

<sup>4</sup> *Rozporządzenie Ministra Kultury i Dziedzictwa Narodowego z dnia 26 maja 2011 r. w sprawie prowadzenia rejestru zabytków, krajowej, wojewódzkiej i gminnej ewidencji zabytków oraz krajowego wykazu zabytków skradzionych lub wywiezionych za granicę niezgodnie z prawem – tekst jednolity* (Dz.U. 2021, poz. 56).

<sup>5</sup> *Generalny Konserwator Zabytków* – The Secretary or Undersecretary of State in the ministry responsible for culture and the protection of national heritage, who performs the Minister's tasks and competences in the field of monument protection on his behalf. These include, among others, supervision over voivodeship conservators of monuments.

<sup>6</sup> *Narodowy Instytut Dziedzictwa* – a state cultural institution serving as an expert and advisory body for the Ministry of Culture and National Heritage and public institutions in the area of the protection and care of monuments.

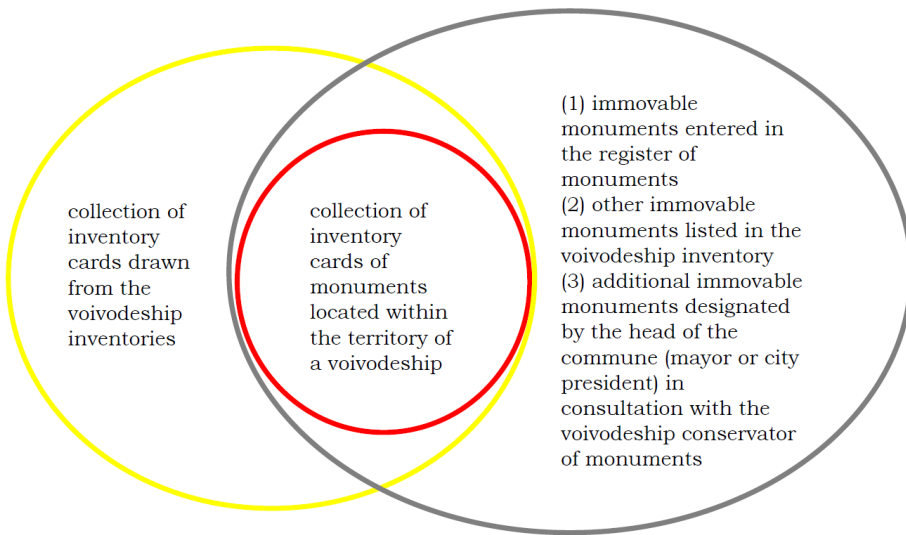


Fig. 1. Schematic representation of the structure of the monuments inventory. The colours means as follows: **national inventory**, **voivodeship inventory** and municipal inventory

Although the inventory of monuments is not explicitly identified in the Act on the Protection and Care of Monuments as a legal form of heritage protection, it nevertheless performs an important normative function within the system. In practice, it constitutes an unnamed legal instrument of monument protection, as it serves as the basis for obtaining approvals and decisions issued by the voivodeship conservator of monuments in matters affecting protected heritage assets. This legal effect applies in particular to the voivodeship and municipal inventories, albeit to differing extents.

Inclusion of a monument in the voivodeship inventory entails the imposition of specific informational obligations. Pursuant to the Act on the Protection and Care of Monuments, the owner or possessor of such a monument is required to notify the voivodeship conservator of any damage, destruction, loss or theft of the monument, any threats to its preservation, any change in the location of a movable monument, as well as any changes affecting its legal status. Failure to comply with these obligations is subject to an administrative fine ranging from PLN 500 to PLN 2,000 (Dziennik Ustaw, 2025a, Arts. 28 and 107a).

Moreover, the voivodeship inventory serves as a legal basis for imposing obligations related to archaeological protection. In particular, any person or entity planning construction or earthworks that may affect an archaeological monument may be required to conduct archaeological investigations (Dziennik Ustaw, 2025a, Art. 31).

Only the municipal inventory of monuments serves as a formal basis for the building and planning authority to obtain the consent of the voivodeship conservator of monuments required for the issuance of a building permit or a demolition permit in cases involving works affecting a monument (Dziennik Ustaw, 2025b, Art. 39(3)). The protection of monuments included in

the municipal inventory is also reflected in local legal acts establishing the rules and conditions for the placement of small-scale architectural structures, advertising devices, and fencing (Dziennik Ustaw, 2025a, Art. 19(1b)). Furthermore, enables local authorities to grant subsidies for conservation, restoration, or construction works carried out on monuments (Dziennik Ustaw, 2025a, Art. 81).

