J. Paul Getty Museum Collection Policy

I. Statement of Purpose and Mission

The J. Paul Getty Museum was created in December 1953 as a charitable trust (the “Trust”) for the purpose of "the diffusion of artistic and general knowledge.” After the death of its founder, J. Paul Getty, in 1976, the scope of the Trust’s mission-related activities broadened to include commitments to conservation, research and philanthropy related to the visual arts. Today, the Trust exists as an exempt operating foundation with four programs: the J. Paul Getty Museum (the Getty Museum” or the “Museum”), the Getty Research Institute, the Getty Conservation Institute and the Getty Foundation, through which the Getty pursues its mission in Los Angeles and throughout the world, serving both the general interested public and a wide range of professional communities in order to promote a vital civil society through an understanding of the visual arts.

II. Purpose of the Collection Policy

The Getty Museum seeks to foster a greater appreciation and understanding of art by collecting and preserving, exhibiting, and interpreting works of art. Our collection is the principal means by which the Museum’s mission is fulfilled, and the Museum is therefore committed to further developing the collection according to the highest ethical standards and in compliance with all applicable laws.

This Collections Policy (the "Policy") is intended to document and consolidate the policies that guide the development and care of the Museum's art collection, consistent with the Museum’s mission and with relevant professional standards. The Getty Trust’s Board of Trustees has adopted this policy to assure that Getty Museum collections are appropriately documented and accounted for, as well as protected, secured and preserved; that decisions to acquire, deaccession and lend works in Getty Museum collections are made in a manner consistent with the Museum's mission, compliant with applicable law, and reflective of the highest professional standards; and that collection-related activities promote the public good.

III. Scope of Getty Museum Collections

The Getty Museum's collection has been broadened, strengthened, and enlarged in the years since J. Paul Getty’s death, and at present encompasses art of the ancient Greek, Roman, and Etruscan world; European paintings, sculpture, drawings, illuminated manuscripts, and decorative arts created before 1900; photography from the inception of that medium to the present day; and a select group of modern and contemporary works of art, mainly European and American outdoor sculpture. From time to time, the Board of Trustees may authorize acquisition of extraordinary works of art outside the scope of these general categories.

IV. Duties of the Board of Trustees

With respect to the Museum collections, the Board of Trustees has authority to:

1. Act in a fiduciary capacity, providing oversight of the growth, maintenance, exhibition, conservation, study and publication of objects in the collection;

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2. approve all acquisitions valued in excess of one million dollars ($1,000,000), or as may be designated by the Trustees from time to time (pursuant to §3.2 of the Trust Bylaws);
3. approve all acquisitions of antiquities, of any value;
4. approve any proposal for joint ownership of a work of art;
5. approve the deaccession of works of art for sale, exchange, or other means of disposal;
6. approve loans of Museum objects pursuant to Section XI of this Policy; and
7. review on a regular basis the type and amount of insurance coverage carried for the Museum's collections and works of art on loan to the Museum.

V. Acquisitions

A. General Principles

Any object proposed for acquisition should be of excellent quality (involving a variable combination of visual power, inventiveness, strong content, and art-historical importance); fall within existing Museum collecting areas; advance the Getty's educational mission; and exist in a good state of preservation (unless, in special circumstances, its importance outweighs condition concerns; its restoration is deemed to be feasible by the relevant Museum conservation department; or the deteriorated physical condition is integral to the meaning of the work). The Museum must be able to obtain good title to any proposed acquisition, and to display, store and care for it according to generally accepted museum practices. All collecting must be in accordance with the highest standards of professional practice, consistent with guidelines promulgated from time to time by the Association of Art Museum Directors ("AAMD").

B. Acquisition Procedures

For all acquisitions, whether by purchase, gift, bequest or exchange, the curator recommending the acquisition must write a detailed report, including a description of the work, its condition, date and attribution, publication and exhibition history, importance and relevance to the Museum's collection, justification for acceptance, provenance, and intentions for display and publication. A conservator must examine all proposed acquisitions and provide a written analysis of the work and assessment of its condition. These curatorial and conservation reports must be reviewed and approved by the Museum Director.

