

藝術金融

2015

ART TAIPEI
FORUM
台北藝術論壇



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2010年6月，基於台灣畫廊產業發展與相關政策推動之需求，「社團法人中華民國畫廊協會」正式成立第一個附屬機構－「台北藝術產經研究室」，負責產業環境與趨勢研究、以及數據調查分析，並逐步發展成畫廊產業的智庫，提供產業各項調查數據、建言、警示與趨勢報告等，供畫廊同業與政府單位作為業務制定和推動的參考。而從2005年開始，畫廊協會在舉辦台北國際藝術博覽會的同時，秉持藝術教育之理念與宗旨，舉辦了第一屆「亞洲藝術產經論壇」（現為台北藝術論壇），匯聚產學思考、瞭望藝術創新的能量，逐漸成為藝術產業的年度盛事。今年，為台北藝術產經研究室創立的五周年，亦是台北藝術論壇的十周年，畫廊協會很榮幸也很感謝能持續的為藝術產業耕耘，激發、積累更多文化動能。

今年的台北藝術論壇特別規劃以「藝術金融」為題。考量全球藝術市場發展趨勢，以及兩岸金融發展的機運和競爭，將藝術品納入資產配置選項的投資策略已成為不容忽視的面向，亦成為藝術市場成長的一大助力。有鑑於世界經濟和財富重心東移，亞洲地區的投資動能及整體市場成長幅度勢必可期，台灣銀行產業不應該忽視藝術金融業務的開展，若能參考目前全球藝術金融化的作法以建構完善投資機制，除了能吸引更多個人資金挹注藝術產業，亦能磁聚銀行及保險公司等法人將藝術品納入多元資產配置或財富管理投資項目，使藝術投資成為帶動產業成長的強大助力。

有鑒於此，今年台北藝術論壇規劃四場次，從藝術品產業交易模式談起，透過藝術融資、藝術基金等不同方式探索產業的可能性；同時也論及藝術市場的根本論題：

鑒價機制與鑒價師認證制度之建構，期望透過不同領域的專家、學者之灼見，形塑成推動台灣藝術金融的起點及催化劑。我們要特別感謝中華民國銀行商業同業公會全國聯合會、台灣金融研訓院、立法委員陳學聖國會辦公室及各方媒體朋友的支持與鼓勵，生活不斷前進，藝術不斷創新，畫廊協會也不斷與時俱進，我們竭誠邀請您的蒞臨，期許一同從中發現亞洲藝術未來的挑戰與機會，並締造更豐富的亞洲價值。



社團法人中華民國畫廊協會理事長

Due to the development of the gallery industry in Taiwan and the need stemming from policy implementation, the Taiwan Art Gallery Association officially established its first subsidiary body, the Taipei Art Economy Research Centre, in June 2010. The centre's main responsibilities were research of industry and environment trends and data surveying and analysis in order to gradually develop into a database role for the gallery industry. It would also provide data, suggestions, cautionary warnings, and trend reports to serve as reference for galleries or government agencies for any operation or policy needs. In 2005, the Association organized the first Asia Art Economy Forum (now known as the Art Taipei Forum) in conjunction with Art Taipei with the vision of art education in mind. It was the convergence of academic thought and innovative artistic energy and it gradually developed into an important annual event in the industry. This year will be the fifth year anniversary of the Taipei Art Economy Research Centre and also the tenth year anniversary of the Art Taipei Forum. The Gallery Association is very honored and grateful to be able to continue to cultivate, spark, and accumulate more cultural momentum for the art industry.

This year's Art Taipei Forum is centered around the topic of "art finance." In light of the developmental trends of the global art market and the opportunities and competition of cross-strait financial development, investment strategies that allow art to become an asset allocation option are becoming ever more popular. It has also greatly boosted the art market. As the center of the world's economy and wealth gradually shifts east, investment momentum in Asia and the growth rate of the overall market holds great potential. The Taiwanese banking industry should not overlook the develop of art financial operations. If we can reference the modes of operation of global art financialization in order to build a comprehensive investment mechanism, not only will we be able to attract more individual investment in the art industry, we can also encourage more banks

and insurance companies to allow artwork to be incorporated as an option for diverse asset allocation or a wealth management portfolio. This will allow art investment to bring great growth to the art industry.

In view of this, there will be four sessions at Art Taipei Forum this year. We will be starting with different modes of trade in the art industry and explore different possibilities in the industry through art financing and art funds. At the same time, we will also be discussing a fundamental issue of the art market: establishing a system for an art appraisal system and certifying appraisal personnel. Through hearing from different experts and scholars, we hope to create the starting point and catalyst for Taiwan's art finance scene. We want to thank the Bankers Association of the Republic of China, Taiwan Academy of Banking and Finance, Legislator Chen, Shei-Saint's Office of Legislative Liaison, and our friends from various media outlets for their continued support and encouragement. Life moves forward and art continues to innovate. The Taiwan Gallery Association will also continue to move with the times. We sincerely invite you to our event and we hope we can meet the challenges and opportunities of the future of Asian art. Together, we hope to create a more prosperous Asian value.



Chairman of Taiwan Art Gallery Association



論壇介紹

台北藝術論壇是國內少數兼顧學術與市場的國際型藝術研討會，與國內外精英與產業代表，系統性的介紹充滿特殊性與內部多元性的亞洲藝術文化，與其跨市場等多元觀點與論述，並藉今年度台北藝術論壇作為串連亞洲與國際藝術世界的交流平台。

主要議題

國內唯一兼顧學術與市場，亦是國外媒體、畫廊公認為亞洲地區最好的藝術產經論壇

全球文化產業的走向在金融風暴影響下，已成為眾所矚目的重要議題之一。為耕植藝術產業，使其朝向多元發展，兼顧學術與實務雙層面的研究基礎，「台北藝術論壇」舉辦至今已邁入第十個年頭，是國內唯一兼顧學術與市場，亦是亞洲地區不多見的專業研討會。

今年的台北藝術論壇，擴大行銷廣宣領域至亞洲重量級媒體，共同規劃廣宣專題，深化品牌形象，促進亞洲各國互相了解彼此的文化信息與觀點，使其走向成熟及穩健，提供與會者多元豐富的藝術養分。

啟動 ATF 開放影片翻譯計畫 讓全球藝術觀點從台北發聲 與世界連結

隨著十年來的舉辦，台北藝術論壇於今年特別啟動 ATF 開放影片翻譯計畫，分享歷年精彩場次，讓影片得以被世界的朋友看見並推薦。

從產業鏈的角度深化議題探討層面 培養國內藝術產業之多元發展

歷年論壇議題皆是經由小組委員多次開會，不斷歷練、精粹之下成型。

Introduction

Art Taipei Forum is one of the few international art fairs in Taiwan that incorporate both academia and the market. Together with foreign and domestic intellectuals and important members of the industry, ATF will showcase the uniqueness and diversity of Asian art culture in a systematic manner. There will be diverse perspectives and discourse as this year's ATF serves as an exchange platform between the Asian and international art communities.

Themes

It is the only art industrial economics forum in the country that incorporates academia and the market; recognized by foreign media outlets and galleries as the best of its kind in Asia. After the impact of the financial crisis, development of the global cultural industry has become an important discussion topic. Art Taipei Forum has entered its tenth year and is the only research seminar in the country that incorporates both academia and the market. It is also one of the few of its kind in Asia. Its mission is to foster development and diversity of the art industry, from both academic and practical aspects. This year's ATF has expanded its marketing coverage to major Asian media outlets. We have worked together to plan promotion topics in order to build up our brand. We hope to promote deeper understanding of cultural differences and perspectives across Asia, in hopes that as the forum grows, it will be able to provide forum participants with an abundance of art sustenance.

