

LOANS POLICY

I. Incoming Loans

Reasons for Accepting Incoming Loans

A loan is a work of art or cultural property entrusted in good faith by the owner to an institution for an agreed period of time. The National Gallery of Ireland (the **Gallery**) accepts loans, either for a short-term or long-term period. In the case of short-term loans, the objects are generally part of temporary exhibitions organised by the Gallery. These works, which are owned and lent by public institutions, corporate collections or private individuals, are exhibited in one of the Gallery's designated temporary exhibition spaces in the company of works from the Gallery's own collection and/or other loans to illustrate a specific exhibition concept. Long-term loans are generally integrated into the display of the permanent collection. The reason for accepting objects for a substantial period is that it allows the Gallery to fill gaps in its display and complement works from the Gallery's collection. The Gallery aims to show the development of western European art from around 1300 until the present day and loans from other public institutions or private individuals that meet the criteria mentioned below help achieve this goal.

Criteria for Accepting loans

The Collections staff of the Gallery will consider the following criteria when accepting a loan:

- The existing gaps in the National Collection and the extent to which a (long-term) loan can complement the permanent display.
- The suitability of a (short-term) loan within the concept of an exhibition organised by the Gallery.
- The authenticity and rarity of the object.
- The condition of the object to be borrowed, having regard to such matters as fragility, size and exhibition record.
- The degree of risk in borrowing the artwork.
- The anticipated response of the Gallery's visiting public to the loan.
- The status and reputation of the lender from whom the object is borrowed, and their intentions for lending.
- The ownership and provenance of the object in the context of the Gallery's due diligence procedure.

Duration

Short-term loans are borrowed for the duration of a temporary exhibition, which is commonly a period of about three months. Long-term loans are generally accepted for a minimum period of two years.

Incoming Loan Approval

Short-term and long-term loans are approved by the Director. The Board of Governors and Guardians of the National Gallery of Ireland (the **Board**) are informed of long-term loans.

II. Outgoing Loans

Reasons for Lending Works of Art

Loans are, in general, granted as a courtesy to other institutions as a means of promoting a greater understanding and enjoyment of art and cultural patrimony. The National Gallery of Ireland Acts, 1928 and 1963 and the National Cultural Institutions Act of 1997 (see Appendix A) authorise the Board to lend artworks from its collection to elected institutions, both in Ireland and abroad, for an agreed period of time. Without prejudice to any provisions contained in any bequest or agreement, the Gallery may at its discretion lend to, or exchange with any authority, body, institution or association as they see fit. As Ireland's National Gallery, it is important that it fulfils its public service role and is accessible to all people. The Gallery supports an active loans programme from the collection and acknowledges the importance of allowing artworks to be seen in new contexts and by different audiences. The objectives of the loans programme are outlined below:

- To make the collection more widely accessible
- To further knowledge, appreciation and scholarship of the collection of the National Gallery of Ireland
- To promote a wider understanding of Irish art and promote an interest in the collection of the Gallery
- To increase national and international co-operation between the Gallery and other cultural institutions
- To enhance the reputation of the Gallery and its good standing, nationally and internationally.

Criteria and Assessment of Loan Requests

The Gallery wishes to broaden public access to the collection through the loans programme, provided that long-term conservation and the Gallery's own education, research and exhibition needs are not compromised. Although the Board is empowered by statute to approve loans under certain conditions, it is accepted that approval of all such loans is at the discretion of the Board and there is no statutory obligation to sanction loans to any particular body. There is, however, a statutory obligation to ensure the proper care and preservation of the works of art in the collection and the demands of this obligation must regulate the granting of loans.

Loan Requests

Loan requests for national loans should be made as early as possible and no less than 6 months in advance of the exhibition opening. Loan request for international loans should be made one year, and no less than 8 months, in advance of the opening of the exhibition.

- The borrowing institution should submit a formal written loan request to the Director of the Gallery clearly indicating the nature, date and venue(s) of the exhibition, and provide justification for the loan within the context of the exhibition.

- The work should be essential to the context of the temporary exhibition or will serve to enhance the permanent collection on display in the case of long-term loans.
- In principle, the Gallery does not lend to private individuals, commercial galleries, exhibitions where commercial gain is the primary goal, and exhibitions held in a non-gallery environment that does not meet the requirements of the Gallery's Loan Contract.
- The borrowing institution must be open to the general public.
- The Gallery will not knowingly lend works that may have legal or financial problems, questions of title, ownership, acquisition history, or other issues that could be raised by third-parties and prove problematic to either Lender or Borrower.
- The Gallery does not bow to any form of external political, diplomatic or commercial pressure not in keeping with the exhibition's artistic and scholarly content, or the institution's mission and mandates.

Loan Criteria

The Collections staff of the Gallery and its Board will consider the following criteria upon receipt of a loan request:

- The condition of the object to be loaned, having regard to such matters as fragility, size and exhibition record.
- The degree of risk in lending the artwork(s).
- The effects of the loan on the interests of the Gallery's own visiting public.
- The suitability and location of the borrowing institution (with special reference to the environmental conditions and security).
- The status of the exhibition to which the object would be lent, and the object's significance to the theme and purpose of the exhibition.
- The number of loans sanctioned must be within the competence of the Gallery to manage efficiently.
- Whether the loan will advance the Gallery's art-historical knowledge about the requested work of art.
- Whether the borrowing institution could borrow or has attempted to borrow an alternative work that is equally or better suited to their exhibition.

Loan Approval

All outgoing loans must be sanctioned by the Board and comply with the statutory requirements set down in the legislation enacted by the Government (National Gallery of Ireland Acts, 1928 and 1963 and the National Cultural Institutions Act 1997).