All acquisitions of ancient art or archaeological material must be approved by the Board of Trustees. In all other areas of Museum collecting, the Museum Director has authority to approve acquisitions valued up to and including $100,000; the Trust President has authority to approve acquisitions valued up to one million dollars; and the Board of Trustees must approve any acquisition valued in excess of one million dollars. The Museum Director shall report all acquisitions to the Board of Trustees.

The Museum generally does not accept restrictions on proposed acquisitions; any exceptions require approval by the Board of Trustees (as, for example, if the proposed restrictions are not deemed onerous or inappropriate, and the Museum's best interest is served by accepting them). The Museum reserves the right to decline a gift or bequest for any reason, including but not limited to concerns about the costs of its transportation, installation, storage or conservation.

The Museum should obtain all rights of reproduction in works of art it acquires, unless the donor does not own such rights or the gift is made by a living artist of the artist's own work. In such cases, the Museum will seek a nonexclusive right of reproduction from the copyright owner.

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C. Provenance Guidelines

1. Guidelines for all Acquisitions

a. **Inquiry and Research**
No object will be acquired without assurance that good title can be transferred. The Museum shall rigorously research the provenance of a work of art prior to acquisition to determine that it is possible to obtain good title. Such research should include, but is not limited to:

- the ownership history of the work of art;
- the countries in which the work of art has been located and when;
- the exhibition history of the work of art, if any;
- the publication history of the work of art, if any;
- whether any claims to ownership of the work of art have been asserted;
- whether the work of art appears in relevant databases of stolen works; and
- the circumstances under which the work of art is being offered to the Museum.

For every acquisition, the Museum shall make a rigorous effort to obtain all available information and accurate written documentation about the ownership history of the object, as well as recent import and export documentation. Museum acquisitions must comply with applicable law.

b. **Accessioning, exhibition and publication**
Once acquired, a work of art will be promptly accessioned and catalogued in accordance with the Museum's standard procedures. The Museum shall publish an image (or representative images in the case of a large group of objects) and relevant provenance information online and display the acquisition as soon as practicable.

c. **Warranty and Indemnification**

The Museum will seek representations and warranties when buying works of art that the seller has good title and that the work of art is free from any liens, claims and encumbrances. The Museum will seek indemnification for a full refund for the work of art in the event of any material breach of warranty.

d. **Claims**

The Museum will take appropriate steps, promptly and in good faith, to address another party's claim to ownership of a work in the collection. These steps may, in the appropriate circumstances, include a decision to transfer the object to the claimant, provided such a transfer is consistent with the Trustees' legal and fiduciary duties as stewards of a charitable trust.

2. Nazi-Era Provenance

The Museum will be guided by the 1998 Report of the AAMD Task Force on the Spoliation of Art during the Nazi/World War II Era (1933–1945) (Addendum 2001) https://www.aamd.org, and, in addition to pursuing the rigorous research and documentation required for all acquisitions, will observe the following standards when considering the acquisition of works that were likely to have been in German-occupied Europe between 1933 and 1945.

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a. Where information is incomplete about a proposed acquisition, curatorial staff should undertake and document additional research to attempt to determine the Nazi-era provenance of the work. In the absence of evidence of unlawful appropriation, the gift or purchase may proceed. Where there is evidence of unlawful appropriation without subsequent restitution, the Museum shall not acquire the work until taking further action to resolve these issues.

b. If the Museum, as a result of its continuing research, determines that a work in its collection was unlawfully appropriated during the Nazi era without subsequent restitution, the Museum shall make such information public. If a legitimate claimant comes forward, the Museum shall seek to resolve the matter in a prompt, equitable, appropriate and mutually agreeable manner.

c. In the event that a third party claims that a work in the Museum's collection was unlawfully appropriated during the Nazi era without subsequent restitution, the Museum shall review the claim promptly and responsibly. The Museum shall request information from the claimant in order to assist in determining the ownership of the work. If after working with the claimant, the Museum determines that the work was unlawfully appropriated without subsequent restitution, the Museum shall seek to resolve the matter in an equitable, appropriate and mutually agreeable manner.

