

National Palace Museum Regulations for the Acquisition of Cultural Relics

Part I: Generalities

Article 1

The regulations are stipulated by the National Palace Museum (hereinafter the "Museum") to govern the acquisition of antiquities and works of art.

Article 2

The acquisition is aimed at the antiquities and works of art (hereinafter "cultural relics") required by the Museum.

Article 3

The cultural relics acquired by the Museum are categorized as either permanent or temporary collections. The former consists of cultural relics purchased by and donated to the Museum, whereas the latter those placed under the custody of the Museum.

Article 4

The acquisition of cultural relics must be approved by committees formed for their preliminary, intermediate, and final appraisals. Cultural relics already designated as "national treasures" or "important cultural relics" (including those identified overseas) may be forwarded to the final appraisal directly. Members of the committees shall not appear in more than one appraisal. Expenses incurred by committee members not serving on the Museum staff shall be reimbursed in accordance with relevant regulations.

Article 5

The preliminary appraisal shall proceed in accordance with the following regulations:

1. Cultural relics, including their photographic images or the relics *per se*, must first be evaluated by the preliminary appraisal committee. Only those in line with the Museum's requirements will be submitted for approval by the intermediate appraisal committee.
2. The organization and responsibilities of the preliminary appraisal committee are as follows:

Organization: members of the committee shall be selected from the Museum's collection departments and approved by the Director of the Museum. Domestic or overseas experts and

scholars may be brought in if necessary.

Responsibilities: members of the committee are expected to evaluate the condition of cultural relics (including inspecting the relics in person), examine proof of provenance, produce reports of research on the cultural relics, collect pricing information, and submit the above materials for approval by the Director of the Museum.

Article 6

The intermediate appraisal shall proceed in accordance with the following regulations:

1. All supporting materials for the cultural relics approved in the preliminary appraisal shall be assembled by the Department of Registration and Conservation, and meetings for the intermediate appraisal shall be arranged.
2. The intermediate appraisal meeting shall in principle be held once every three months. Exceptions may be arranged on a case-by-case basis.
3. Cultural relics that pass the intermediate appraisal shall be forwarded to the final appraisal committee upon the approval by the Director of the Museum.
4. The organization and the principle of evaluation for the intermediate appraisal meeting are as follows:

Organization: the Director of the Museum shall appoint one of the Deputy Directors as the chairperson, and both the Director and the Deputy Director may act as advisors in the meeting. The Director shall appoint at least five Museum professionals to be the members of the intermediate appraisal committee, and three to five experts and scholars not serving on the Museum staff may be employed if necessary.

Principle of evaluation: the evaluation shall focus on the review of the cultural relics and supporting documentation. Exceptions such as participating in auctions are possible, provided that they have been approved in advance. Members of the intermediate appraisal committee shall state the results of their evaluation and put their signatures in the "Findings of the Intermediate Appraisal" and "Proceedings of the Intermediate Appraisal" forms. The appraisal must be approved by all members participating in the meeting. Appraisals not unanimously approved shall be suspended.

Article 7

The final appraisal shall proceed in accordance with the following regulations:

1. All supporting materials for the cultural relics approved in the intermediate appraisal shall be assembled by the Department of Registration and Conservation, and a committee will be formed to conduct the final appraisal.
2. Cultural relics that passed the final appraisal shall, upon the approval of the Director of the Museum, enter into the next phase of procurement.
3. The organization and the principle of evaluation for the final appraisal are as follows:

Organization: (1) The Museum may employ more than 30 individual members to serve on the appraisal committee. The term of employment shall be three years, and the employment for a second term is permitted. (2) A committee member must be either (a) a present or former professor or associate professor in a domestic or overseas institution of higher learning specializing in art, archaeology, history, sinology, bibliography, rare books, antiquities, works of art, and relevant disciplines, or a researcher at a domestic or overseas academic institution or museum, who is capable of evaluating the cultural relics required by the Museum, or (b) a reputable researcher or connoisseur of antiquities, who is capable of evaluating the cultural relics required by the Museum. (3) The Director of the Museum shall select four to seven individual members to serve on the final appraisal committee, and the chairperson shall be elected by the members.

Principle of evaluation: the evaluation shall focus on the review of the cultural relics and supporting documentation. Members of the final appraisal committee shall state the results of their evaluation and put their signatures in the "Proceedings of the Final Appraisal" form, which shall include images and text provided by the Museum's collection department. The final appraisal shall be approved by two thirds of the members participating in the meeting.

Part II: Procurement

Article 8

The Museum may acquire cultural relics identified in Article 2 from domestic or overseas sources.

Article 9

The cultural relics stated in the above article shall be procured after their quality has been assessed in accordance with the evaluation procedures outlined in Article 4.

Article 10

The procurement of cultural relics shall be done in accordance with the following regulations:

1. The Museum shall require reference materials of the cultural relics from the vendor. The announcement of the Museum's requirements may be made via the Government e-Procurement System, so that prospective vendors can submit the materials for review. Alternatively, the Museum may invite specific vendors to provide reference materials of the cultural relics in compliance with the Government Procurement Act and in consideration of public interest, procurement efficiency, and professional judgment.
2. After the reference materials of the cultural relics have been received, the staff of the collection departments may, under the Museum's authorization, contact the prospective vendor to gather information on pricing, method and date of delivery, preferred payment method, and other relevant terms and conditions in advance for use in the preliminary, intermediate, and final evaluations, as well as the procurement process. All materials thus collected from the vendor must be filed for purpose of record keeping.
3. The procurement procedure is as follows:
 - (1) The vendor shall provide the cultural relics required by the Museum, which should have been approved by the preliminary, intermediate, and final evaluation committees.
 - (2) In cases where the cultural relics are subject to exclusive rights, sources, or irreplaceability, the collection department concerned shall clearly state the specific cultural relic required and the amount of budget, and then file an application for a limited tendering procedure in accordance with the Article 22, Section 1, Clause 2 of the Government Procurement Act.
4. The base price shall be set on a case-by-case basis, taking into account the

amount of budget. Pricing shall be agreed upon in accordance with the following regulations:

Base price finalization: (1) The collection department shall assess the price based on the photographic images, specifications, and contract requirements, and the cost, market prices, and past award records of government entities shall be taken into consideration as well. The price shall then be approved by the Director or the representative authorized by the Director. (2) To negotiate limited tendering, the quotation provided by the vendor must be considered before the base price is set. In the case that price reduction is not possible, the price quotation set by the vendor may become the base price. (3) A valuation committee may be formed if necessary. When setting the price, the Director of the Museum or the representative authorized by the Director shall consider the price suggested by the committee.

No base price: (1) In the unusual or complex cases where difficulties forbid, the base price may not be set, but the reason as well as the principles and conditions of the award must be clearly stated in tender-related documents. (2) Except for small-amount purchases, an evaluation committee shall be formed to review the price quoted by the vendor. The committee shall then suggest a fair price, but in cases where the price quoted by the vendor is reasonable and within the scope of the budget, there shall not be a suggested base price. (3) Members of the said evaluation committee shall be appointed or employed by the Director of the Museum or the representative authorized by the Director. Members of the committee shall be selected from the Museum's professional staff or individual specialists considered to be fair and unbiased, who possess specialized knowledge in the pricing of cultural relics.

5. The price negotiation shall be done in accordance with the following regulations:

(1) The price negotiation process shall be done following the provisions of the Government Procurement Act. It may be conducted in writing, face-to-face, or through electronic communication. (2) In cases where the price quoted by the vendor exceeds the base price and a limitation on the times of

price reduction is required, the vendor shall be informed in advance. Price reduction may not be confined to three times.

(3) The Museum shall accept the result of the negotiation: the base price or the price suggested by the evaluation committee with which the vendor has agreed in writing to comply, or the price well below the base price or the price suggested by the evaluation committee to which the vendor has agreed in writing to reduce.

6. Participation in open auction bidding shall be done in accordance with the following regulations:

(1) For participation in an international auction, an agent may be appointed following the provisions of the Government Procurement Act. (2) The preliminary, intermediate, and final evaluation committees must have approved the participation in open auction bidding after careful review and consideration of all relevant materials on the cultural relics and the circumstances of the international antiquities auction market.

(3) The condition of each open auction bidding, together with the finalized base price and the supervision method, shall be approved by the Director of the Museum or the representative authorized by the Director in accordance with the Article 22, Section 1, Clause 8 of the Government Procurement Act. (4) When the bidding has been completed, all documents generated in the process must be examined and reviewed by all departments concerned of the Museum and approval by the Director or the representative authorized by the Director. Only then the phase of price negotiation required in the procurement process will be considered complete.

7. The costs incurred by local and overseas experts and scholars in the appraisal and procurement process shall be reimbursed in accordance with the payment schedule of the Museum, which shall be approved by the Executive Yuan.

8. In cases where the cultural relics imported from overseas locations are not approved by any one of the evaluation committees, they shall be returned by the Museum. Expenses of shipping and insurance may be borne by the Museum.

Part III: Donations of Cultural Relics

Article 11

The Museum may accept donations of cultural relics. Donated cultural relics shall further be classified into the three categories of “first class gift,” “second class gift,” and “research material” based on their respective quality, manufacture dates, conditions, cultural and historical significance.

Article 12

Donated cultural relics determined as “first class gift” and “second class gift” in accordance with the appraisal procedures outlined in Article 4 shall be accepted by the Museum. Those determined as “research material” during the preliminary or intermediate appraisal shall be forwarded directly to the curatorial departments for accessioning and research purposes without the need for any further appraisal procedures. Those deemed unfit for the collection may be returned to the donors.

Article 13

The names of the private donors (and/or their studios) and the donating institutions will be duly acknowledged when the donated cultural relics are on view in exhibitions or featured in publications.

Part IV: Custody of Cultural Relics

Article 14

The Museum may accept cultural relics placed under its custody.

Article 15

The custody of cultural relics shall be made in the form of an agreement between the owner and the Museum. Cultural relics intended to be placed under the Museum's custody shall be processed in accordance with the appraisal procedures outlined in Article 4. Those that are deemed unfit for the collection will be partially or entirely returned to the owners.

Article 16

The safekeeping and preservation of the cultural relics in the Museum's custody shall be the responsibility of the Museum.

Article 17

The Museum may exhibit the cultural relics in its custody. In so doing, the names of the private owners (and/or their studios) and the holding institutions will be duly

acknowledged

Article 18

The duration of the custody shall be no less than five years, and it may be extended upon the agreement of both parties. Unless the said agreement specifies otherwise, the owner shall not withdraw the cultural relics within the period of the custody. Exceptions may be made when the needs for withdrawals arise, and they shall be processed on a case-by-case basis. If extended custody is deemed unnecessary by the Museum, the owner shall be notified to withdraw the cultural relics at the end of the custody.

Article 19

The reproduction, publishing, and promotion of the cultural relics in the Museum's custody shall be done in accordance with the said agreement.

Part V: Appendix

Article 20

The regulations delineated above shall be implemented from the date of the promulgation.

Written and promulgated by the Executive Yuan, June 6, 1969

Amended and promulgated by the National Palace Museum, July 4, 1981

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