Launch of the ATF Open Translation Programme allows the global art perspective to be heard in Taipei and connect with the world. Ten years since its inception, Art Taipei has decided to launch the ATF Open Translation Programme in order to share footage of sessions from past years and allow the entire world to view and share these videos.

It aims to deepen topic discussion from an industry chain perspective and fosters diverse development of the country's art industry. Past forum topics were chosen after many meetings and deliberation by committee members.



舉辦地點：台北國際會議中心 R102

10月31日 (Sat) 2015

*主辦單位保留議程更動的權利

9:30

R e g i s t r a t i o n

開幕演講

開幕演講10:00-
10:30**主講人**

李紀珠 中華民國銀行商業同業公會全國聯合會 理事長

引言人

許秋煌 文化部 常務次長

10:30-
12:30**藝術品產業交易模式：藝術品融資貸款 / 綜合討論****主持人**

劉奕成 中信銀信用金融執行長

中國大陸的藝術品金融市場**講者**

黃雋 中國人民大學中國藝術品金融研究所 副所長

中國企業藝術收藏**講者**

趙力 中央美術學院 教授

綜合討論

L u n c h B r e a k

13:30-
15:00**藝術品產業交易模式：台灣發展藝術基金的可能性****主持人**

黃博怡 台灣金融研訓院 院長

講者

黃文叡 摩帝富藝術集團副總裁兼亞洲區執行長

T e a B r e a k

15:30-
17:00**藝術品鑒價機制與鑒價師認證制度之建構 / 綜合討論****主持人**

游文玫 台灣生命力文教基金會 執行長

大中華藝術品鑒價制度的建立 --- 我們需要 AAC (Appraiser Association of greater China) 嗎？**講者**

Betty Krulik 美國鑒價師協會 AAA 前主席

尹毅 中國文化部中國藝術科技研究所藝術品科研中心前主任

講者

依照出場順序排列

李紀珠	中華民國銀行商業同業公會全國聯合會 理事長
黃隽	中國人民大學 中國藝術品金融研究所 副所長
趙力	中央美術學院 教授
黃文勸	摩帝富藝術集團副總裁兼亞洲區執行長
貝蒂·克魯利克	美國鑑價師協會 AAA 前主席
尹毅	中國文化部中國藝術科技研究所藝術品科研中心前主任

主持人

許秋煌	文化部 常務次長
劉奕成	中信銀信用金融執行長
黃博怡	台灣金融研訓院 院長
游文玫	台灣生命力文教基金會 執行長

Venue: Taipei International Convention Center, R102

10月31日 (Sat) 2015

* Programme may be subject to change.

9:30

R e g i s t r a t i o n

10:00-
10:30**Opening Speech****Speaker**

Jih-Chu LI , Chairman of The Bankers Association of the Republic of China

Moderator

Chiu-Huang HSU, Administrative Deputy Minister of Ministry of Culture of the Republic of China

10:30-
12:30**Modes of Trade in the Art Industry: Art Financing and Loans / Open discussion****Moderator**

I-Cheng LIU, Executive Director of CTBC Financial Holding

The Market of Art Financialization in China**Speaker**

Jun HUANG, Deputy Director of China Art Financial Institute, Renmin University of China

Corporate Art Collection in China**Speaker**

Li ZHAO, Professor of China Central Academy of Fine Arts

Open discussion

L u n c h B r e a k

13:30-
15:00**Modes of Trade in the Art Industry: Possibilities of Developing Art Funds in Taiwan****Moderator**

Bor-Yi HUANG , President of Taiwan Academy of Banking and Finance

SpeakerTerry HUANG, Vice President of MOTIF Art Group
Executive Director of MOTIF Art Consulting Taipei Branch

T e a B r e a k

15:30-
17:00**Constructing an Art Appraisal Mechanism and a Appraisal Personnel Certification System/
Open discussion****Moderator**

Wen-Mei YUI, Executive Director of Taiwan Vitality Culture & Education Foundation

**Establishing an Appraisal Mechanism in the Greater China Region - Do We Need an
Appraiser Association of Greater China?****Speaker**

Betty KRULIK, Former President of Appraisers Association of America

Yi YIN, Former Dean of Art Science and Technology Studies Center, China Art Science and Technology Institute

Speakers

* The names are listed in order of programme.

Jih-Chu LI

Chairman of The Bankers Association of the Republic of China

Jun HUANG

Deputy Director of China Art Financial Institute, Renmin University of China

Li ZHAO

Professor of China Central Academy of Fine Arts

Terry HUANG

Vice President of MOTIF Art Group

Betty KRULIK

Executive Director of MOTIF Art Consulting Taipei Branch

Yi YIN

Former President of Appraisers Association of America

Former Dean of Art Science and Technology Studies Center, China Art Science and Technology Institute

Moderators

Chiu-Huang HSU

Administrative Deputy Minister of Ministry of Culture of the Republic of China

I-Cheng LIU

Former Executive Director of CTBC Financial Holding

Bor-Yi HUANG

President of Taiwan Academy of Banking and Finance

Wen-Mei YUI

Executive Director of Taiwan Vitality Culture & Education Foundation



開幕演講

李紀珠 中華民國銀行商業同業公會全國聯合會 理事長

許秋煌 文化部 常務次長



Opening Speech

Jih-Chu LI, Chairman of The Bankers Association of the Republic of China

Chiu-Huang HSU, Administrative Deputy Minister of Ministry of Culture of the Republic of China

李紀珠

中華民國銀行商業同業公會全國聯合會 理事長

李紀珠博士目前為臺灣金控暨臺灣銀行董事長，臺灣銀行為臺灣資產排名第一的銀行，亦為新臺幣在大陸的清算銀行。而臺灣金控旗下擁有銀行、證券、保險、保經等全資持有之子公司。李博士同時擔任臺灣銀行業公會的理事長，亦是歷來最年輕的理事長。在此同時，其亦兼任臺灣證券交易所董事、臺灣期貨交易所董事、臺灣金融聯合徵信中心董事、臺灣玉山科技協會副理事長、金融研訓院指導委員、經濟部產業發展諮詢委員以及國立故宮博物院指導會委員等多項職務。

李博士於 26 歲完成經濟學博士學位後，曾擔任國立政治大學經濟系暨研究所專任教授、美國哈佛大學及史丹福大學訪問學者、中國北京大學及清華大學客座教授。

其亦曾出任行政院金融監督管理委員會副主任委員、立法院立法委員、中華郵政公司董事長及行政院青年輔導委員會主任委員等職務，並兼任行政院大陸委員會委員、臺灣兆豐金控董事、合作金庫銀行常駐監察人、中華電信董事、金融研究發展基金管理委員會主任委員等多項重要職務。

李博士曾獲頒國立政治大學傑出研究教授獎、世界十大傑出青年獎（於法國坎城受獎）、美國艾森豪威爾獎、美國傅爾布萊特獎、臺灣十大傑出青年獎、李國鼎獎章，及行政院一等功績獎章等多項殊榮，並曾被評鑑為立法院財經立法委員第一名。

Jih-Chu LI

Chairman of The Bankers Association of the Republic of China

Dr. Jih-Chu Lee currently serves as the chairperson of the Taiwan Financial Holdings Co. and the Bank of Taiwan, the island's largest bank by assets and the clearing bank for the New Taiwan Dollar in mainland China. The Taiwan Financial Holdings Group has a total of four wholly owned subsidiaries covering banking, securities, life insurance and insurance brokers. Dr. Lee is also the chairperson of the Bankers Association of the R.O.C., the youngest ever to hold that position. In addition, she concurrently acts as a member of the Board of the Taiwan Stock Exchange Corp., the Taiwan Futures Exchange and the Joint Credit Information Center, the vice chairperson of the Monte Jade Science and Technology Association of Taiwan, and a member of the Steering Committee of the Taiwan Academy of Banking and Finance, the Industrial Development Advisory Council of the Ministry of Economic Affairs, and the Steering Committee of the National Palace Museum.