The municipal inventory is likewise taken into account in a range of administrative decisions, including those concerning the determination of the location of public-purpose investments<sup>7</sup>, decisions on development conditions<sup>8</sup>, permits for road construction works<sup>9</sup>, decisions on the location of railway lines<sup>10</sup>, and permits for the implementation of public-use airport projects<sup>11</sup>. All of these instruments constitute, in themselves, legally recognised forms of monument protection under Polish law (Dziennik Ustaw, 2025a, Art. 7(4) and Art. 19(1a)).

At the same time, both the voivodeship and municipal inventories—bearing in mind that, by statutory design, the latter also encompasses the former—serve as legal reference points for a number of planning and protection measures. In particular, both must be taken into account in the preparation of the general municipal development plan<sup>12</sup>, the local spatial development plan<sup>13</sup>, and the local revitalization plan<sup>14</sup> (Dziennik Ustaw, 2025a, Art. 19(1)). Moreover, a demolition order issued by the construction supervision authority must be approved by the voivodeship conservator of monuments if it concerns a monument protected under the provisions of a local spatial development plan, and thus included in the voivodeship or municipal inventory (Dziennik Ustaw, 2025b, Art. 67).

This regulatory framework gives rise to a number of systemic inconsistencies. In particular, the obligation to provide information—such as notification of damage, threats, or changes affecting a monument—applies exclusively to owners of monuments included in the voivodeship inventory. By contrast, financial subsidies may be granted in respect of monuments recorded in the municipal inventory. Consequently, owners of monuments entered into the municipal inventory by decision

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<sup>7</sup> *Decyzja o ustaleniu lokalizacji inwestycji celu publicznego* – a decision on the location of an investment of local and supra-local significance that serves public needs (Dziennik Ustaw, 2026a).

<sup>8</sup> *Decyzja o warunkach zabudowy* – a decision specifying the requirements for new development and land use (Dziennik Ustaw, 2026a).

<sup>9</sup> *Decyzja o zezwoleniu na realizację inwestycji drogowej* – a permit for the preparation and construction of a public road under special rules (Dziennik Ustaw, 2024a).

<sup>10</sup> *Decyzja o ustaleniu lokalizacji linii kolejowej* – a permit for the preparation and construction of a public railway under special rules (Dziennik Ustaw, 2026b).

<sup>11</sup> *Decyzja o zezwoleniu na realizację inwestycji w zakresie lotniska użytku publicznego* – a permit for the preparation and construction of a public airport under special rules (Dziennik Ustaw, 2024b).

<sup>12</sup> *Plan ogólny* – the legal act of local significance establishing planning zones and planning urban standards for the area of municipality (Dziennik Ustaw, 2026a).

<sup>13</sup> *Miejscowy plan zagospodarowania przestrzennego* – a legal act of local significance establishing land-use designations and the principles of land development and building (Dziennik Ustaw, 2026).

<sup>14</sup> *Miejscowy plan rewitalizacji* – a legal act of local significance establishing land-use designations and the principles of land development and building for areas where negative social phenomena occur and which the municipality intends to revitalize (Dziennik Ustaw, 2024c, 2026a).

of the mayor or city president, in agreement with the voivodeship conservator of monuments, so not included in the voivodeship inventory, are exempt from certain statutory obligations (including those subject to financial penalties), while at the same time remaining fully eligible for public funding. This results in a privileged legal position vis-à-vis owners of monuments entered in the voivodeship inventory.

A further inconsistency arises from the fact that both the voivodeship and municipal inventories are taken into account in the preparation of local spatial development plans, whereas in administrative proceedings concerning development conditions in areas not covered by such plans, only the municipal inventory is considered.

### **3. Principal Issues Concerning the Monuments Inventory**

#### ***3.1. Failure by Municipalities to Establish Municipal Inventories of Monuments and the Omission of Archaeological Heritage***

Despite the existence of a statutory obligation, a number of municipalities have still failed to establish municipal inventories of monuments. According to data published by Statistics Poland (Główny Urząd Statystyczny), as of 31 December 2023 such inventories had been established in 86.4% of municipalities (Główny Urząd Statystyczny, 2025, 83). Moreover, in many cases where a municipal inventory does exist, a specific category of immovable heritage—namely archaeological monuments—has been omitted.

