

Translation

ACT ON STATE INDEMNITY FOR ART EXHIBITIONS (411/1986)

(Amendments up to 382/2009).

Section 1

Scope of application

As provided for by this Act, state indemnity may be granted in case of compensation for damage to objects displayed in art exhibitions.

The provisions of this Act concerning art exhibitions shall also apply to historical and other cultural exhibitions.

State indemnity may also be granted for the display of one object or a group of objects in accordance with the provisions of this Act.

Section 2

Subsidiarity of the state indemnity

Damage to a displayed object shall be compensated by the state indemnity only to the extent that the damage cannot be compensated by an insurance or other guarantee.

Section 3

General conditions

State indemnity may be granted for artistically or cultural-historically significant exhibitions or exhibitions the organization of which is considered important in terms of international cultural exchanges.

State indemnity may cover only an exhibition organised by a Finnish public corporation or some other Finnish non-profit organisation or a foundation. State indemnity may not be granted for commercial exhibitions. The exhibition premises must be intended for permanent

exhibition activities, and they must fulfil appropriate fire and other safety requirements. The transportation, loading and unloading of the exhibition must take place appropriately, and the displayed objects must be inspected appropriately. The packaging of the displayed objects must be suitable for the purpose. (639/1991)

Section 4

Granting of the state indemnity

The decision concerning the granting of state indemnity shall be made by the Ministry of Education on the application of the exhibition organiser. The Ministry of Education may in its decision restrict the state indemnity to cover only part of the exhibition, only part of the duration of the exhibition, only part of the exhibition premises or only part of the transportation as well as impose on the organiser of the exhibition any conditions the Ministry considers necessary.

The state indemnity may not exceed the insured value of the displayed objects. The aggregate indemnity liability of the state indemnities granted may not at any given time exceed 1000 million euros. (382/2009).

Section 5

Damage to be compensated

State indemnity shall compensate the repair costs of a displayed object and any other direct cost incurred from damage as well as the depreciation in value or the whole value of a destroyed or lost object.

Any damage to a displayed object shall be compensated to the extent that it exceeds the deductible of the exhibition organiser. The amount of the deductible shall be enacted by Decree.

In the case of damage caused by non-compliance of the conditions imposed under section 4, paragraph 1, no compensation shall be paid, unless the refusal of compensation is considered unreasonable or the Government decides to pay compensation for any other special reason.

The Ministry of Education shall pay the compensation on application to the organiser of the exhibition.

Section 6

The right of recourse

The right of the party having suffered damage to claim compensation from any other party liable for the damage than the organiser of the exhibition shall be transferred, to the amount to be compensated from the state indemnity, to the state on the date on which the Ministry of Education has decided that the damage will be compensated from state funds. The right of recourse shall be executed by the Ministry of Education.

The right of recourse can be waived in whole or in part by a decision of the

Government, if the damage has not been caused intentionally and the application of the right of recourse is deemed unreasonable in terms of the financial and other circumstances of the party having caused the damage.

Section 7

Implementation of the act

This Act shall be implemented by the Ministry of Education. The Ministry may be assisted by the State Indemnity Board, the composition and tasks of which shall be enacted by Decree.

Section 8

Authorization to issue a Decree

Further provisions on the implementation of this Act shall be issued by Decree.

Section 9

Entry into force

This Act shall enter into force on 1 October 1986.