Association of Registrars and Collections Specialists Conference

*Complicated Loan Negotiations: Informal Study of Various Industry Requirements and Solutions*

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# Registrar questionnaire used for survey:

(question numbers followed by "M" were asked only to museum/other participants)

1. Can you please specify your organization?
    - Gallery
    - Museum
    - University Museum
    - Estate
    - Foundation
    - Private Collection
    - Other:

2. Who on your staff handles outgoing loans?
    - Collections Manager / Registrar
    - Curator
    - Family Member
    - Lawyer
    - Other:

2M. Who on your staff handles incoming loans?

- Collections Manager/Registrar
- Curator
- Lawyer
- Other

3. Do you use your own outgoing loan agreement or do you accept the agreement from the Borrower?
    - Own outgoing loan agreement
    - Agreement from the Borrower

3M. As a Borrower, do you use your own incoming loan agreements or do you accept the agreement of the lender?
    - Own incoming loan agreement
    - Lender loan agreement
    - Both

4. Do you accept Indemnity programs? If you accept Indemnity programs only with certain countries, please specify the countries in "Other".
    - Yes
    - No
    - Other:

5. Do you have any special insurance requirements? Select all that apply.
    - Terrorism
    - Additional Insured
    - Loss Payee
    - Waiver of Subrogation
    - Borrower is responsible for the loss even if not covered by insurance
    - Zero deductible on Borrower's insurance or other contractual language that makes the Borrower responsible for the deductible.
    - Specific coverages required depending on location – Earthquake, Windstorm, Flood
    - Jurisdiction change
    - Immunity from seizure
    - Other

5M: As a Borrower, which insurance requirements below will you agree to? Select all that apply.
    - (List is same as question #5)

6. Do you require a Certificate of Insurance evidencing coverage?
    - Yes
    - No

7. Do you require a copy of the Borrower's policy to review?
    - Yes
    - No

8. Do you require a list of policy exclusions, endorsements and any conditions of the policy that could affect the loan?
    - Yes
    - No

9. Are there any specific exclusions you would have removed from a Borrower's insurance policy? If so, please detail:

9M. As a Borrower, are there any specific insurance you would not agree to regarding a Lender's insurance requirements? If so, please detail

10. If the Borrower can't comply with your requirements, do you ever require the Borrower to take out a policy through your broker/insurance company?
    - Yes
    - No

11. Do your requirements vary dependent upon the Borrower institution (i.e. museum, commercial gallery)?
    - Yes
    - No

12. Are your loan requirements flexible? If so, in what areas?

13. Do you require the Borrower to list you as Additional Insured under their General Liability policy?

13M. As a Borrower, will you agree to list lenders as Additional Insured under your General Liability policy?

14. Foundations: Does your organization/institution have formal guidelines for insurance requirements surrounding Loans? Who on your staff sets the guidelines for insurance requirements surrounding Loans?

15. What is your procedure for condition reports as it pertains to loans?

15M. As a Borrower, how do you deal with loans that come in with no baseline condition report? Do you assume that they are in the same condition as when they left the Lender?

16. Have your loan agreements evolved over time? If so, how have they changed? What factors contributed to changing your loan agreements?

17. Do you have specific security requirements during transport and exhibition?

18. Do you require couriers?
    - Yes
    - No

19. Do you request rights of refusal regarding transport agents or carriers as part of you loan agreement?
    - Yes
    - No

20. For Estates or Private Lenders, do you require another work be provided by the Borrower in exchange for the one they are lending?
    - Yes
    - No

20M. If an Estate or Private Lender requires another work be provided by your institution in exchange for the one they are lending, will you comply?

21. Any other comments?