This omission entails far-reaching legal consequences, affecting both the state of preservation of monuments and the effectiveness of heritage protection mechanisms. Most importantly, the absence of a municipal inventory results in the lack of a legal basis for undertaking formal arrangements with the voivodeship conservator in relation to planned activities affecting monuments (as discussed in the preceding subsection). This is particularly problematic in cases involving activities with the greatest potential impact on heritage assets, such as construction or demolition works, since the requirement to obtain the conservator's consent is conditional upon the inclusion of the monument in the municipal inventory. Where a municipality has failed to establish such an inventory, even if a monument is listed in the voivodeship inventory, there is no legal basis for the conservator's participation in the relevant administrative proceedings (Dziennik Ustaw, 2025b, Art. 39(3)).

It should be emphasised that, at the stage of designing the monument protection system, no enforcement mechanisms were introduced to compel municipalities to establish inventories. As a consequence, the voivodeship conservator of monuments is limited to reminding municipalities of their statutory obligation.

### **3.2. Dependence of the Protection System for Archaeological Monuments on the Voivodeship Inventory**

Under the current legal framework, any investor intending to carry out construction works on an immovable monument entered in the register, covered by conservation protection under a local spatial development plan, included in the voivodeship inventory of monuments, or involving earthworks or changes in land use in areas containing archaeological heritage, is obliged to ensure that archaeological investigations are conducted (Dziennik Ustaw, 2025a, Art. 31).

The Act does not, however, specify the basis on which the conservator is to verify the presence of archaeological monuments within a given area. In practice, such verification is possible solely on the basis of data contained in the Inventory Cards of Terrestrial Archaeological Sites<sup>15</sup>, prepared within the framework of the Archaeological Survey of Poland<sup>16</sup> or as part of archaeological research documentation, which form the voivodeship inventory.

Consequently, the decisive factor for determining whether archaeological investigations are required is the inclusion of a given site in the voivodeship inventory. This situation is, to a certain extent, advantageous, as the voivodeship inventory of archaeological monuments has been compiled for the entire territory of the country, whereas municipal inventories— as noted above—have not been established universally.

### **3.3. Judgment of the Constitutional Tribunal on the Procedure for Including Monuments in the Municipal Inventory**

On 11 May 2023, the Constitutional Tribunal declared the procedure for including monuments in the municipal inventory unconstitutional insofar as it restricted property rights by allowing an immovable property to be entered in the inventory without ensuring the owner's legal guarantees and procedural safeguards (Dziennik Ustaw, 2023). The judgment concerned the legal framework in force prior to the 2019 amendment to the relevant regulation, under which property owners were not notified of the inclusion of their property in the inventory.

As a consequence of this ruling, administrative courts subsequently held that entries made in the municipal inventory under the previous legal regime were legally ineffective, although they did not question the heritage value of the objects themselves. It should be noted that scholarly debate remains ongoing regarding the introduction of a revised procedure for the inclusion of monuments in the inventory—one that would ensure the active participation of property owners and provide adequate procedural guarantees (Izdebski, 2023, 108; Jakubowski, 2023, 43–46; Sienkiewicz, 2025, 127).

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<sup>15</sup> *Karta Ewidencyjna Zabytku Archeologicznego Lądowego* – a documentation card covering fundamental information on an archaeological site (e.g. the location, chronology, cultural attribution).

<sup>16</sup> *Archeologiczne Zdjęcie Polski* – a nationwide program carried out since the 1980s, the aim of which is the identification, registration, and mapping of archaeological sites.

### ***3.4. Lack of Awareness among Monument Custodians Concerning the Scope of Protection Afforded to Their Properties***

The coexistence of several monument inventories—each encompassing different sets of objects and serving as a basis for distinct administrative actions—may give rise to significant difficulties for owners and custodians who lack specialist knowledge of heritage protection law. In practice, it hinders their ability to understand the actual scope of protection afforded to their property, as well as the rights and obligations arising therefrom. Such a situation undermines the effective functioning of the heritage protection system and, more broadly, weakens public trust in state institutions.