Immediately after receiving her Ph.D. at the age of 26, Dr. Lee served as a professor of economics at National Chengchi University in Taiwan. She was a visiting scholar at Harvard University and at Stanford University in the United States, and was a visiting professor at Peking University and at Tsinghua University in mainland China.

Dr. Lee's previous posts included the vice

chairperson of the Financial Supervisory Commission under the Executive Yuan (the Cabinet), legislator in the Legislative Yuan (Parliament), the chairperson of the Chunghwa Post Co., and the Minister of the National Youth Commission under the Executive Yuan. She also held posts concurrently as a committee member of the Mainland Affairs Council under the Executive Yuan (the Cabinet), a member of the Board of the Mega Financial Holding Co., Resident Supervisor of the Taiwan Cooperative Bank, a member of the Board of Chunghwa Telecom, the chairperson of Financial Research and Development Fund, R.O.C., as well as key positions in several prestigious institutions.

Along with her extraordinarily rich career experience, Dr. Jih-Chu Lee's outstanding achievements in different fields have been recognized with a large number of awards. Among other honors, she received Eisenhower Fellowship and Fulbright scholarship in the U.S., Top Ten Outstanding Young Persons Award of the World at Cannes in France, Best Research Professor Award from National Chengchi University in Taiwan, Top Ten Outstanding Young Persons Award in Taiwan, K.T. Lee Administration Medal and First Merit Medal from the Executive Yuan in Taiwan. She was also named by prominent business and finance magazines in Taiwan as Best Legislator in the field of Finance and Economics.

藝術品產業交易模式： 藝術品融資貸款

中國大陸的藝術品金融市場

【中國藝術金融質押融資制度 — 以濰坊銀行為例】

黃隽

中國人民大學藝術品金融研究所 副所長

最近 10 年來，伴隨著中國藝術品市場的快速發展，不少商業銀行開始涉足藝術品市場進行藝術品與金融對接的嘗試與探索。其中山東濰坊銀行走在了全國的前列。

濰坊是歷史文化名城，風箏和書畫是濰坊的兩大文化名片。濰坊是著名的“中國畫都”。在美術界有句話“中國書畫看山東，山東書畫看濰坊”，濰坊是中國重要的藝術品一級市場，藝術品交投活躍。僅濰坊就有 2000 多家畫廊，大量的藝術資源在濰坊聚集，對金融服務特別是融資服務需求如饑似渴。面對銀行同質化的激烈競爭，濰坊銀行順應當地藝術品產業發展的需求，推進差異化發展戰略，介入到藝術市場。

2009 年 9 月，在當地政府的大力支持下，濰坊銀行以于希甯、李苦禪等大家的作品做質押，發放了第一筆藝術品質押貸款 262 萬元。貸款質押率一般為評估價值的 50%。濰坊銀行通過一系列運行機制及配套措施，解決了銀行信貸進入藝術市場所面臨的鑒定、評估、託管、變現四個問題，形成了較為完整的藝術品質押融資業務運行體系。截止 2014 年 10 月末，濰坊銀行藝術品質押貸款餘額已達 7 億元，累計貸款額 10 億元。

一、濰坊銀行藝術品質押貸款的程式

1、鑒定評估機制

藝術品鑒定和評估較為特殊，無統一標準，無權威登記部門。濰坊銀行建立多元化鑒定評估管道，不同藝術品、藝術家用不同機構、不同專家進行鑒定與評

估。與公信力強、有國有背景的公司合作，與在世藝術家及其公認權威的鑒定人建立鑒定管道，充分利用預收購人及其豐富的人脈資源豐富鑒定評估管道。同時，濰坊銀行建立了由具有某類或某位元藝術家作品鑒定評估能力的專家組成的藝術品專家顧問庫，由其對質押書畫藝術品進行鑒定、評估等提供相關諮詢。

2、藝術品託管機制

藝術品不同於一般抵質押品，其保管專業性要求強、環境要求高，保管的效率和品質要與業務的發展相匹配、相適應。業務開展之初，濰坊銀行與當地市級博物館合作由其作為質押藝術品的託管方。博物館工作時間和工作方式完全按照事業單位的方式運作，這就突現了現實的時間與效率與保管的要求不匹配。

2014 年 1 月，濰坊銀行投資建立的全國首個由銀行自有的專業藝術品倉儲庫開始運行。未來，濰坊銀行還將建設集藝術品倉儲、拍賣、銷售、策展等多功能於一體的藝術金融中心，可面向全國非金融需求客戶服務，搭建一個綜合性的藝術金融服務平臺。

3、預收購機制

通過“契約治理”方式創造性地解決了藝術品質押過程中的違約變現問題。所謂“預收購人機制”，是指濰坊銀行在放款前要找到一個對擬質押藝術品鑒定評估結果和質押價值認可的專業機構或藝術品投資業內人士作為該質押藝術品的預收購人，由預收購人與借款人按質押金額簽訂“質押藝術品遠期交易合約”，預收購人實際上承擔了擔保人的部分作用。

一旦借款人到期部分或全部違約，預收購人可以按照交易合同收購質押藝術品，購畫款優先償還銀行借款。由於銀行放款時一般都要對藝術品都有一定的質押折扣率，一旦借款人違約，預收購人就有可能以較低價格獲得質押藝術品。質押藝術品遠期交易合約事前簽定，一旦借款人違約，合約自動生效，銀行在預收購人代位償還後直接將質押品交預收購人，借款人不得拒絕。如果借款人正常履約，則預收購人能夠得到正常的 1% 的擔保費。

濰坊銀行藝術品質押貸款業務明顯不同於一般流動資金貸款的授信工作機制，主要由文化金融事業部具體經辦此項業務，由總行成立藝術品質押貸款審查委員會，實施與常規流動資金貸款不同的貸款調查、審查與審批流程。

通過以上機制創新，濰坊銀行做到了讓“金融服務藝術市場碰到的難題還要到市場裡去解決”，讓行家 and 行家過招。濰坊銀行則可以回歸銀行的金融媒介本質，只做銀行擅長的事情。

二、商業銀行藝術品金融服務的 機遇和挑戰

2007 年開始，民生銀行首開了藝術品理財產品的先河，對 50 萬元以上的高端客戶發售了“非凡理財——藝術品投資計畫”。接著，招商銀行面向“金葵花”客戶推出了“私人銀行藝術鑒賞計畫”。2009 年以後，伴隨著中國藝術品市場的突飛猛進，不少銀行作為信託和私募基金銷售通道，面向高淨值人群發售了不少藝術品理財產品。2012 年以後，由於藝

術品市場出現了明顯的回檔，不少藝術品信託或基金風險開始暴露，出現了兌付困難。最近幾年，無論是作為監管部門的銀監會，還是銀行本身，對藝術品金融產品普遍持謹慎和觀望態度。

