

VeRes Code of Ethics

The association was lucky that the code was translated in English for us since it was used as an example of such a code in a symposium concerning Law and the Arts in Switzerland last year. It was translated by Caroline Forder, Lecturer in Law, Rijksuniversiteit Limburg (NL), and Gerhard Rijken, Professor of Consumer Law, Rijksuniversiteit Limburg and Appeal Court Judge in the Gerechtshof Arnhem. It was the conclusion of Caroline Forder that the code provided a good tool to lawyers and therefore to the public as well it being a good help to restorers (as always the dutch word for conservator).

The code was conceived in 1992 using all then available codes: UKIC, AIC, ADR etc. A workgroup was established that discussed the subjects to be treated. Then the code was written using the other codes as a backbone. To make the final text the help of a well experienced (since pensioned) public prosecutor was sought to advise the workgroup on the final draught. The thus produced text was then scrutinized by the members of **VeRes**--the Dutch association of professional restorers--and, with minor changes, passed the assembly. Every year at the annual meeting every member can ask for changes to be made, this has again to pass the assembly. If you have any questions or remarks please contact me,

yours,

[Bas van Velzen](#),

*on behalf of the board of **VeRes***

The Code aims to provide the restorer with a number of generally accepted norms, which should inform the restorer in the carrying out of his professional work. In the introduction to the Code is stated 'The restorer is always in the service of the object upon which he is working, with the purpose of protecting and conserving cultural property.' The restorer's obligations are divided into four groups: responsibilities in respect of objects; responsibilities in respects of persons commissioning restoration; relationship to colleagues, trainees and the profession; and obligations to the public. The following is a translation of these provisions.

All masculine pronouns in the text refer to women and men alike

1. Responsibility in respect of objects

1.1 Respect for the integrity of the object

All professional actions of a restorer are to be guided by unswerving respect for the aesthetic and historical value and physical integrity of the object.

1.2 Reversibility

The restorer's actions should be guided by the principle of reversibility. He endeavours to avoid the use of materials which he must know or suspect will be, for one reason or another impossible to remove, or where the removal may involve damaging the object. He avoids techniques which cannot be reversed.

1.3 Suitability of, and necessity for, treatment

The restorer shall not recommend or carry out any treatment of an object which is not suitable for the purpose of maintenance, conservation or restoration, and which does not serve the interests of the object. The necessity for, and the quality of, the treatment should be of greater importance to the restorer than his fee and the other costs borne by the commissioner of the restoration work.

1.4 Restraint in actions

In all activities such as reparation of damage, the filling of gaps and the removal of materials and/or parts, the restorer shall act with as much restraint as possible; restoration should only be carried out after painstaking research, and naturally with consultation with the person commissioning the restoration. Removed and/or replaced parts of an object must be returned to the person commissioning restoration.

1.5 Quality

In every action in relation to an object the restorer shall always strive, regardless of his opinion of the value and quality, of the object, for the best possible treatment. Although circumstances can limit the extent of treatment, the quality of treatment may never be influenced by the value and quality of the object.

1.6 Competence and possibilities

It is the restorer's responsibility to only perform investigations and actions which are within the limits of his competence and possibilities.

1.7 Permanent self-education

The restorer is responsible to ensure that he is informed of new developments in his field, and to train constantly, so that he is always able to give the best possible treatment.

1.8 Other persons concerned

Without prejudice to the provisions of paragraph 3 of this Code (relationships with colleagues, trainees and the profession), the restorer is obliged, in respect of an object for which he is responsible, to protect and preserve that object when trainees and members of staff perform work upon the object.

1.9 Own objects

When the restorer is owner or co-owner of an object, or when he has a similar interest in the object, the requirement of quality will apply as if the object was the property of a third party.

2. Responsibilities towards the person commissioning restoration

2.1 Contract

Although an oral contract is legally effective, a restorer should, as a matter of preference, conclude a written contract with the person commissioning restoration work. The contents of the contract must not conflict with the ethical norms with this Code, the restorer is bound to comply.

Clear appointments should be made with the person commissioning the work in respect of the following matters

1. specification of the object to be treated
2. description of damage and condition of the object
3. description of the work to be carried out
4. estimated costs of treatment and manner of payment
5. manner of reporting to the person commissioning the work
6. insurance of the object
7. additional costs if applicable
8. estimated duration of the restoration
9. provision in the event of disputes

2.2 Quotation

Quotations are, respecting the specified treatment and materials, binding within a reasonable period. Where, during the period in which the quotation is still valid, a better treatment is identified, a new quotation may be made on the basis of the new treatment. The restorer may charge a reasonable sum for the expertise deployed by him in preparing the quotation.

2.3 Information and reporting

The restorer should discuss the preferred treatment with the person commissioning the work and shall not misuse knowledge available to him in order to mislead the person commissioning the work as to the duration and cost of the treatment. Moreover the restorer shall always inform the person commissioning the work, when requested by the latter, as to the progress of the work, the condition at that moment and the location of the object. The person commissioning the work must be given the opportunity to verify this information.

2.4 Remuneration

Remuneration for restoration or conservation, the giving of advice, damage valuation or supplying other expertise must be in accordance with the actions performed to such ends. When the total costs are established the following matters must be taken into account: the necessary time and work, the cost of materials, transport, apparatus and insurance. Restorers may not request remuneration which exceeds the value of the works performed by him: nor a remuneration which undervalues his work. The value of the object shall not influence remuneration.

2.5 Punctuality and progress

The restorer must estimate the duration of the treatment and do his best to keep to the estimate. When it becomes apparent that the duration of the treatment, for whatever reason, will deviate from the estimated duration, the person commissioning the restoration must be informed without delay.