### **4. Verification of the Monument Inventory with Regard to Architectural and Construction Heritage**

Since the 1950s, as a result of activities undertaken by heritage protection authorities and local governments, a substantial body of documentation has been created, including inventory and address cards that now form the existing monument inventories<sup>17</sup>. However, in many cases these records have not subsequently been verified against the actual physical condition of the monuments concerned. As a consequence, both voivodeship (and, by extension, national) as well as municipal inventories contain objects that have undergone significant transformations or no longer exist in situ.

This problem has been empirically confirmed. Inspections conducted by the Supreme Audit Office (Najwyższa Izba Kontroli, NIK) in 2016 revealed discrepancies between the actual condition of monuments and the data contained in inventory records in nearly 20% of the municipalities examined (Najwyższa Izba Kontroli, 2016, 20). Verification procedures should therefore assess the degree of correspondence between the factual state of monuments and the information recorded in inventory documentation. As a result of such verification, objects that no longer exist or have irreversibly lost the features constituting their heritage value should be removed from the inventories. At the same time, a comprehensive review of the entire inventory is recommended in order to reassess the substantive justification for the inclusion of individual objects.

The verification process should be closely linked to a reassessment of the heritage value of the listed monuments. Consideration should be given as to whether such assessment ought to be conducted on the basis of the criteria set out in the Act on the Protection of Monuments or whether a more precise evaluative framework should be developed. The inclusion or exclusion of a monument from the inventory must be clearly and comprehensively justified, on the basis of objective and transparent criteria. The necessity of such an approach has been emphasised both by the Constitutional Tribunal in the reasoning of its judgment of 18 May 2023 and by administrative

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<sup>17</sup> As of 31 December 2011, the resources of the National Heritage Institute comprised 138,304 inventory cards of architectural monuments, approximately 650,000 address cards of monuments, 9,249 inventories of historic greenery, 25,367 cemetery records, 1,274 urban planning files, over 370,000 records of movable monuments, and 9,710 inventory cards relating to industrial heritage (Szałygin, 2012, 122). It should be emphasised that this body of documentation is continuously expanding.

courts<sup>18</sup>, which have repeatedly stressed the importance of clarity and procedural transparency in administrative decision-making.

It must be acknowledged that the verification of monument inventories—at national, voivodeship, and municipal levels—requires considerable organisational effort and financial resources. Given the current workload of heritage protection authorities, the comprehensive implementation of such a process remains difficult. Nevertheless, such verification would make it possible to limit the scope of the inventories to objects of genuinely significant heritage value, thereby enhancing the overall effectiveness of the system of monument protection.

It should be noted that the need to verify heritage resources has already been recognised in the National Programme for the Protection and Care of Monuments for 2023–2026<sup>19</sup> (Ministerstwo Kultury i Dziedzictwa Narodowego, 2023). However, the programme envisages verification only for selected categories of heritage assets, namely large-scale and multi-component defensive structures, railway heritage and associated infrastructure, industrial heritage related to coal mining and other fossil fuels, and historic architecture associated with forestry settlements managed by the State Forests. The verification process is to be carried out through comprehensive analyses, value assessments, and the identification of the most representative and valuable examples within each category (Ministerstwo Kultury i Dziedzictwa Narodowego, 2023).

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<sup>18</sup> The criteria for inclusion in the municipal inventory of monuments must be clearly defined and transparent, as they directly determine the permissible scope of interference with constitutionally protected rights and freedoms. The absence of precise statutory criteria creates a risk of arbitrary action by local executive authorities, particularly in view of the broad statutory definition of a “monument,” which grants considerable discretionary power to administrative bodies (Dziennik Ustaw, 2023).

Given that the inclusion of a property in the inventory entails significant limitations on the exercise of ownership rights, such interference may be justified solely on the basis of clearly articulated, exhaustive, and objectively verifiable premises (the verdict of the Voivodeship Administrative Court (WSA) in Kraków of 27 February 2023 (II SA/Kr 843/22), as well as i.e. verdicts of the WSA in Gliwice of 20 November 2025 (II SA/Gl 937/25) or the WSA in Kraków of 6 November 2025 (II SA/Kr 1068/25).

<sup>19</sup> Krajowy program ochrony zabytków i opieki nad zabytkami na lata 2023-2026.