中國的商業銀行與歐美國家相比，在藝術品金融產品上的共同點是：第一，不少銀行為藝術活動提供多種形式的贊助。將支援藝術活動作為企業社會責任、企業形象樹立和文化品牌宣傳等戰略性的投入。第二，服務目標鎖定高端客戶，主要業務是提供藝術鑒賞、資產配置、代際傳承、慈善安排等諮詢顧問服務。由於投資門檻較高，資訊不對稱，無論國外還是國內，商業銀行藝術品產品大多面向高淨值人群。第三、與藝術品專家緊密合作。由於藝術品投資不僅對投資者的專業性要求很高，而且還要求投資者對市場風向的變化非常敏感，因此，銀行作為財富管理者，在推出藝術品金融產品時離不開藝術品市場專業人士的緊密配合。

中國的商業銀行與歐美國家在藝術品金融產品上的差異表現在：第一，歐美國家的銀行不少都做藝術品的自營業務，也就是說，銀行自己會大量收藏和投資藝術品。例如，摩根大通銀行、德意志銀行、瑞士銀行等本身都擁有一些藝術家的作品。而在中國，較少銀行直接進入藝術品市場直接購買藝術品。第二，藝術品的貸款質押的要求不同。目前國內有一些銀行與拍賣公司合作的藝術品拍賣成交付款的貸款。由於國內缺失有公信力的鑒定和估值機構，銀行無從判別藝術品的價值，所以銀行除了要求將藝術品質押並按照估值一定折扣給予貸款外，一般還要求拍賣公司為貸款提供擔保。而歐美國家信用環境較好，又是針對高

淨值人群的私人銀行客戶，所以藝術品抵質押貸款只需根據專業機構對藝術品的估值，就可直接給一定折扣的貸款。例如，花旗銀行的私人銀行部通過“藝術品諮詢服務”給客戶提供藝術品抵質押貸款服務，融資額度可以達到藝術品價值的50%。

貸款是商業銀行最重要的業務。相較與歐美國家銀行的藝術品質押貸款，國內有不少銀行結合當地實際，進行了大膽的創新。例如，一些商業銀行順應當地藝術品產業發展的需要，建立了專門的藝術品質押貸款隊伍和配套服務設施，將一級市場的畫廊和畫店作為主要貸款對象，銀行藝術品質押貸款達到了一定的規模。這個成績的取得其中一個重要因素在於有當地的藝術品產業做支撐，而其他地方難以大面積地仿效和推廣。如果只有點沒有面，作為小微信貸產品的藝術品質押貸款形成不了規模效應，則很難盈利。

還有一些藝術品機構與銀行合作，以機構信用或者專家個人信用為藝術品鑒定或估值背書，作為風險控制的手段，以期推動藝術品質押貸款。我們看到很多藝術品金融產品，例如藝術品基金和信託產品，在風險控制方面文章做得很足，除了對產品進行結構化的優先和劣後設計外，還承諾藝術品諮詢機構的回購和收益率保底，從表明上看這些產品沒有任何風險。但最近兩年到期的藝術品基金和信託的殘酷現實告訴我們，市場出現了新的變化，藝術品諮詢機構本身根本沒有實力和能力兌現承諾。

商業銀行貸款要求抵質押物的目的是，一旦貸款人第一還款來源出現預料不到的困難時，銀行可以通過第二還款來源押抵質物的變現來避免銀行的損失。所

以銀行對抵質押物的基本要求就是流動性好。而藝術品作為資產的流動性不佳恰恰是它天然的缺陷，再加上國內信用環境不好，前些年出現的“金縷玉衣”騙貸案使很多銀行心有餘悸。

我很認可一位城商行董事長對目前中國藝術品金融實踐的看法，即“一半是火焰，一半是海水”。一方面，藝術品市場主體熱情像火焰一樣高漲，而另一方面，金融機構由於無法把控藝術品的風險，對藝術品與金融的融合像海水一樣冷靜。國內大多數商業基本上採用傳統的風險控制理念看待藝術金融的難題，這使藝術品與銀行的對接進展並不順利。

值得商業銀行關注的是，從2014年開始，嗅覺靈敏、反應快速的騰訊、京東、百度和阿里等互聯網企業依託著龐大的用戶優勢，彎道超車，開始搶佔原來屬於銀行的消費貸款市場。京東的“白條”、天貓的“分期付款”、螞蟻金服的“花唄”和百度的“百發有戲”紛紛登場，騰訊也明確表示其設立的銀行將以消費金融為特色。藝術品電商平臺根據以往客戶交易和支付習慣等因素資料評分，結合風險控制模型，給予客戶幾千至幾萬元不等的個人消費信用貸款額度。消費者在電商平臺上購買藝術品時，可以選擇分期或除購等方式，使金融與藝術品消費巧妙對接，刺激銷售額大幅攀升。互聯網企業開始撼動和改寫藝術品與銀行的關係版圖。

註：濰坊銀行部分內容採用了濰坊銀行副行長李建衛先生的資料



Modes of Trade in the Art Industry: Art Financing and Loans

The Market of Art Financialization in China

[Chinese art finance pledge financing system - A case study on Bank of Weifang]

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In the recent decade and with the rapid development of the Chinese art market, many commercial banks have started venturing into the art market and expanded their exploration of art and finance. The Bank of Weifang in Shandong was an early pioneer.

Weifang is a city rich in history and culture; kites and traditional Chinese paintings are two of the city's cultural calling cards. Weifang is also known as the "capital of Chinese paintings." There is a saying in the art world that goes, "Look to Shandong for Chinese paintings and look to Weifang for Shandong paintings." Weifang is an important primary market for art in China and is also a place where art trade and investment is quite active. Weifang alone has over 2000 galleries. A large amount of art resources congregating in this city has driven its demand for financial services, in particular, financing services. Faced with intense competition as banks homogenize, the Bank of Weifang came out with a differentiated development strategy to meet the needs of the burgeoning local art industry and which allowed it to enter the art market.

In September 2009, with the support of the local government, the Bank of Weifang used the work of famed artists such as Yu Xining and Li Kuchan as pledges and issued the first art pledge loan of ¥2.62 million. Pledge loan rates are usually 50% of the assessed value. Through a series of operating mechanisms and supporting measures, the Bank of Weifang solved the four issues that most bank loans face in the art market: appraisal, assessment, trusteeship, and liquidation. Thus, it formed a comprehensive art pledge financing operating system. As of the end of October 2014, the balance of art pledge loans issued by the Bank of Weifang has reached ¥70 billion and the total value of loans is ¥100 billion.

I. Formula for Art Pledge Loans Issued by the Bank of Weifang

1. Appraisal and Assessment Mechanisms

Art appraisal and assessment is different as there is no unified standards and no authorities with which to register. The Bank of Weifang established

a versatile appraisal and assessment channel. Different types of art and different artists will be appraised and assessed by different institutions and different experts. By cooperating with reputable companies that have a state ownership background, the bank is able to establish appraisal channels with trusted appraisers and fully utilize the abundant resources and network of pre-purchasers. At the same time, the Bank of Weifang has established a database of experts and consultants with appraisal specializations and can provide consulting services, such as appraisal or assessment, for the pledged artwork.

2. Art Trusteeship Mechanism

Art is different than other pledges in that there are specific safekeeping and storage requirements. The efficiency and quality of safekeeping have to be on par with the level of operations development. When operations first began, local museums worked with the Bank of Weifang and served as a place of trusteeship for the art pledges. Operation times and methods of these museums completely followed those of public sector organizations and this only highlighted the time, efficiency, and safekeeping requirement incompatibility between the bank and said museums.