- The borrower must agree with the terms and conditions set out in the Gallery's Loan Contract and pay all costs associated with the loan, including but not limited to; transport, courier cost and insurance.
- The Gallery has the right to recall a loan at any time if the conditions of the loan contract are not met.

Types of Outgoing Loans

A loan may be requested for short-term inclusion in a temporary exhibition or the long-term enhancement of an institution's permanent collection. A short-term loan has a minimum duration of one month for inclusion in a temporary exhibition. Only in exceptional cases will

the Gallery reconsider this minimum duration. A long-term loan is requested for a period of over 12 months to complement the borrower's permanent collection display. A long-term loan will be reviewed by the Registrar's office at specified intervals to determine its future status.

Long-term loans to embassies or Government Offices

Embassies and government buildings will be offered loans which have been allocated and considered appropriate for such use, excluding works on paper and panel paintings. It will be entirely at the discretion of the Gallery which embassies and government buildings will receive loans. The borrowing sites have to comply the terms mentioned in the Loan Contracts between the Gallery and the Office of Public Works and the Department of Foreign Affairs, or the Gallery will have the right to recall the loans. The condition of the artwork(s) will be checked as part of general inventories of the Gallery.

Loan Fee

A loan fee is a payment charged to the Borrower by the Lender that is not for the recovery of actual out-of-pocket costs incurred in the making of the loan. A loan fee is considered to be a revenue-making measure. Among non-profit institutions, loans should be considered as part of the cultural mandate and therefore the charging of loan fees should be discouraged.

Documentation

All loans (loans-in, loans-out, long term and short term) are recorded on our collection management system (TMS). The following information is recorded on the system: object & owner information, credit line, loan period, loans status, location of artwork. In addition, every loan has a hard copy file with the details regarding the contract, insurance arrangements and general communication with the owner.

International Policy

The Gallery follows the guidelines from the BIZOT group (International Group of Museum Directors) in their *General Principles on the Administration of loans and exchange of works of art between institution*, 1995 and its *Revised Loans Guidelines* of 2009.

Revision

This Loan Policy will be reviewed and, if needed, updated every 5 years.

Date approved by the Board of Governors and Guardians: 12 July 2018

Appendix A

National Gallery of Ireland Act, 1928

An act to authorise the Governors and Guardians of the National Gallery of Ireland to hold public exhibitions of pictures selected by them from the pictures in the National Gallery of Ireland which belong to the said Governors and Guardians and to lend from the said National Gallery pictures belonging to the said Governors and Guardians for inclusion in Exhibitions of pictures or works of art held in or outside Saorstát Éireann. [30th July, 1928]

3. Where a public exhibition of pictures or works of art is intended to be held in Saorstát Éireann under the management and control of a public or local authority or of the governing body of a university, college, or other educational institution or of an institution or association founded and maintained for the promotion of art, science, or literature, the Governors and Guardians may at their discretion lend to such authority, body, institution, or association for inclusion in such exhibition such and so many of the pictures belonging to them in the National Gallery as they think fit to lend.

4. (1) Where a public exhibition of pictures or works of art is intended to be held outside Saorstát Éireann under the management and control of the Government of the country in which such an exhibition is held or of a public or local authority in such country or of the governing body of a university, college, or other educational institution in such country or of an institution or association founded and maintained for the promotion of art, science, or literature in such country, the Governors and Guardians may at their discretion lend to such Government, authority, body, institution or association for inclusion in such exhibition such and so many of the pictures belonging to them in the National Gallery as they think fit so to lend.

(2) The Governors and Guardians shall not lend under this section any pictures for inclusion in an exhibition unless they are satisfied that under the law of the country in which such exhibition is held loans of pictures selected from the national or other public collections of pictures in such country may be made to the Government of and public authorities and institutions in Saorstát Éireann.

5. (1) The Governors and Guardians may make bye-laws in relation to the holding of public exhibitions of pictures by them under this Act and in particular may by such bye-laws make such provision as they think proper for the safety, preservation, and insurance of the pictures included in any such exhibition while out of the National Gallery and for the management and conduct of such exhibitions and in relation to the admission of the public thereto.

(2) The Governors and Guardians may also make bye-laws in relation to the lending of pictures by them under this Act and in particular may by such bye-laws prescribe such conditions as they shall think proper in relation to the transport, insurance, care, and custody of pictures so lent and generally for the safety and preservation of such pictures while out of the National Gallery.

National Gallery of Ireland Act, 1963

An Act to authorise the lending of works of art from the National Gallery of Ireland.

[27th February, 1963]

2. The Governors and Guardians of the National Gallery of Ireland may, at their discretion and without prejudice to the prestige of the Gallery and the Quality of works of art kept for permanent exhibition, lend works of art for display in –

(a) the official residence of the President,

(b) the Houses of the Oireachtas,

(c) any other premises or property in Ireland belonging to the State or held in trust by the Commissioners of Public Works in Ireland,

(d) premises of any Irish diplomatic or consular mission,

(e) premises of any institution approved of for the purposes of this section by the Governors and Guardians,

(f) exhibitions in Ireland or abroad of works of art sponsored by an Chomhairle Ealaíon, the Advisory Committee on Cultural Relations or other bodies approved of for the purposes of this section by the Governors and Guardians.

National Cultural Institutions Act, 1997

Part IV

47. (1) Without prejudice to any provisions contained in any bequest or agreement, [...] the Governors and Guardians [...] may lend to, transfer, borrow from, or exchange with any other institution referred to in this subsection or standing designated for the time being under *subsection (3)* any cultural objects in the collection of the institution on such terms and conditions as may be determined by the institutions concerned.

(3) The Minister may by order designate an institution, with the consent of the institution, for the purposes of *subsection (1)* or *subsection (2)*.