## 5. Inventorying and Documentation of Architectural Monuments

Effective heritage protection must be grounded in a comprehensive and reliable assessment of the heritage resource. Consequently, activities related to inventorying constitute an essential component of the protection system. First and foremost, the existing documentation produced by various institutions must be systematised. At the same time, it is necessary to prepare new documentation for numerous monuments that remain undocumented, with particular emphasis on architectural measured drawings. Although the current inventory card format allows for the registration of essential data, it does not constitute a comprehensive source of information. Even more limited in scope is the address card, which serves primarily as an identification tool for the monument<sup>20</sup>.

Comprehensive documentation of an architectural monument should include measured drawings, a descriptive component, and photographic documentation. Such documentation must be prepared with the highest possible degree of accuracy, in accordance with the standards for inventorying immovable architectural monuments developed under the auspices of the National Heritage Institute<sup>21</sup>.

It should be noted that, despite the increasingly widespread use of modern technologies, certain construction details can only be accurately recorded using traditional measurement methods. This is expressly emphasised in the aforementioned standards, which recommend manual documentation of elements inaccessible to instrumental survey techniques (Kurier Konserwatorski, 2024b, 141–142). This issue is particularly significant in the case of wooden architecture, where structural elements such as joints or ceiling layers are often concealed from view and therefore beyond the reach of measurement tools—for example, mortise-and-tenon joints in which the tenon remains hidden within the mortise. An inventory that fails to capture such constructional complexity lacks sufficient documentary value and significantly reduces its usefulness for subsequent actions (Prarat & Schaaf, 2015, 100).

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<sup>20</sup> For example, the vast majority of inventory cards do not include building cross-sections. Under the standards governing the preparation of inventory cards for monuments entered in the register, the graphic documentation is required to include a ground-floor plan (and, where significant differences occur, a plan of the upper floor), a site plan, an orientation plan, and photographic documentation showing characteristic views of the monument. Cross-sections are required only in justified cases, where the type of the monument so necessitates. In the case of monuments recorded in the voivodeship inventory, the documentation requirements are limited to a single photograph and an orientation plan. For address cards, the requirements consist solely of a photograph accompanied by a brief description indicating the monument's orientation in relation to its surroundings (NID, 2011; Kurier Konserwatorski, 2024a; Dziennik Ustaw, 2021).

<sup>21</sup> For example in the 1990s, such documentation was prepared at the request of the voivodeship conservator in Tarnów for several wooden temples within the area under his authority. It comprised measured drawings (plans, sections, and elevations), photographic documentation of the exterior and interior, including fixtures and fittings, as well as a description.

It should be emphasised that measured documentation constitutes one of the fundamental forms of documentation of a historic monument. It possesses considerable evidential value, serving as a reference point for monitoring changes in the structure over time and, in the event of damage or destruction, as a reliable basis for the accurate reconstruction of the monument's form. Moreover, it provides an indispensable foundation for planning future interventions, including construction works, conservation and restoration measures, and scholarly research.

## **6. Verification of Monument Inventories and Documentation Concerning Archaeological Heritage**

When addressing the verification of monument inventories, particular attention must be paid to the specific characteristics of archaeological heritage as a distinct category of immovable monuments. Comprehensive documentation of an archaeological site requires the recording of stratigraphy and associated movable finds in descriptive, graphic, and photographic form. Such documentation can only be obtained through archaeological excavation, which is by its nature irreversible and destructive.

Although increasingly advanced non-invasive research methods are available, they are incapable of providing complete certainty with regard to the spatial extent, chronological framework, or cultural attribution of an archaeological site. As aptly observed by Zbigniew Kobyliński, “the more precisely we wish to assess the value of a site, the more we must destroy it” (Kobyliński, 2015, 97).

Given the level of detail already provided by the Inventory Card of a Terrestrial Archaeological Monument, and taking into account the inherently destructive character of excavation, there is no justification for conducting additional documentation of archaeological sites solely for the purpose of reassessing. Consequently, the verification of resources and the reassessment of the value of individual sites cannot be fully undertaken in the case of immovable archaeological heritage.