In January 2014, the country's first bank-owned professional art storage warehouse, built by Bank of Weifang, commenced operations. In the future, the Bank of Weifang plans to establish a single art financial center that encompasses storage, auctions, sales, and curation. This center will be able to meet the non-financial needs of clients from all over the country by establishing a comprehensive art financial services platform.

3. Pre-purchase Mechanisms

This mechanism uses "contract governance" to create solutions for default liquidation problems during the art pledge loan process. The "pre-purchaser mechanism" is when the Bank of Weifang designates an individual as a pre-purchaser. This individual must be from a reputable agency or an art investment industry insider that is able to appraise or assess the value of the artwork that is to be the

loan pledge. The pre-purchaser and borrower will sign a “loan pledge long-term contract” in which the pre-purchaser will serve the function of guarantor.

If the borrower defaults on part of or the entire loan, the pre-purchaser can purchase the pledged artwork according to the terms of the contract and this payment will be used to pay off the loan to the bank. Due to the fact that banks issue loans at a discounted rate to the valuation of the artwork, if the borrower defaults, the pre-purchaser has the opportunity to purchase the pledge at this discounted value. The loan pledge long-term contract is signed beforehand. If the borrower defaults, the contract will automatically go into effect. The bank will directly release the pledge to the pre-purchaser after the loan has been paid off and the borrower cannot object to this arrangement. If the borrower is able to pay off the loan, the pre-purchaser will receive the normal guarantee fee of 1%.

The art pledge loan line of business at the Bank of Weifang is different from the regular credit mechanism that has regular liquidity loans. The Cultural Finance Department of the bank oversees this line of business. The Art Pledge Loan Review Committee, established by the headquarters, is in charge of executing investigations, review, and the approval process when it comes to loans that are not regular liquidity loans.

With this mechanism, the Bank of Weifang is able to take the issues faced in the art financial services market back to the market to be solved by experts. Hence, the Bank of Weifang can return to its original banking medium and focus on what it knows best.

II. Opportunities and Challenges of Art Financial Services Provided by Commercial Banks

Starting in 2007, Minsheng Bank was the first to categorize art as financial products by selling “Extraordinary Wealth Management - Art Investment Plan” to a ¥500,000 high-end investor. Soon thereafter, China Merchants Bank came out with a “private banking art appreciation plan” for their Sunflower VIP clients. After 2009 and as China’s

art market rapidly expanded, many banks served as sales channels for trusts and private equity funds and sold a significant amount of art financial products to high-net-worth individuals. After 2012, there was an obvious correction in the art market which exposed many risks in art trusts or funds and made redemption difficult. In recent years, both the China Bank Regulatory Commission and the banks themselves are generally cautious about art financial products.

Commercial banks in China do share some commonalities with their counterparts in Europe and the United States. One, many banks sponsor art events in myriad of forms. Banks incorporate art event sponsorship as part of their corporate social responsibility and strategies such as building corporate reputation and promoting cultural branding. Two, services are targeted towards high-end clients. The main line of business is to provide consulting services such as art appraisal, asset allocation, legacy planning, and philanthropic planning. As the investment threshold is higher and information asymmetry is present, art products in commercial banks are generally targeted towards high-net-worth individuals, both in China and abroad. Third, close Collaboration with Experts Art investment not only requires a high level of professional knowledge from investors, it also calls for a high level of sensitivity on the changing trends of the market. Hence, as wealth managers, banks have to form strong collaborations with professionals in the art market when coming out with art financial products.

There are some differences between commercial banks in China and those in Europe or the United States in terms of art financial products. One, many European and American banks provide these services as a proprietary service which means the banks themselves invest in art and have a large collection. For example, JP Morgan Chase, Deutsche Bank, UBS, etc. own a significant amount of art. On the contrary, very few Chinese banks have directly entered the art market and purchased artwork. Two, there are different requirements for art pledges. Currently, some banks are working with auction houses by issuing loans for payment of pieces that are being auctioned. As there is a lack of reputable appraisal and value-assessment agencies, banks



are unable to accurately determine the value of artwork. So apart from issuing a loan that is a set percentage of the valuation of the pledge, banks also require the auction house to provide collateral for the loan. Since credit is generally higher in European countries and in the United States and this service is generally targeted towards private banking clients with high net worth, loans of a set percentage of the pledge valuation can be issued directly after it has been assessed by a professional agency. For example, Citibank's private banking department is using art consulting services to provide art pledge loan services to their clients and offering financing amounts up to 50% of the valuation of the artwork.

Issuing loans is one of the most important lines of businesses in commercial banks. Compared with art pledge loans services in European or American banks, some Chinese banks have used local conditions and made some courageous innovations. For example, some commercial banks have established specialized art pledge loan teams and supporting measures to correspond with the needs of the development of the local art industry and target the majority of these loans towards galleries and stores that sell art. There has been a significant amount of art pledge loans issued since. One of the contributing factors to this success is the support of the local art industry. It is difficult to replicate this model on a larger scale elsewhere. If this cannot happen on a larger scale, art pledge loans as micro-loan products will not be able to scale up and it will be hard for banks to make a profit.

Some art institutions collaborate with banks and use the institution's credit or an expert's personal reputation to endorse the appraisal or assessment of artwork as a means to manage control risk and promote art pledge loans. We are seeing an increase in art financial products; art funds and trusts are an example. There was much talk on the topic of risk management. And apart from the structural prioritization of the quality of products, there were also promises to art consulting agencies for low rates on repurchases and yields. There seemed to be no risk for these products from the outside. But as the cruel reality of art funds and trusts of the past two years have showed us, as the market evolves, art consulting agencies are not equipped to deliver on their promises.

The purpose for asking for a loan pledge is, once the borrower's source for the first payment is experiencing difficulties, the bank will be able to liquidize the pledge for the second payment to avoid possible losses. So the most basic requirement banks have for pledges is high liquidity. But the low liquidity of art as assets is its natural flaw. Combined with the low credit environment in China and the infamous "Jade Dress" (金縷玉衣) loan fraud case has left many banks cautious.

A president of City Commercial Bank once said something about putting China's art finance into practice that I agree with: "One half is fire and the other half is the sea." On one hand, the art market is rising like a fire. On the other hand, the financial institutions are not able to manage the risks of art and are calm like the seas when it comes to the fusion of art and finance. The majority of commercial banks in China use traditional risk management concepts when dealing with the conundrum of art finance. This has made the docking of banks and art very bumpy.

What's worth noting about is, since the start of 2014, Tencent, JD, Baidu, Ali, and other responsive Internet enterprises have used their high user number advantage to rapidly change lanes and started to take over the consumer loans market that once belonged to commercial banks. JD's "Baitiao," Tmall's "installment payment plans," Ant Financial Services' "Huabei," and Baidu's "Baifa Youxi" have all been launched. Tencent has also clearly stated its bank will feature strong consumer finance characteristics. E-commerce platforms for art offer consumers a wide range of personal consumption loans, from a few thousand RMB to a few dozen thousand RMB, based on data such as past customer transaction habits combined with risk management models. When consumers purchase art on e-commerce platforms, they can choose to pay in installments or use credit. This allows finance and artwork consumption to work together perfectly and will greatly stimulate sales volume. Internet enterprises have started to affect and rewrite the relationship between art and banks.

Note: Content about the Bank of Weifang was based on information provided by Mr. Li Jianwei, vice-president of the bank.

