

POLICY STATEMENT

AS(PEP)73-16

Superseded by
*74-12*RULES FOR THE ACQUISITION OF ARCHAEOLOGICAL AND ART OBJECTS

The following general principles are to govern the University with respect to the acquisition (whether by gift, bequest, or purchase, or through the activities of scientific or archaeological expeditions) of works of art and antiquities:

1. The faculty member, museum director, librarian, curator, or other University officer responsible for making an acquisition or who will have custody of the acquisition, should assure himself that the University can acquire valid title to the object in question. This means that the circumstances of the transaction must be such as to give him adequate assurance that the seller or donor has valid title to convey.
2. In making a significant acquisition, there should be reasonable assurance under the circumstances that the object has not, within a recent time, been exported from its country of origin (and/or the country where it was last legally owned) in violation of that country's laws.
3. In any event, there should be reasonable assurance under the circumstances that the object was not exported after the date this policy was approved in violation of the laws of the country of origin and/or the country where it was last legally owned.
4. The University will refuse to acquire objects in any case where there is reasonable cause to believe that the circumstances of their recovery involved the recent unscientific or intentional destruction of sites or monuments, or which have otherwise been acquired illegally; these restrictions shall also apply to archaeological objects excavated or collected in the United States.
5. If there is doubt about the relevant determinations under paragraphs 1-4, consultation should be as wide as possible. Particular care should be taken to consult colleagues in other parts of the University whose collecting, research, or other activities may be affected by a decision to acquire an object. Where appropriate, the legal counsel to the University should be consulted, and, where helpful, a special panel should be created to help pass on the questions raised.
6. The University will not acquire (by purchase, bequest, or gift) objects that do not meet the foregoing tests. If appropriate and feasible, the same tests should be taken into account in determining whether to accept loans for exhibition or other purposes.
7. Those making or having custody of acquisitions will be responsible to the President for the observance of these rules. All information obtained about the provenance of an acquisition must be preserved, and unless, in the opinion of the relevant official and the legal counsel to the University, special circumstances exist in a specific instance, all such information shall be available as a public record. Prospective vendors and donors should be informed of this policy.
8. If the University should in the future come into the possession of an object that can be demonstrated to have been exported or acquired in violation of the principles expressed in Rules 1-4 above, the University should, if legally free to do so, seek to return the object to the donor or vendor, or to the proper owner or nation, as found appropriate.

Distributed to Academic Senate 11/17/72 and 12/8/72. Approved by Senate 12/8/72. Approved with changes by President of the University 1/3/73. Final approval (with changes resolved) received from the President of the University 2/23/73.