Procedures for the Authentication and Archiving of Works by Marino Marini and functioning of the Committee

REGULATION

Premise

The Marino Marini Foundation of Pistoia *(hereinafter simply the Foundation),* in accordance with its statute and articles of association, carries out the activities necessary to achieve its goals, including:

- the inventory and cataloguing of Marino Marini's artistic heritage;
- the authentication of autographed works and the exercise of actions against the forgery of works of art.

This regulation is drawn up pursuant to Article 12, second paragraph of the Statute which states: "The Scientific Committee, possibly integrated upon proposal of the Board of Directors with one or two additional members of recognized professional and artistic competence, carries out the function of Committee for Authentication and Archiving *(hereinafter simply the Committee)* of the works on the basis of specific regulations prepared by the Board of Directors itself"

The Foundation is the sole owner and responsible for archiving the works of the master Marino Marini. The Foundation, with the support of the Authentication and Archiving Committee, performs the "Expertise" function exclusively for the inventory, archiving, and compilation of the general catalogue raisonné of the artist Marino Marini. Only sculpture, painting, and drawing works are subject to inventory, archiving, and cataloging; chalcographic and lithographic works, and, in general, works reproduced in series and multiples, are excluded.

Art. 1 - Introduction

The preamble and all attachments are an integral part of the Regulations.

Art. 2 - The Committee - Composition, duration and tasks

Corso Silvano Fedi, 30 - 51100 Pistoia PT – Italy
Email: info@fondazionemarinomarini.it – PEC: fmarini.certificata@pec.it

2.1 The Committee is composed of 3, 4 or 5 members ***[omissis] ****

2.5 The Committee performs the fundamental function of verifying the authenticity of the sculptures, paintings, drawings, and tempera works attributable to Marino Marini and submitted for its examination; for the exclusive purpose of inventorying and compiling the artist's general catalogue raisonné . The Committee operates with complete autonomy, and its decisions are final. ***[omissis] ****

Art. 3 Request for Authentication and Archiving – forms and procedures

3.1 The owner of a work presumed to be attributable to Marino Marini, or a person delegated by him, may request the initiation of the archiving procedure. For works already archived, the provisions on review of the judgment and loss of the certificate apply, where applicable.

The request for verification may also be made by authorised police and judicial bodies.

3.2 A fixed processing fee is due for the examination of the work, to be paid upon request. This fee is non-refundable, regardless of the outcome of the examination. The fee for issuing the certificate is due upon successful completion. The fee and the fixed archiving fee are determined annually by resolution of the Board of Directors. Upon initial approval of these regulations, the fees are determined according to the table "Archiving Procedure Fees" (Annex A). The Foundation may decide to waive the fee and the fixed archiving fee.

3.3 Requests for authentication and archiving of works attributable to Marino Marini are made exclusively by completing, signing, and submitting the appropriate form and instructions (Annex B), which are available on the Foundation's official website in the appropriate section. Requests are to be forwarded exclusively to the Foundation's official email address (info@fondazionemarinomarini.it). Incomplete requests or requests without payment of the processing fee will not be processed.

3.4 All communications and relationships with applicants are held by the Foundation Secretariat via the single official email address (info@fondazionemarinomarini.it).

[omissis] *

3.6 At the end of the evaluation procedure, a specific communication is sent to the applicant explaining the outcome.

Art. 4 Committee Work and Meetings – Convening and Procedures

[omissis] *

Art. 5 Procedure and Criteria for Verification and Archiving

5.1 The procedure is divided into two phases, inspired by and conformed to practices of professionalism, scientificity, good faith, and transparency, and is conducted by the Committee with the assistance and collaboration of the Foundation's technical-administrative bodies.

Preliminary phase (PHASE 1)

During the preliminary phase, the documents and photographs provided by the applicant are examined, and, where possible, the provenance information and any other information formally stated in the application form are evaluated and verified. An initial assessment of the stylistic, technical, and material characteristics of the proposed work is also performed. Bibliographic and archival research is also conducted in the Foundation's archives and library.