3. Archaeological Materials and Ancient Art

1. In addition to pursing the rigorous research and documentation required for all acquisitions, the Museum will observe all of the following standards when considering any acquisition of antiquities, including archaeological material and ancient art.

    a. The Museum will thoroughly research the ownership history of any proposed acquisition of antiquities, including a rigorous effort to obtain accurate written documentation about ownership history and import and export documents;

    b. the Museum will seek from sellers and donors all information of which they have knowledge, and all documentation that they possess, about the work being considered for acquisition, as well as appropriate warranties;

    c. the Getty Museum must comply with applicable local, state and federal laws relevant to acquisition decisions;

    d. the Museum will generally not acquire an object in the absence of provenance research substantiating that the work was outside its country of modern discovery before 1970 or legally exported from its country of modern discovery after 1970;

    e. if, after extensive research, an object’s documented ownership history back to 1970 remains incomplete, the Museum may acquire the work based on substantial evidence that the work was outside its probable country of modern discovery before 1970 or legally exported from its probable country of modern discovery after 1970; and

    f. in the event that the Museum acquires an object pursuant to Section 3.1.e. above, the Museum shall post identifying information about the object, including an image,

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its known provenance and facts relevant to the decision to acquire it, on the Getty website.

2. In considering any acquisition of ancient art or archaeological material, the Museum shall carefully balance the possible financial and reputational harm of acquiring the work against the benefit of collecting, presenting and preserving the work in trust for the educational benefit of future generations.

3. Every acquisition of ancient art or archaeological material must be approved by the Board of Trustees, following review by an ad hoc committee of the Board of Trustees.

4. If, in the course of continuing research, the Museum obtains information that establishes another party's ownership of a work, the Museum shall bring this information to the attention of that party. In the event that a third party brings to the attention of the Museum information supporting that party's claim to the object, the Museum shall respond promptly and responsibly, and shall take appropriate steps to address the claim, including, if justified, returning the work.

VI. Jointly Owned Works of Art

In some circumstances, it may benefit the Museum to share ownership of a work of art with another institution or individual. All proposals to share ownership of a work of art must be approved in advance by the Board of Trustees, and should carefully consider all of the proposed terms of joint ownership, including but not limited to, each owner's responsibility for storing and conserving the object; for sharing the costs, if any, of acquisition; and for allocating rights of exhibition and publication. Curators should work closely with the Office of the General Counsel on appropriate terms and conditions for any joint acquisition.

VII. Staff Policies Related to Acquisitions

A. Appraisals

The Museum does not provide appraisals to donors. Consistent with IRS guidelines, the Museum cannot act as a qualified appraiser because of the inherent conflict with its role as a donee. If a donor asks for assistance in locating an appropriate appraiser, a Trust employee may suggest several qualified appraisers, but more than one name must be provided. The Museum should not make arrangements for the appraisal and cannot pay for the appraisal. The Museum may provide an appraiser with access to the work of art, images of the work and any appropriate and relevant factual information in the Museum's possession.

B. Personal Collecting

The Trust recognizes that Trustees and employees may collect works of art for their personal enjoyment. Trustees and employees must exercise good judgment and take care to avoid conflicts of interest between themselves and the Museum, and must be familiar with and adhere to applicable Trust ethics policies.

A Trustee or employee who learns of an object available for purchase that is reasonably likely to be of interest to the Museum may not compete with the Museum and is expected to place the interests of the Museum ahead of his or her own in acquiring the object.

