

VEREENIGING VAN HANDELAREN IN OUDE KUNST IN NEDERLAND (VHOK)
(ASSOCIATION OF FINE ART DEALERS IN THE NETHERLANDS)

Code of Conduct

A. Scope

1. These rules apply to the members of the Association and must be observed by them in the conduct of their business or profession in the Netherlands or elsewhere.
2. They serve the purpose set out in Article 21(2) of the Articles of the Association: "The rules of conduct are designed to ensure that the business or profession of fine art and/or antiques dealer, and the performance of anything connected with this, is conducted only in an expert manner and with due regard to the degree of care that may reasonably be expected, because the interests of the parties are best served in this way".

B. Expertise

1. Each member warrants that he is and will remain sufficiently expert in the field in which he carries out his business or profession.
2. For this purpose "expertise" means: the ability, as a result of experience and/or education and further study, to carry out the business or profession of fine art and/or antiques dealer to high standards and in fact to carry out that business or profession.
3. The member is obliged, having due regard of the standards set out in paragraph 1 and according to the state-of-the-art in terms of knowledge and experience at any given time:
 - a. to establish the nature, origin and the period in which the work of art or collection was created;
 - b. to detect the modifications and repairs it may have undergone, and a lack of authenticity of the object;
 - c. to indicate what the approximate value is of the object or collection with a view to its sale, purchase, partition or insurance;
 - d. to be able to show what his knowledge and opinion are based on.
4. Each member is required to inform the committee of the Association of his area of expertise, at least indicated in terms of object, period and region. The committee will keep a register of this. The register is public.
5. A member may be expert in various areas of expertise.

C. Duties

1. If a member's opinion is asked, he is required to make his experience and expertise available without reserve, unless the wishes of his client are inconsistent with rules of proper conduct.
2. If his own interest or the interest of a third party is incompatible with this duty, he must make this clear to his client or the person asking for his advice.
3. The member's judgment shall be given without fear or favour and without regard for any personal interest other than that of the honourable conduct of his profession.
4. The member shall refrain from any act that would discredit his profession and/or himself, including for example:
 - a. using or employing tendentious appraisals;
 - b. buying or selling works of art or antiques concerning which it is reasonable to suppose that the origin and/or ownership is dubious;
 - c. the use of the name or quality of an expert with a view to improper commercial publicity.

D. Confidentiality

Within the limits of the law and his obligations the member has, by virtue of his membership, a duty of confidentiality concerning everything relating to his clients.

E. Responsibility

1. The member accepts responsibility for his professional activities, and also for the persons attached to his business whether as employee or trainee.

F. Conduct towards other members

1. The members' conduct towards one another shall be loyal, courteous and sympathetic and their attitude towards one another shall be based on trust.
2. If members are confronted with an object of value, which has previously been assessed by another member, they shall not express any opinion concerning the actions of the colleague in question without having first heard what he has to say. In the event of a difference of opinion, they shall refer the complainant to the committee and inform the committee.
3. If the members are unable to reach a compromise, the committee shall be informed and the complainant referred to the committee.

G. Complaints

1. A complaint may be made about any member who is alleged to have acted in breach of these rules.
2. Complaints may be lodged with the secretary of the Association, who will ensure that they are immediately forwarded to the arbitral tribunal as referred to in Article 22 of the Articles of the Association.