## **7. Conclusions: The Role of the Inventory in a New System of Heritage Protection**

The inventory was originally conceived as a purely informational instrument. However, such a limited function appears insufficient, as the recognition of a monument's heritage value should entail a legal protection. Accordingly, the inventory should constitute a distinct—albeit less restrictive than the register—form of heritage protection. This would imply a return to the concept of gradation of monuments<sup>22</sup> and the establishment of multiple levels of protection, each characterised by an increasing degree of regulatory stringency.

It is noteworthy that, in practice, the Polish system already differentiates between categories of monuments through the existence of various protective regimes (the inventory of monuments, the register of monuments, Monuments of History<sup>23</sup>, and UNESCO World Heritage Sites). However, this differentiation has not yet been adequately reflected in the legal framework. In particular, there

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<sup>22</sup> The categorisation ranging from Category 0—monuments of the highest, global significance—to Category IV—objects of the lowest heritage value, was proposed as early as 1962 by the Heritage Documentation Centre in connection with the verification of the central inventory (Charytańska, 1962, 70).

<sup>23</sup> *Pomnik Historii* as the legal form of monuments protection defined in the Act on the Protection of Monuments.

are no dedicated statutory provisions governing the protection of the most valuable heritage assets, namely Monuments of History and World Heritage properties. This issue has been the subject of scholarly debate for several years<sup>24</sup> and has also been acknowledged in the National Programme for the Protection and Care of Monuments, which envisages the development of a uniform model for the evaluation of monuments adapted to the specific characteristics of each form of legal protection, as well as amendments to the Act introducing a distinct legal regime for selected categories of monuments (Ministerstwo Kultury i Dziedzictwa Narodowego, 2023, 47–49, 55–57).

In order to enhance the effectiveness of heritage protection and to eliminate the deficiencies of the current, overly complex system, it is proposed that a new model be adopted based on a single voivodeship-level inventory of monuments, replacing the existing three-tier structure. Such an inventory—functioning analogously to the current register of monuments—should comprehensively include all monuments presently recorded in both the voivodeship and municipal inventories, encompassing architectural as well as archaeological heritage.

If the inventory is to be recognised as a formal legal instrument of heritage protection, it is necessary to abandon the current practice whereby the inclusion of a monument is equated with the entering the card to the inventory. As rightly noted in legal scholarship in the context of the Constitutional Tribunal's judgment, a clearly defined and legally regulated procedure for both the inclusion and removal of monuments from the inventory must be established (Izdebski, 2023; Jakubowski, 2023). Responsibility for maintaining the inventory—particularly for decisions concerning the registration and deregistration of monuments—should be vested in the voivodeship conservator of monuments, in a manner analogous to the current operation of the voivodeship-level inventory.

At the same time, the original informational and documentary function of the inventory must be preserved. This task—together with responsibility for the substantive quality of inventory records—should be entrusted to specialised heritage documentation services, following the model of the former Heritage Documentation Centre (Ośrodek Dokumentacji Zabytków). Such bodies should be responsible for on-site verification of heritage resources, ongoing monitoring of their condition, and the assessment of the completeness and accuracy of newly prepared inventory documentation (as well as preparing them itself). The preparation of inventory cards may be entrusted to external entities, thereby avoiding the creation of a monopolistic structure within the system. It must also be recognised that documentation relating to archaeological monuments is typically produced in the course of archaeological research and fieldwork. The remit of specialised documentation services may furthermore extend to the recording of architectural heritage, following the model currently applied by the Competence Centre for Digitalisation operating within the National Heritage Institute.

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<sup>24</sup> These include, *inter alia*, proposals to incorporate UNESCO World Heritage properties into the Polish system of monument protection as a distinct legal form of heritage protection (Szmygin, 2022); the development of mechanisms for the effective protection of Monuments of History as the most valuable category of national heritage (Szmygin, 2019); and the gradation of protective regimes associated with cultural parks, including their functional linkage with the Monument of History (Marcinek, Myczkowski & Siwek, 2021).