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藝術品產業交易模式： 藝術品融資貸款

中國企業藝術收藏

趙力

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美國企業贊助藝術協會 (Business Council For The Arts, BCFA) 將藝術對企業的貢獻歸納如下：1、推進策略目標的；2、開發新顧客及市場；3、增強員工與顧客的向心力；4、提升企業知名度與形象；5、豐富企業所在社區的生活品質。¹而企業之所以願意將贊助的對象選定為“藝術”，最主要的因素是因為藝術與企業這兩者之間都具有對方所需要的資源，企業與藝術之間的合作是通過價值交換的方式，創造出了可以提升競爭優勢的新價值，不管這種價值是有形的經濟價值，還是無形的社會價值或者藝術價值，都是一種讓藝術、企業、社會各方多贏的一種合作方式。藝術與企業的合作，只有在雙方本著以平等、互惠互利、互相信任、溝通協作的原則，最終、達到各取所需的狀態下，藝術與企業的合作才能長久合作。

處於起步階段

目前大陸地區企業藝術贊助處於起步階段，由於目前大陸地區很多企業都處在發展的階段，因此很多企業尚未萌生贊助的意識，更對企業與藝術之間的關係缺乏瞭解，從而導致企業對於藝術贊助存在嚴重的認識不足。企業藝術贊助，看到藝術對於企業的價值的前提條件必須是當一個企業發展到一定規模和處於特定的發展階段才能具有的意識。這種意識其實並不是能夠對所有企業都生效。有意識贊助藝術的往往是那種在成長的基因中就有對於文化，對於藝術的熱愛的企業。例如很多的奢侈品企業之所以願意贊助藝術、願意和藝術家合作就是這種基因根植於他們的企業文化、企業理念當中，更因為奢侈品行業就是一個創造美的行業。

目前，企業或者企業家們主要以慈善捐贈的方式贊助藝術的案例較少。通常企業贊助藝術的行為背後都有其目的性。最常見的是為了企業自己的企業藝術收藏，這種收藏兼具收藏和投資的目的。另外一種類型就是時下在中國出現的企業美術館、私人美術館興建熱潮。企業興建自己的美術館主要目的是想通過這種企業收藏公共化的方式來彰顯企業文化品味和樹立企業的品牌。也正是有了近年來很多企業、很多企業家參與到藝術市場中來，直接的結果就是促進了大陸地區文化產業尤其是藝術品市場的火熱發展。儘管大陸地區企業贊助藝術處於起步階段，但是發展的速度卻是很快的。

類型多樣

藝術贊助依據贊助者屬性分為私人贊助、機構贊助、公共贊助、海外贊助四種類型。²

私人贊助以購買作品、贊助展覽為主，其直接促進藝術市場的繁榮，帶動了藝術生產的需求性，進而推動了藝術的發展；機構贊助主要是企業希望透過贊助提高知名度，實際上是一種行之有效的軟廣告，也是企業市場推廣和行銷策略之一；公共贊助指的是國家對於博物館、美術館在收藏藝術品上提供的資金撥款，使大陸地區公共藝術機構可以收藏到更多高品質的藏品，豐富美術館的館藏；大陸地區當代藝術的主要贊助比較活躍的是來自於民間企業私下的藝術贊助或是來自跨國企業或海外基金會居多。如比利時尤倫斯夫婦創立的尤倫斯當代藝術基金會及美術館，就致力於當代藝術在中國本土的普及和推廣工作。瑞士收藏家烏裡·西克創立了當代藝術獎 (CCA)，專門用

1. 朱惠良. 新世紀 ABC- 藝術企業小區三贏策略 [C]/ 行政院文化建設委員會編：文建會文化創意產業地方巡迴論壇會議文集. 台北：行政院文化建設委員會, 2003。

2. 張朝暉. 誰來贊助藝術 [J] 藝術市場, 2003(7)

來贊助藝術家的創作。

企業收藏蓬勃發展

說到目前大陸地區的四種藝術贊助類型，最為活躍和重要的當屬機構贊助。而機構贊助中又以企業收藏藝術品的贊助方式是該類中的核心，也是目前很多企業採用的一種贊助藝術的方式。

目前，大陸地區企業贊助藝術，廣義上的贊助行為更多的體現在企業建立自己的收藏上。企業收藏是藝術收藏的重要參與力量。企業的藝術收藏不僅是企業資產配置、財務安排的得力手段，而且還是對企業品牌、企業文化、企業社會責任的一種戰略性建設。企業收藏的發展一般會經歷三個階段：第一階段是企業負責人的個人收藏愛好形成規模後，變成企業的收藏行為。此階段藝術收藏發起人的個人收藏趣味和方向在一定程度上通常會成為一個企業收藏的主題和未來發展的方向；第二階段是企業收藏在數量和品質上達到一定的積累和水準之後，企業收藏會與企業開展的主營業務方向產生某種關聯，比如國外很多知名企業都有關注自己的品牌歷史和文化，更有許多與之相關的收藏。這類收藏一般都有一個或多個大型主題，也會逐漸形成收藏的序列；第三個階段是借助企業收藏推動企業收藏制度的建設、藝術教育的發展。這時的企業收藏就不僅僅只是一個企業的自身行為，而是賦予了企業收藏更多的社會責任，發展到一定規模，企業收藏也會帶動相關文化產業的發展，同時，隨著企業收藏意識的增強和能力的提高，也會推動國家對企業收藏、免稅捐贈等文化政策的出臺，促進大陸地區藝術品收藏的多元化和良性發展。

2013年我國的企業收藏發展繼續增長，已經成為藝術市場中越來越重要的參與力量。而從企業收藏的三個發展階段而言，大陸地區企業收藏普遍處在第一和第二個階段交叉發展過程中。

2013年大陸地區企業收藏資金規模繼續增長，整體規模大約在600億元左右，年增長率為33%。收藏範圍上，大陸地區企業收藏目前仍以書畫和瓷器雜項等傳統藝術品為主（占比82%），當代藝術品的收藏比例隨著當代藝術市場的調整而有所下降（占比8%），國際藝術品的收藏比例有所上升（占比10%）。

自從2012年以來，企業收藏注重與企業業務之間的聯繫。2012年大陸地區企業收藏最為引人注目的收藏是江蘇鳳凰出版傳媒集團以2.16億元在北京匡時2012年春季拍賣會上購得“過雲樓”藏書，“過雲樓”藏書是唯一還在私人手中保存的國寶級藏書。江蘇鳳凰出版傳媒集團是業內和文博界公認的古籍出版的重要機構，一直在從事古籍的整理、發掘、出版和學術研究工作。鳳凰集團每年還給予古籍出版大額專項補貼，並且多年來已經收藏和積累了許多古籍善本。江蘇鳳凰出版傳媒集團的這次企業收藏，選擇的就是與他們業務緊密相關的古籍善本，儘管過程有些曲折，但通過這次的購藏大大提升了鳳凰出版集團的社會知名度。企業通過藝術收藏更多地體現出了企業對於社會的責任，對於文化保護、研究和傳播的社會使命，這正是企業收藏的意義所在。

與私人收藏發展相類似，大陸地區一些企業收藏也有將收藏公共化的趨勢。例如新疆廣彙集團從20世紀90年代就開始收藏藝術品，主要的收藏方向是中

國近現代名家書畫，每年在收藏上投入的資金都在億元以上，迄今已經收藏了近 500 件近現代名家的精品書畫。擬成立的廣匯雪蓮堂近現代藝術館會將收藏的 200 件書畫作為館藏作品進行展出。廣匯藝術館成立後將對公眾免費開放。廣彙集團將來也準備選擇合適的機會將廣彙集團的藏品捐給新疆自治區，使該館承擔起更多的文化交流的使命。