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VIII. Deaccessioning

A. General

In forming and maintaining a collection of the highest quality, the Board of Trustees consider it legitimate and desirable to refine the collection through the occasional sale, exchange or donation of previously-acquired works of art. The purpose of removing works of art from the collection (also known as deaccessioning) is to strengthen the collection. Deaccessioning may enable the Museum to acquire better works than those removed from the collection.

The removal of works of art from the Museum's collection must be carried out judiciously, with the same caution and prudence as is exercised in acquisition. The Museum will honor all legal restrictions imposed on a gift or bequest of a work of art, as well as, to the extent feasible, precatory requests accompanying gifts or bequests. Works by living artists should not be sold except to acquire a superior work by the same artist and then with the agreement of the artist, if possible.

B. Criteria

Objects may be removed from the permanent collection for any of the following reasons, without limitation:

1. Proceeds from the sale of the object can enhance the collection by providing acquisition funds.
2. The object is deemed inferior in quality to the overall standard of the collection.
3. The object is duplicative and thus deemed unnecessary to retain.
4. The object can be exchanged as full or partial compensation for a more desirable work.
5. The condition of the object is such that repairs are not feasible or will render the object essentially false.
6. The object is a forgery or reproduction.
7. The object does not belong to any field within which the Museum collects.
8. A trade involving the work of art is available and is deemed advantageous with respect to the collection of the Museum.
9. Possession of the object violates the law or applicable Trust policy.

C. Guidelines

1. **Approvals**. The Director and President may approve the deaccessioning of objects valued up to and including $100,000. The Board of Trustees must approve the deaccessioning of objects valued higher than $100,000. All deaccession decisions must be promptly reported to the Board of Trustees.
2. **Proceeds**. Proceeds from the sale of deaccessioned objects will be credited to the Museum's acquisitions funds. Expenses incurred in the disposal of an object (with the exception of a seller's premium at auction) will come from Museum operations and will not be deducted from the proceeds of the sale.
3. **Restrictions**. Before recommending the deaccessioning of any object, the Museum shall confirm that it has good title to the object (unless title concerns are the basis for deaccessioning) and that there are no legally binding restrictions that prevent disposal. When legally binding restrictions are attached to an object, they will be observed unless the Museum is relieved from compliance with such restrictions by appropriate legal authorities.

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4. **Credit to donors**. In the case of sale or exchange of gifts or bequests, credit to the donor will be transferred to resulting acquisitions where appropriate.
5. **Notification**. In the case of an unrestricted gift, the Museum will make a reasonable effort to contact the donor to apprise him or her of the proposed removal. Such action shall not be construed as a request for permission to deaccession.
6. **Term of possession for gifts**. Accessioned works must remain in the collection at least three years before being deaccessioned.
7. **Forgeries and reproductions**. A forgery will be so marked and the Museum will not return it to the market, unless disposal can be accomplished in a reasonable manner, without confusion to a potential buyer.
8. **Records.** The registrar's office will maintain a permanent record of any work deaccessioned, including a report on its condition and the circumstances of its removal from the collection.
9. **Methods of disposition**. The methods of disposition may vary according to the existing market for each type of object and according to current market conditions. There are six principal methods of disposing of deaccessioned objects:
   a. by sale at public auction;
   b. by sale through consignment, by whole or partial exchange, or by direct sale to a dealer or other buyer;
   c. by gift, whole or partial exchange, or direct sale to another museum or suitable institution;
   d. by return to the original vendor for reimbursement;
   e. by return to a previous owner or to the country of origin, for such compensation as is deemed appropriate;
   f. if there is minimal or no market value, deaccessioned objects may be assigned as study material for research or conservation.
10. **Ethical considerations**. Members of the Museum staff, Trustees, their spouses, or entities in which these individuals or their spouses hold a beneficial interest exceeding five percent, may not acquire directly or indirectly a deaccessioned object or otherwise benefit from its sale or trade. No deaccessioned objects may be acquired from the Museum by any person or entity barred from transacting business with the Museum by applicable law or Trust policy.