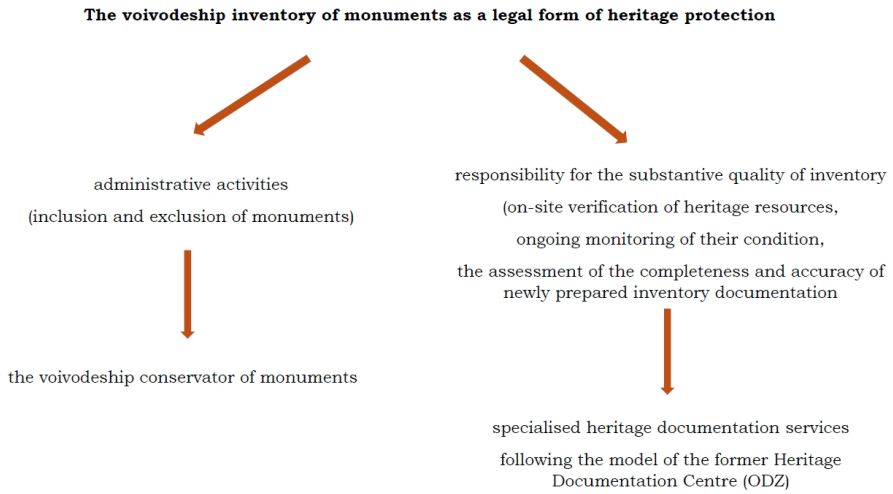


Fig. 2. Schematic representation of the role of the inventory of monuments in the new system of heritage protection

## Bibliography

Charytańska, M. (1962). Z działalności Ośrodka Dokumentacji Zabytków: Weryfikacja zabytków architektury i ewidencja miast. *Ochrona Zabytków*, 57(2), 69–70.

Dziennik Ustaw (1962). *Ustawa z dnia 15 lutego 1962 r. o ochronie dóbr kultury i o muzeach* (Dz.U. 1962, nr 10, poz. 48), <https://sip.lex.pl/akty-prawne/dzu-dziennik-ustaw/ochrona-dobr-kultury-16785284>

Dziennik Ustaw (1986). *Rozporządzenie Rady Ministrów z dnia 24 listopada 1986 r. zmieniające rozporządzenie w sprawie prowadzenia rejestru zabytków i centralnej ewidencji zabytków* (Dz.U. 1986, nr 42, poz. 204), <https://sip.lex.pl/akty-prawne/dzu-dziennik-ustaw/zm-rozporzadzenie-w-sprawie-prowadzenia-rejestru-zabytkow-i-centralnej-16792313>

Dziennik Ustaw (1999). *Ustawa z dnia 15 lutego 1962 r. o ochronie dóbr kultury i o muzeach – tekst jednolity* (Dz.U. 1999, nr 98, poz. 1150; 2000, nr 120, poz. 1268; 2002, nr 25, poz. 253; nr 113, poz. 984; 2003, nr 80, poz. 717), <https://api.sejm.gov.pl/eli/acts/DU/1999/1150/text.pdf>

Dziennik Ustaw (2000). *Rozporządzenie Ministra Kultury i Dziedzictwa Narodowego z dnia 6 września 2000 r. w sprawie prowadzenia rejestru zabytków i centralnej ewidencji dóbr kultury* (Dz.U. 2000, nr 86, poz. 965), <https://sip.lex.pl/akty-prawne/dzu-dziennik-ustaw/prowadzenie-rejestru-zabytkow-i-centralnej-ewidencji-dobr-kultury-16885511>

Dziennik Ustaw (2021). *Rozporządzenie Ministra Kultury i Dziedzictwa Narodowego z dnia 26 maja 2011 r. w sprawie prowadzenia rejestru zabytków, krajowej, wojewódzkiej i gminnej ewidencji zabytków oraz krajowego wykazu zabytków skradzionych lub wywiezionych za granicę niezgodnie z prawem – tekst jednolity* (Dz.U. 2021, poz. 56), <https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210000056>

Dziennik Ustaw (2023). *Wyrok Trybunału Konstytucyjnego z dnia 11 maja 2023 r.*, sygn. akt P 12/18 (Dz.U. 2023, poz. 951), <https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20230000951>

Dziennik Ustaw (2024a). *Ustawa z dnia 10 kwietnia 2003 r. o szczególnych zasadach przygotowania i realizacji inwestycji w zakresie dróg publicznych – tekst jednolity* (Dz.U. 2024, poz. 311), <https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20030800721>

Dziennik Ustaw (2024b). *Ustawa z dnia 12 lutego 2009 r. o szczególnych zasadach przygotowania i realizacji inwestycji w zakresie lotnisk użytku publicznego – tekst jednolity* (Dz.U. 2024, poz. 1464), <https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20090420340>