2013 年，大連萬達集團以 2800 多萬美元的高價在紐約佳士得拍賣公司高價購得畢卡索的作品《兩個小孩》不僅標誌著中國的企業在收藏藝術上眼光更為國際化，而且也實實在在給大連萬達集團自身做了一次極佳的形象宣傳。

企業收藏存在的問題

目前大陸地區的企業收藏在發展的過程中也存在一些問題。

首先，大陸地區很多企業收藏意識還沒被完全培養和激發出來，很多企業還沒有充分認識到企業收藏對於企業品牌和企業文化宣傳推廣的重要性。大陸地區企業收藏開展的比較好的如泰康人壽保險有限公司、民生銀行等在建立企業收藏的過程中，積極通過各種方式與全社會分享他們的收藏，已經使他們的企業品牌、企業文化得到了彰顯和傳播。這種充滿正能量的行為應該會啟發和鼓勵更多企業拿出資金進行企業收藏。

其次，大陸地區企業收藏極待專業化。現在大陸地區企業收藏處於一個“收”的階段，還遠沒有達到“藏”的階段。從“收”的角度而言，企業收藏什麼

樣的作品，怎樣通過合理的機制去有效建立起自己的收藏，這對於企業而言是非常重要的，如果僅依靠企業負責人的喜好就選擇收藏什麼類型的作品，或是僅憑藉一兩位專家幫助企業來建立收藏，這樣的機制不能夠保證建立起一個好的企業收藏，好的企業收藏應該是基於美術史價值判斷基礎上形成的企業收藏價值觀的體現，在明確價值判斷的基礎上才會使收藏目標定位明確、富有特色。在建立企業收藏的過程中，企業美術館必須先行在藏品收藏、藏品策劃、藏品研究和藏品管理等方面更加專業化。在這樣的情況下去推動收藏價值標準的確立，以及專業人才的培養。

第三，已經初步建立了企業收藏的企業或者集團目前還沒有能夠對於收藏的作品進行系統性深入的梳理和研究，藝術品的價值和研究對於藝術品而言很重要，對藏品透徹的研究才能更好地挖掘和發現藝術品的價值。

第四，2013 年有多家企業和集團準備成立自己的美術館來展示他們的收藏。企業興辦美術館，不僅是企業藏品一個很好的歸宿，同時也是一次藝術資源再分配和分享的方式。企業通過興辦美術館，建立企業藝術基金會等方式，使得自己的收藏從一個機構收藏轉變成為公共收藏，這樣的發展過程裡面，企業收藏的公共化，會吸引社會公眾廣泛的關注與參與，使企業的事業變成一個公共性的事業。企業興辦美術館其實更是凸顯企業責任和社會責任重要的顯性指標。但一個企業成立美術館容易，而運營和維護好美術館對於欠缺經驗的企業來說並不容易。對於一些目前還不具備成立美術館的企業來說，可以通過舉行藏品展覽等其他方式與公眾進行文化資源的交流和分享。如果

沒有做好美術館成立後長期投入的準備，以及在目前大陸地區對於民營美術館扶植政策和 support 力度還有限的時候，怎樣用最恰當最多贏的方式通過收藏來回饋社會是很多企業應該深入思考的重要問題。

第五，目前大陸地區對於企業藝術品收藏還缺少相應的政策支援。國外的企業進行企業收藏可以免除部分企業所得稅，但大陸地區還缺少對於企業收藏的政策支援，這也會妨礙企業開展藝術收藏的熱情。因此，儘快出臺與企業收藏相關的配套發展政策是必要的。

企業贊助藝術發展的制約因素

在制度上，大陸地區缺少對於企業贊助藝術的稅收優惠政策。目前，大陸地區的企業只能向少數幾家被定的慈善機構捐贈才能獲得稅務減免！審計過程複雜且條件苛刻。缺乏規範的社會組織財務監管導致民政部、財政、稅務、審計部門或都同時監管等，這些都不利於中國慈善事業乃至企業贊助藝術的發展。因此，從制度層面看缺少政策支援是制約企業贊助藝術的因素。

第二個制約因素是企業本身對於藝術贊助認識不足，對於藝術贊助的資訊及益處沒有充分理解和認識，導致很多企業即使想參與贊助藝術也有力使不出。

第三個制約因素是目前很多企業對藝術和藝術專案缺乏長遠的計畫，一般多是隨機的，偶然的合作方式，缺少企業贊助藝術專案的長效機制。

第四個制約因素是缺乏專業的藝術管理人才。儘管藝術管理專業在大陸地區藝術高校設立的時間已經有 10 多年之久，但是面對大陸地區蓬勃發展的文化創意產業、藝術產業，這些人才卻滿足不了日益增長的文化機構對於專業藝術管理人才的需求。因此，高品質藝術管理人才的缺乏也是制約企業贊助藝術的重要原因之一。

企業藝術贊助的發展趨勢

未來的企業贊助藝術將會很快發展，企業藝術贊助將不會只是企業與藝術之間一種簡單交換資源的方式發展，而是會更加強調雙方的互動及參與程度。在企業贊助藝術的策略性合作規劃中，企業的參與程度會逐漸增加，並且不再只是單純的金錢資助和等著利用藝術所帶來的附加值收成。未來企業贊助藝術的發展趨勢將會是企業品牌與藝術品牌的對等合作、強調企業與藝術的互動也就是加強企業的參與度、企業與藝術都強調顧客的體驗與參與、企業與藝術將會更多的跨界與多元合作方式。³

3. 邱慧君，《企業贊助藝術研究》，2009 年，碩士論文。





Modes of Trade in the Art Industry: Art Financing and Loans

Corporate Art Collection in China

Li ZHAO

Professor of China Central Academy of
Fine Arts



Business Council for the Arts (BCA) summarizes corporate art sponsorship into as followed: (1) Achieving strategic goal. (2) Exploring new clients and markets. (3) Bolstering morale in both employees and clients. (4) Elevating the company's status in terms of publicity and image. (5) Enriching local community and increasing quality of life.⁴ Businesses are willing to target "arts" as sponsor opportunity because they each possess resources that the other needs. By exchanging what they have, arts and business create new value that strengthens their competitive edge both in a tangible aspect such as economic gain, as well as in intangible one such as social and artistic value. The arrangement generates a win-win-win situation between art, business and the society. Such collaboration can only be possible if all parties involved cooperate on the premises of equality, mutual benefit, trust and communication. Finally, when all needs are satisfied, longevity can be achieved.

The Developing Stage of Corporate Art Sponsorship

As of now, corporate sponsorship for art in Mainland China is still in its developing period. Due to the fact that many businesses in the region are start-ups, they do not have the appropriate mechanics to sense the potential. Furthermore, there is also a lack of understanding in the relationship between business and arts, resulting in serious unawareness of art sponsorship in the business field. In perspective, a company has to grow into a size large enough and be in a specific phase in order to apprehend the values that arts can offer. The apprehension does not always happen to any company. Instead, it requires a business to embody

4. Chu, H. (2003). ABC: Art, Business, and the Community. In *Cultural and Creative Industries Touring Forum* (Vol. C). Taipei: Council for Cultural Affairs.

passion for culture and arts into its DNA even in the early stages of development. For example, luxury brands are willing to sponsor arts and work with artists because such artistic DNA is deeply rooted in their company culture and philosophy. After all, they are in the business of creating aesthetics.

