



## Return guarantee and details of provenance

A return guarantee is to protect the item on loan from third-party legal claims (keywords: “safe conduct” and “immunity”). It is however not absolutely necessary for the loan process.

It is a decree from the Federal Office of Culture (FOC) to foreign lenders granting legal immunity to the cultural object on temporary loan.<sup>1</sup> That means the cultural item is protected from third-party legal claims for the duration of the agreed loan period in Switzerland (i.e. it cannot be confiscated or retained in connection with ownership or restitution claims).

Customs do not require a return guarantee. The import and export of cultural objects as a loan counts as temporary importation for customs purposes. The standard customs requirements apply, while the return guarantee is exclusively for the legal protection of the item on loan.

The application includes the application form, list of objects and a signed loan contract. The origin of the cultural item must be provided in as much detail as possible (see Provenance) on the list of objects.

The provenance details on the list of objects are based on the following structure and content:

- Vertical structure
- Chronological listing in the form of time periods
- Every transfer/provenance = a new line, separate segments within a line with commas
- Show gaps with [...]
- Provide names of private collections
- Specify function/role of owner
- Name type of purchase.<sup>2</sup>

### Format:

**[Date]–[Date] [Owner] ([Dates of birth and death]), [Location] [[Function/role]], [Type of acquisition]**

### Fictitious example:

**1883 Mary Cassatt** (\*1844, Allegheny, †1926) [Artist]  
**1883 – 1921** Moïse Dreyfuss (\*1850, †1940), purchase  
**1921 – 1922** Galerie Rue des fleurs (\*1870), Paris, commission  
**1922 – 1923** Marcel Huggentobler (\*30.07.1898, Hamburg, †31.08.1986, Berlin), Berlin [collector], purchase  
**probably 1923 – undated** Galleria de Rossi (\*1901), Rom, type of acquisition unknown [...]  
**since 1938** Museum der Künste, Salzburg, donation

### Vocabulary

Prefix for date	earliest, late., min., ca, since
Function/role	institutions: museum, art dealer, association Persons: Artist, art dealer, collector, intermediary
Type of acquisition	donation, purchase, exchange, legacy, inheritance, confiscation, seizure, restitution
Unknown	n.d.
Uncertainty	perhaps

<sup>1</sup> (see Art. 10 et seq. of the Cultural Property Transfer Act; SR 444.1 and Art. 7 et seq of the Cultural Property Transfer Ordinance; SR 444.11).

<sup>2</sup> The format for providing details of provenance is based on the guide to standardisation of provenance details by the Arbeitskreis Provenienzforschung [Provenienzangaben des Arbeitskreis Provenienzforschung e.V. \(2018\)](#).