Dziennik Ustaw (2024c). *Ustawa z dnia 9 października 2015 r. o rewitalizacji – tekst jednolity* (Dz.U. 2024, poz. 278), <https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20150001777>

Dziennik Ustaw (2025a). *Ustawa z dnia 23 lipca 2003 r. o ochronie zabytków i opiece nad zabytkami – tekst jednolity* (Dz.U. 2024, poz. 1292, 1907; 2025, poz. 537, 1168), <https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20031621568>

Dziennik Ustaw (2025b). *Ustawa z dnia 7 lipca 1994 r. – Prawo budowlane – tekst jednolity* (Dz.U. 2025, poz. 418, 1080, 1535, 1673), <https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU19940890414>

Dziennik Ustaw (2026a). *Ustawa z dnia 27 marca 2003 r. o planowaniu i zagospodarowaniu przestrzennym – tekst jednolity* (Dz.U. 2024, poz. 1130, 1907, 1940; 2025, poz. 527, 680, 1668, 1847; 2026, poz. 24), <https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20030800717>

Dziennik Ustaw (2026b). *Ustawa z dnia 28 marca 2003 r. o transporcie kolejowym – tekst jednolity* (Dz.U. 2025, poz. 1234; 2026, poz. 41), <https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20030860789>

Główny Urząd Statystyczny (2025). *Kultura i dziedzictwo narodowe w 2024 r.* Warszawa: GUS.

Izdebski, H. (2023). Gminna ewidencja zabytków po wyroku Trybunału Konstytucyjnego z 11 maja 2023 r. *Samorząd Terytorialny*, 7–8, 100–109.

Jakubowski, A. (2023). Co dalej z gminną ewidencją zabytków? Stan po wyroku Trybunału Konstytucyjnego z 11 maja 2023 roku (sygn. P 12/18). *Ochrona Zabytków*, 2, 35–47.

Kobyliński, Z. (2015). Kryteria i metody wartościowania dziedzictwa archeologicznego. Aktualny stan dyskusji. In B. Szmygin (Ed.), *Systemy wartościowania dziedzictwa. Stan badań i problemy* (pp. xx–xx). Lublin: Politechnika Lubelska.

Kurier Konserwatorski (2024a). Instrukcja opracowywania kart ewidencyjnych zabytków nieruchomych wpisanych do rejestru zabytków. *Kurier Konserwatorski*, 23, 143–152.

Kurier Konserwatorski (2024b). Standardy wykonywania inwentaryzacji zabytku nieruchomego, będącego obiektem budowlanym. *Kurier Konserwatorski*, 23, 137–142.

Marcinek, R., Myczkowski, Z., & Siwek, A. (2021). Assessment of the effectiveness of preserving the landscape in cultural parks in Poland. *Wiadomości Konserwatorskie – Journal of Heritage Conservation*, 66, 106–120.

Ministerstwo Kultury i Dziedzictwa Narodowego (2023). *Krajowy Program Ochrony Zabytków i Opieki nad Zabytkami 2023–2026.* Warszawa.

Narodowy Instytut Dziedzictwa. (2011). *Instrukcja opracowywania kart ewidencyjnych zabytków nieruchomych niewpisanych do rejestru zabytków.* Warszawa: NID.

Prarat, M., & Schaaf, U. (2015). Inwentaryzacja pomiarowo-rysunkowa zabytków architektury drewnianej w procesie konserwatorskim – problemy i propozycja standaryzacji. *Budownictwo i Architektura*, 14, 99–110.

Sienkiewicz, T. (2025). O potrzebie ustawowego doformalizowania charakteru prawnego wojewódzkiej ewidencji zabytków. *Studia Prawnicze KUL*, 1, 107–132.

Szałygin, J. (2012). Rejestr i ewidencja zabytków nieruchomych oraz ruchomych w działaniach Narodowego Instytutu Dziedzictwa. *Ochrona Zabytków*, 1–2, 117–158.

Szmygin, B. (2019). Pomniki historii – forma ochrony, forma promocji, forma zarządzania? *Ochrona Dziedzictwa Kulturowego*, 7, 207–218.

Szmygin, B. (2022). Inclusion on the UNESCO World Heritage List as a proposed form of protection in the Polish monument protection system. *Wiadomości Konserwatorskie – Journal of Heritage Conservation*, 72, 7–19.