The Art Transaction Due Diligence Toolkit & other updates

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What is RAM?

• An initiative by the art market and for the art market

• An open working group of international art market players and experts

• Not for profit

• Under the auspices of the Geneva-based Art Law Foundation and the Art-Law Centre

The Responsible Art Market Initiative (RAM)’s mission:
To raise awareness amongst Art Businesses of risks faced by the art industry and provide practical guidance on establishing and implementing responsible practices to address those risks.
Who is behind RAM

• Selected experts
• Wide open consultation and bilateral contacts
Building an Art Market for the Future

Guidelines for Countering Money Laundering and Terrorist Financing Threats

Thursday, 26 January 2017 | 14:00 - 17:30
2018
• Due diligence essential to art transactions
• For art professionals & collectors
The art transaction toolkit

Check lists
• Client
• Artwork
• Transaction

Red flags

Explanatory notes

Risk-based approach
Art transaction due diligence

**Client**
- Identity
- Role
- Authority

**Artwork**
- Ownership
- Provenance
- Authenticity
- Condition

**Transaction**
- Purpose
- Form
- Source of funds
An aide-mémoire

- Non-exhaustive
- Risk-based approached
- No uniform standard

Please note:

- The following client, artwork and transaction due diligence checklists serve as an "aide-mémoire" of the various checks which can be considered and/or carried out when conducting art transaction due diligence.
- They are a compilation of best practices and are not exhaustive.
- The checklists do not purport to set a standard to be applied in all situations.
- They should be used applying a "risk-based" approach to determine the level of due diligence required. Enquiries should be tailored to any risk factors (red flags) which are present.
- When collecting and holding personal data, data protection obligations should be considered and respected.
- The checklists should be read together with the Explanatory Notes.
How to use the toolkit

1. Ask questions

2. Identify red flags

3. Collect information and where necessary document
   → Consider data protection issues
Feedback so far
Update: AML/CFT Guidelines

• Simplified to 8 guidelines
• More detail on money laundering
• Digital currencies
• Brazil university project: Portuguese translation
Country guides

Americas
- USA
- Argentina
- Brazil

Europe
- France
- Germany
- Italy
- Luxembourg (update)

Asia
- India
- UK
- Switzerland
Get involved

• Foster dialogue & debate on risks & issues affecting the art market
• Share existing best practices
• Non-binding & evolutionary
• Practical guidelines & tools
• Contributions welcome
Thank you

http://responsibleartmarket.org/