

## EUROPEAN INDEMNITY SCHEMES – COMPARATIVE CHART – version 24.07.2019

	regulation	works covered	nail to nail	risks excluded	waiver of subrogation	beneficiaries	limit	own risk / limitation of liability	maximum aggregate value	to whom state indemnity is granted	formal declaration (acceptance) of lender needed
<b>AUSTRIA</b>	YES	incoming loans	YES	<ul style="list-style-type: none"> <li>• all types of armed conflict – civil wars, revolutions, revolts, riots, insurrections, uprisings, strikes, lock-outs or any military or official action related to such incidents;</li> <li>• terrorist acts</li> <li>• nuclear disaster</li> <li>• wear and tear or deterioration of works, and damage resulting from improper use</li> <li>• malicious intent and negligence on the part of the lender</li> <li>• any damage that has occurred irrespective of the exhibition</li> <li>• any damage covered by a private insurance contract</li> <li>• any damage arising as a result of inexpert restoration work</li> <li>• any damage arising as a result of improper cleaning and care of the objects</li> <li>• any damage which would have occurred even if the exhibition had not been held</li> </ul>	NO	only national museums	minimum limit: not stipulated by law, but defined by the Min. of Fin.: EUR 2500/object and EUR 5000/lender maximum limit: 100 million EUR/project	YES (no liability for insignificant loss)	1 billion EUR at any one time	to the lender	NO
<b>BELGIUM</b>	NO										
<b>BULGARIA</b>	YES	outgoing loans long-term loans national collections	YES	NO	NO	all (Min. of Cult., national, regional, municipal and private museums)	NO	NO	NO	to the lender (outgoing loan!)	NO



<b>ITALY</b>	YES	incoming loans national collections	NO	<ul style="list-style-type: none"> <li>• war, invasions, act of war from foreign enemies, hostility (with or without declaration of war), civil wars, rebellions, revolutions, insurrections, military or usurped power,</li> <li>• ionic radiations or radioactive contamination developed from nuclear combustible or from nuclear slag derived from phenomenon of transformations of the nucleus of atom or from radioactive, toxic, explosive properties or from other dangerous features of nuclear equipment.</li> <li>• normal utilization or gradual deterioration; moth, vermin or harmful animals; intrinsic defect,</li> <li>• damages caused by defective or insufficient packing, except revenge towards the responsible persons,</li> <li>• damages noticed during the inventory</li> </ul>	YES	national museums and publicly funded museums (private museums are excluded)	NO	NO	NO	to the lender	yes
<b>LATVIA</b>	NO										
<b>LITHUNIA</b>	YES	incoming loans	NO (coverage only on the territory of Lithuania)	NO	NO	national museums and publicly funded museums (private museums are excluded)	minimum limit EUR 300 000/project	YES (1% of the value of the object)	NO	to the borrower	NO
<b>LUXEMBURG</b>	NO	incoming loans outgoing loans long-term loans cultural institutions under the responsibility of Ministry of Culture	YES	NO	NO	all	NO	NO	NO	to the lender	NO
<b>MALTA</b>	NO		YES	<ul style="list-style-type: none"> <li>• terrorism</li> <li>• acts of war</li> <li>• nuclear threats</li> </ul>	YES	national museums and publicly funded museums (private museums are excluded)	NO	NO	NO	to the lender	YES
<b>PORTUGAL</b>	NO										
<b>THE NETHERLANDS</b>	YES	incoming loans long-term loans	YES	the Dutch Indemnity Scheme is based on a combination of a commercial insurance and a state guarantee. The conditions of the commercial insurance apply to the state indemnity **	**	all	NO	YES (varies according to the total insurance value; over 30%; max.: EUR 45.000)	EUR 300 million at any one time	to the borrower	NO