[omissis] *

At the end of the preliminary phase, the person responsible for the project referred to in Article 2.3, in agreement with the other Committee members, promptly communicates the outcome of the preliminary phase to the administrative manager via email. This is to facilitate subsequent communications and organize any subsequent direct examination of the project.

Based on the Committee's assessments, the Foundation communicates the outcome to the interested party.

- If the work is deemed to have the necessary characteristics and supporting documentation to be submitted for direct examination by the committee, the applicant will be informed of the date and times of delivery and collection of the work.
- If, during the preliminary inspection, it is determined that the work does not meet the required specifications and does not meet the required documentation requirements, the interested party will be notified.

Corso Silvano Fedi, 30 - 51100 Pistoia PT – Italy
Email: info@fondazionemarinomarini.it – PEC: fmarini.certificata@pec.it

- The communication has no probative or declaratory value. The interested party may then confirm their desire for a direct inspection of the work. In this case, it is the interested party's responsibility to contact the Foundation to determine the time and method of delivery of the work.

examination of the work (PHASE 2)

Upon receiving notification of the conclusion of the preliminary phase, the applicant will agree with the Foundation on the timing and methods for sending and picking up the work, based on the Committee meeting schedule. If not already mailed along with the work, both 24x18 cm color photos and the signed original forms must be provided. The applicant may submit the forms with a certified digital signature.

Upon receiving the work for the aforementioned purposes, the Marino Marini Foundation is expressly exempt from any burden/obligation, including financial, relating to its safekeeping, as well as from any contractual and/or extra-contractual liability for direct and/or indirect damages or any damages resulting from any event or cause. The entitled party waives the right to make claims for compensation or indemnity for any reason whatsoever, as indicated and signed for acceptance in the request form (Annex B).

***[omissis]* ***

5.3 The evaluation expressed by the Committee, recorded in minutes and endorsed by the Foundation, constitutes a binding and unquestionable element for the inclusion of Marino Marini's autographed works in the Archive.

5.4 Within fifteen (15) days of the Committee meeting, the Foundation will communicate the outcome of the verification, with a summary of the reasons taken from the summary sheet (Annex D). Where the work has been deemed suitable for inclusion in the archives of Marino Marini's autographed works, the communication will contain the methods and amount of the fee to be paid in advance for the release of the Inclusion Certification.

5.5 The certificate of archiving is issued only after payment of the fee set forth in Appendix A and is sent within thirty days of receipt of payment, by registered mail with acknowledgement of receipt or equivalent method. Archiving does not automatically entail inclusion in the catalogue raisonné, governed by Article 11.

If the applicant is in arrears with the Foundation for previous payments, the certificate will not be issued until the previous debts are settled. Further requests for archiving will not be accepted, nor will requests for failure to provide information on ownership transfers after the certificate has been issued.

5.6 The Foundation does not carry out estimates or economic evaluations of works, nor does it carry out checks or provide preliminary and informal opinions.

Art. 6 Suspension of judgment

In the event of a lack of unanimity or a shared inability to reach a sound assessment, the Committee decides to suspend the review. The work is then included in the "Works under Study" section of the Marino Marini Foundation Archive.

[omissis] *

Art. 7 – Art. 12

[omissis] *

Art. 13 Rules of Conduct and Privacy

13.1 All subjects: Employees, Director, members of the Board of Directors, Committee members, external consultants, involved in any capacity in the verification process for archiving and archiving and in accordance with the principles of the Code of Ethics of the Italian National Archival Association (entered into force on 18 May 2009),

13.2 All procedures and conduct of the interested parties comply with the Personal Data Protection Code (Legislative Decree 30 June 2003, no. 196); the Code of Ethics and Good Conduct for the Processing of Personal Data for Historical Purposes (Provision of the Guarantor no. S/P/2001 of 14 March 2001, Official Journal no. 80 of 5 April 2001), as well as the International Code of Ethics for Archivists (approved by the General Assembly of the International Council on Archives in Beijing on 6 September 1996) of: honesty, morality, professionalism, good faith, and confidentiality.

**** all omitted parts in this extract concern internal procedures and activities.***