IX. Care of the Collections

The Museum is entrusted with the preservation of its collection, as well as works of art on loan, and must be guided by respect for the integrity and conservation of the art. Conservation is essential to the Museum's stewardship of its collection. The Museum shall conserve works of art in accordance with the highest standards. The Museum shall provide a safe, stable and appropriate environment for the collections, with effective security and environmental control, for the benefit of present and future generations. The Museum should maintain appropriate standards of handling and installation to preserve works in the collection. The Museum's conservation standards shall be maintained for works of art on loan to the Museum or borrowed from the Museum.

X. Records and Inventories

The Museum, through its curatorial, registrar and conservation departments, shall maintain accurate, up-to-date records on the identification, location and condition of all objects in the

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collection, as well as of ongoing activities such as exhibitions, loans, research and correspondence with donors, artists and scholars. These records should be recorded in the Museum's collections management database (TMS). Any original paper files regarding the acquisition of objects should also be retained. Each curatorial department maintains coherent, organized records on accessioned, non-accessioned and deaccessioned works of art, departmental loans, exhibition loans, and works of art brought into the Museum for possible purchase or gift. Curatorial Departments are responsible for updating and maintaining TMS records for their collections and for administering TMS rights to ensure limited and appropriate access to confidential records.

All records created or received in the transaction of the Museum's proper business are the property of the Museum and must not be dispersed or destroyed except in accordance with its record retention policy.

The Museum shall make available to qualified researchers and scholars materials relating to the collections unless they are confidential or would suffer physical harm if handled.

Getty security officers will make daily inspections of Museum galleries and exhibition cases. The inventory of Museum collections is subject to review by internal auditors.

XI. Access to Museum Collections

The Getty Museum is dedicated to the presentation, conservation, study and interpretation of the world's artistic legacy. The Museum pursues its mission locally, nationally and internationally, serving both the general interested public and a wide range of professional communities in order to promote a vital civil society through an understanding of the visual arts.

Among the primary means for the Getty Museum to fulfill this mission is the presentation of exhibitions of its own works and those borrowed from other owners. The Museum shall provide additional access to its collections through study rooms and loans to other institutions. The Museum shall support continuing scholarly investigation and research in order to document, publish, and advance understanding of the Museum's collections as well as contribute to broader academic and public discourses.

Access to collections and related information can take various forms, including publications, public programs, and digital means such as the Getty website, social media, podcasts and interactive forms of engagement.

XII. Outgoing Loans

1. General

In order to make the collections available to a larger public and to advance art historical research, the J. Paul Getty Museum will lend works of art from its permanent collections.

2. Criteria

Loans will be made to qualified institutions for exhibition, display, or other educational purposes based on the following criteria:

1. the quality of the borrower's project, including its scholarly purpose and the public exposure the loan can give to the object;

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2. the condition of the object and its ability to withstand the rigors of transport, handling, and public display;
3. the ability of the borrower to handle, install, secure, display and otherwise care for the object safely; and
4. a risk assessment of the external environment of the borrower, including war, terrorism, extreme weather conditions, etc.

3. Guidelines

1. All loans must be approved by the Director and reported to the Board of Trustees.
2. Individual loans valued at $50 million and higher will be presented to the Board of Trustees for approval.
3. Loans will be made in accordance with the current Museum procedures approved by the Director.
4. Every loan will be governed by a written agreement stating requirements and conditions to which the borrower must agree. All loans shall be made for specified periods of time.
5. The Museum typically lends only to public or private museums. Loans will not be made to private individuals or commercial galleries except under exceptional circumstances.
6. The Museum will not lend an object if its display in the Museum is necessary to maintain the integrity of the Museum's own gallery installation or exhibition program.

XIII. Effective Date

This Revised Policy shall be effective immediately upon approval by the Board of Trustees and shall supersede all prior policies on the topics addressed herein.

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