<b>NORWAY incoming</b>	YES	incoming loans	NO (not Automatically, but can be extended to nail to nail coverage)	<ul style="list-style-type: none"> <li>acts of war</li> </ul>	YES	all	minimum limit: NOK 5 million (appr. EUR 560 000) /project	YES (amount set each year in the state budget)	NOK 4 milliard/ year (appr. EUR 450.000.000)	to the lender	YES
<b>NORWAY outgoing</b>	YES	outgoing loans national collections	YES	<ul style="list-style-type: none"> <li>acts of war</li> </ul>	NO	all	minimum limit: NOK 3 million (appr. EUR 337.000) /project	YES ( <i>lender</i> : 1‰ of the value or max. NOK 100.000 (EUR 112.500) for risks related to transportation and storage; <i>borrower</i> : 1‰ or max. 100.000.NOK for risks related to the exhibition)	NOK 2,8 billion (appr. EUR 315 million) in 2009	to the lender	NO
<b>POLAND</b>	YES	incoming loans long-term loans	NO (e.g. transport, crating, installation excluded)	<p>generally: *</p> <ul style="list-style-type: none"> <li>acts of war</li> <li>nuclear threats</li> </ul> <p>(the exclusions are not mentioned in the state indemnity legislation, but the general Polish law on insurance excludes coverage of these risks)</p> <ul style="list-style-type: none"> <li>it depends on the final version of the contract</li> </ul>	depends on the final version of the contract	all	minimum limit: EUR 500.000/project	depends on the final version of the contract	depends on the final version of the contract	to the lender	YES
<b>ROMANIA</b>	YES	incoming loans long-term loans	NO (coverage only on the territory of Romania)	NO	NO	all foreign demanders (where state indemnity scheme exists)	NO	NO	NO	to the lender	YES
<b>SLOVAKIA</b>	YES	incoming loans long-term loans	NO (coverage only on the territory of Slovakia)	<ul style="list-style-type: none"> <li>acts of war</li> <li>terrorism</li> <li>extraordinary incidents</li> <li>acts of negligence during the exhibition and transportation</li> </ul>	NO	national museums and publicly funded museums (private museums are excluded)	minimum limit EUR 40.000/project; maximum limit: EUR 10.000.000 /applicant	?	?	to the borrower	NO
<b>SLOVENIA</b>	YES	incoming loans outgoing loans	?	?	?	national museums and publicly funded museums (private museums are excluded)			?	?	?

<b>SPAIN</b>	YES	incoming loans long-term loans national collections (if they are exhibited in state museums or state building)	YES	<ul style="list-style-type: none"> <li>• damage resulting from wear and tear,</li> <li>• misdeeds on the part of the owner, nuclear accidents and</li> <li>• the seizure of a work of art by a third party</li> </ul>	YES	national museums and publicly funded museums (private museums are excluded)	maximum limit: EUR 210 million/project (can be increased by the Council of Ministers)	YES (varies according to the total insurance value)	EUR 1.680 million per year (can be increased up to EUR 2.500 million)	to the lender	YES
<b>SWEDEN</b>	YES	incoming loans long-term loans	YES	<ul style="list-style-type: none"> <li>• acts of war</li> <li>• natural disasters</li> </ul>	NO	all	minimum limit: SEK 20.000 (EUR 1.850) for a single exhibition and SEK 200.000 (EUR 18.500) for touring exhibitions	YES (11 levels)	NO	to the borrower	NO
<b>SWITZERLAND</b>	NO										
<b>U.K.</b>	YES	incoming loans long-term loans	YES	<ul style="list-style-type: none"> <li>• war, hostilities or war-like operations but excluding acts of terrorism, riot, civil commotion, piracy and hijacking</li> <li>• the negligence or other wrongful act of the owner, his servants or agent</li> <li>• the condition (including inherent vice or a pre-existing flaw) of the object at the time of its loan, or</li> <li>• restoration or conservation work undertaken to the object by the borrower, his servants or agents with the agreement of the owner; and</li> <li>• a third party claiming to be entitled to the object.</li> </ul>	NO	all	<p><b>ENGLAND AND NORTHERN IRELAND</b></p> <ul style="list-style-type: none"> <li>•increase in the minimum value per indemnified object from £301 to £1,001</li> <li>•increase in the minimum liability per financial year from £5,000 to £25,000, for national institutions and non-national institutions with Designated collections (England only)</li> <li>•no change for minimum liability for non-national institutions: £300 (plus 1% for objects valued over £4,000)</li> </ul> <p><b>WALES</b></p> <ul style="list-style-type: none"> <li>•increase in the minimum value per indemnified object from £301 to £501</li> <li>•increase in the minimum liability from £5,000 to £15,000 per financial year, for national institutions</li> <li>•no change for minimum liability for non-national institutions: £300 (plus 1% for objects valued over £4,000)</li> <li>•guideline ceiling of £10 million on indemnities for works ( a maximum value per indemnified object) offered on long-term loan to Welsh institutions</li> <li>indemnified object) offered on long-term loan to Welsh institutions</li> </ul> <p><b>SCOTLAND</b></p> <ul style="list-style-type: none"> <li>•no change to minimum value per indemnified object: £301</li> <li>•no change to minimum liability: £5,000 per financial year for national institutions, £300 (plus 1% for objects valued over £4,000) for non-national institutions</li> </ul>	YES (varies in case of national and non national museums)	NO (agreed levels can be exceeded)	to the lender	NO