2.6 Changes in treatment and/or costs

If the restorer concludes that a different treatment must be used than the treatment which was agreed, he must communicate this fact to the person commissioning the restoration as quickly as possible. If the treatment deviates significantly from that which was agreed or if the costs will be higher than was agreed, the restorer shall not commence or continue work until the person commissioning restoration has agreed to the proposed treatment and the costs thereby incurred.

2.7 Reporting

The restorer must document his activities and the materials used in order to be able to consult the documentation in the future. At the request of the person commissioning the restoration the restorer shall make a detailed report recording methods and materials, the making of this report will be charged on the normal hourly tariff. The treatment report should contain the following matters:

1. A description of the manner of treatment with precise details of the materials and methods used, including:
 - a) the manner in which materials and parts were removed:
 - b) the manner in which and the materials (specifying manufacturer and supplier) with which activities on the form and composition of the object were carried out, such as reinforcements, stabilisers and protection of the surface and structure.
2. Photographic documentation, with accompanying text, of:
 - a) the condition of the object before treatment;
 - b) the condition of the object during treatment, including, where appropriate, details;
 - c) condition after treatment and visual aids which are necessary to provide insight into the structure and construction of the object which, in the course of treatment, were revealed to be different than had previously been thought, or which confirmed existing hypotheses.

2.8 Interpretation of research results

Conclusions of research must always be communicated to the person commissioning the restoration. The restorer must motivate his opinion, especially regarding the characteristics of the object.

2.9 Warranty

Notwithstanding that a restorer should always work to the highest possible standards in the performance of his work, it is not considered professional to give an unconditional warranty in respect of the quality of the final result.

2.10 Disputes

In the event of dispute between the restorer and the person commissioning restoration, the restorer may not refuse arbitration where the person commissioning the restoration wishes to go to arbitration. Disputes can be presented to the Board of the Dutch Association of Restorers (**VeRes**), which will decide whether an investigation is desirable. Disputes in respect of the quality of the work can, in the last resort, be brought to an arbitration commission with a membership of three. This commission shall consist of one member selected by the person commissioning the restoration; one member selected by the restorer; and one member selected jointly by the other two members. The provisions of the Dutch Arbitration Institute (Nederlands Arbitrage Instituut) are applicable.

3. Relations with colleagues, trainees and the profession

3.1 Contributions to the profession

The restorer is obliged to share his knowledge and experience with colleagues and students. He shall

not keep knowledge or techniques which he discovers to himself in order to place himself in a better position than his colleagues. He shall, when requested, impart where, or from whom, particular knowledge is to be found. The restorer shall respect his teachers and sources and also make his own contribution to the profession. He is obliged to allow, against reasonable payment, colleagues to make use of a patented invention which he makes in connection with the profession.

3.2 Trainees

A restorer is obliged to supervise his trainees insofar as his knowledge, possibilities and resources allow. A written agreement between trainee and restorer should be concluded in which provision is made in respect of the duration of the placement, the content of the placement, and, where applicable, payments or expenses in respect of services and other provisions applicable by statute. The trainee should acquaint himself with the Code of Ethics.

3.3 Comment upon the professional competence of other members of the profession.

A restorer may, if requested, give his opinion of the professional competence of a colleague, but only if the interests of the object are thereby served. He must give a considered response based upon his personal knowledge and experience. He must be mindful of the damage which he could cause to the person concerned.

3.4 Intermediaries

A restorer shall, as a rule, refrain from accepting commissions which have been concluded with someone other than the owner or the person or institution which has responsibility for the object. Commissions from intermediaries may, nevertheless, be accepted, if the restorer is not in any respect restricted in his contact with the owner or the responsible person or institution. He must at all times be in a position to perform his activities in accordance with the provisions of the Code of Ethics.

3.5 Consultation and reference

A restorer cannot be considered to be fully competent in the entire restoration field. When a restorer is of the opinion that his expertise does not permit him to accept or carry out a commission, he should not hesitate to engage the help and expertise of a colleague or third party whose expertise guarantees a good treatment. The person commissioning the work must be informed of the involvement of the other restorer and his permission should be obtained.

3.6 Return of referred work

The restorer who has taken over a commission initially accepted by another restorer shall, after completion of the job, return the work, and shall make no attempt to retain the person commissioning the work as his client.

3.7 No commission

A restorer who has referred a job to another restorer (in some cases from another discipline) shall not ask for a commission or share in the remuneration. Naturally the restorer can require payment for works carried out by him on the object, and expenses incurred.

4. Obligations to the public

4.1 Education of the public

In his relationship with the public the restorer should never miss the chance to inform the public about the objectives and possibilities of his profession, in order that the public acquire a better understanding of the restorer and his work.

4.2 Protection of the public interest

The restorer must protect the public against moonlighting and unethical conduct of restorers by pointing out such conduct to the public. A restorer who suspects a member of **VeRes** to be guilty of unethical conduct can send a written complaint to the Board of **VeRes** with a description of the reasons for the complaint.

4.3 Misrepresentation

Qualitatively inadequate treatment of objects, with a view to financial gain from clients or buyers, is so much in conflict with the ethical behaviour to be required of a restorer that such behaviour can lead to termination of membership of the association.

4.4 Expertise

The results of the restorer's research and activities can contribute to the historical and art-historical knowledge in respect of objects and thus play a role in determining the authenticity of an object. A restorer can only give an opinion about the genuineness of an object where his expertise in respect of materials, techniques and condition is concerned. A restorer shall not give a binding opinion in respect of the authenticity of objects.

4.5 Valuation

A restorer shall refrain from making valuations. The valuation of an object is the exclusive preserve of a registered valuer. A restorer can, by offering his expertise, only make a contribution to valuation.

4.6 Declarations in the name of VeRes

Individual members shall not make statements in the name of **VeRes**.



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