Types of Corporate Art Sponsorships

In accordance to the specific sponsor, art sponsorship is categorized into 4 types: private sponsorship, institutional sponsorship, public sponsorship and overseas sponsorship.⁵ Private sponsorship focuses on buying artworks and funding exhibitions, directly contributing to the art market itself. It increases the demands for art production, therefore helps pushing forward with the development of art. Institutional sponsorship is made by business in the attempt to bring in publicity, which is namely a form of advertisement, and can also be seen as a part of market promotion and marketing strategy. Public sponsorship happens when the government provides funds to museum as well as art collection. In the case of Mainland China, it enables public art institutions in to acquire more quality art pieces and refine their collections. The contemporary art scene in Mainland China is supported mostly by sponsorships from private business entities, international corporations and foreign funds. For example, Ullens Center for Contemporary Art, founded by the Ullens of Belgium, is dedicated to promoting and educating about contemporary art in China. Uli Sigg, a Swiss art collector, created Chinese Contemporary Art Awards (CCA) to sponsor artists' endeavors.

5 Zhang, C. (2003). Who's Sponsoring Art? *Art Market*, J[7].

The Growing Development of Corporate Art Collection

Speaking of the 4 types of art sponsorships in Mainland China, institutional sponsorship is the most popular and important of the four. It is primarily exemplified in the form of corporate art collection, which is now practiced by most firms as a method to sponsor art.

As for the actual practice of art sponsorship in Mainland China, the act of sponsoring is embodied into companies building an art collection for themselves. Business collection is viewed as an important force of participation in the market of art collecting. It is not only done for the purpose of asset allocation and financial planning, but also a development strategy for business branding, company culture and social responsibility. The process of building a corporate art collection generally consists of 3 phases. First, the executive or the founder of a business develops a habit of art collecting and, after having acquired a great number of artworks, grows it into a business collection. During this phase, the focus and aspiration of the collector, to some degree, will generally set up the future focus and direction of the corporate collection to come. Second, when the corporate collection has become substantial in terms of both quality and quantity, a connection to the development and expansion of the business side of the company will be established. For example, a large number of top corporations overseas care much about their history and culture, and subsequently have built a collection that is relevant to their causes. This type of collection generally will be given one or more important themes, thus gradually it will shape the identity of the col-

lection. Third, utilizing existing corporate collection to help push forward systematic art collecting and further develop and educate about arts. By then, the collection goes beyond business by entrusting more social responsibility to the company. After reaching certain significance, the collection will be able to drive the industry of related cultural products. Further, with growing awareness and ability of collecting art, corporations will be able to influence the government to implement relevant cultural policy, such as tax-exempt charities. As a result, it will enable positive growth and diversification of art collections in Mainland China.

In 2013, Chinese business collections continue to grow, becoming even more crucial to the market of arts. As for the 3 phases of building a corporate collection, most businesses in Mainland China find themselves around and between 1st and 2nd phases.

Consequently, as of 2013, the capital scale of business collection in Mainland China also continues to increase, reaching around 60 billion RMB with the annual growth rate of 33%. In terms of the topics, the corporate collectors still focus on traditional artifacts such as Chinese painting, calligraphy and porcelain. Contemporary art drops to a lower market ratio (8%) after a correction in the market, but international art sees a rise in percentage (10%).

Ever since 2012, corporate art collection has become an integral part of the business. In 2012, Phoenix Publishing & Media drew much attention by making a 21w million RMB bid to win the Guoyun Lou Collection at the Beijing Council International



Auction's spring sale. This is the only selection of Guoyun Lou Collection, considered Chinese national treasure, owned by private hands. Phoenix Publishing & Media is regarded as a leading publisher of historic texts and books by most in the fields of publishing and cultural creation. It has been compiling, exploring, publishing and carrying out academic research on ancient books. The group also gives out a generous amount of special fund to ancient book publishers, and has collected a substantial number of rare editions over the years. Phoenix Publishing & Media chose to bring in these rare books, because they share a strong relationship with its core business. Even though there are few bumps in the process, the purchase generates a great deal of publicity for the company. The corporation shows that it is socially responsible through the process of collecting art. It demonstrates the company's determination to achieve its social mission to protect, research and promote the culture. It epitomizes the very essence of corporate art collection.

Similar to the development of private art collection, corporate art collection in Mainland China is experiencing the trend of public exhibition. For example, Xinjiang Guanghui Industry Investment Group has been collecting artworks since the 90s, targeting Chinese modern painting and calligraphy. Each year the group devotes hundreds of millions of RMB into the collection, and has since acquired, to presence, around 500 masterpieces of famous modern artists. The planned Xinjiang Guanghui Art Museum will keep a selection of nearly 200 pieces ready for exhibition, and will be open to the public free-of-charge. In the future, the group intends to donate artworks to Xinjiang Uyghur Autonomous

Region when it sees a suitable opportunity, taking on the responsibility of cultural exchange.

In 2013, Dalian Wanda Group bought in Pablo Picasso's *Claude et Paloma* at a sale hosted by auction company Christie's of New York with a winning bid of more than 28 million U.S. dollars. It set a landmark for Chinese business collectors that have increasingly internationalized taste, and it also provided the group with much positive publicity.

Problems in the Development of Corporate Art Collection

There are problems in the development of corporate art collection in Mainland China.

First, many businesses in Mainland China still lack the awareness when it comes to art collecting, as they fail to recognize the importance of branding and promoting company culture. Companies who have been able to take the opportunity, such as Taikang Life Insurance Company and Minsheng Banking Corp., actively seek out any occasion to showcase their collections to the public, and in returns they receive much attention and publicity to their brand and company culture. This kind of positive energy will surely inspire and encourage more businesses to collect art.

Second, Chinese corporate collectors are in need of expertise. Today, the companies know how to "acquire" art, but yet to understand how to "curate". In perspective, what to buy, and how to construct and build a collection systematically and soundly, is extremely significant for a corporation. If a collector only relies on personal taste to make decisions, even with the help of only one or two professionals,

it may not be enough to successfully build a great collection. A good collector must make decisions through aesthetics evaluation in the discipline of art history in order to create an artistic reflection of the company philosophy. Using the approach, the uniqueness and the identity of the collection can be fully realized. In the process of building a collection, corporate art museums must first professionalize curating, planning, research and management of the acquisitions. Under these qualifying conditions, businesses will be able to set a standard for evaluating collectivity of artworks, and also provide specialized training.

Third, companies and groups who have established a collection are not yet able to systematically organize and research. Research and evaluation are pivotal to the understanding of an artwork. Only through complete research, businesses will be able to explore and learn about the intrinsic value of arts.

Forth, in 2013, a large number of companies and groups have plans about building a museum to exhibit their art collections. A corporate museum is not only a great home for the companies' acquisitions, but also a great way to redistribute and share art resources. By building a museum, or by setting up a corporate art fund, a private company transforms an institutional collection into a public collection. In the transition to public collection, it will draw widespread attention and participation from the people, turning the business cause into a public one. These corporate museums are the prominent examples for the importance of social responsibility. However, even after the museums are open, the operation and maintenance of the

facility have proven to be a difficult task for businesses that lack the relevant experience. Therefore, for companies that are not equipped enough to run a museum, there are other viable options to redistribute and share art resources, such as hosting a public exhibition event. With a shortage of supportive regulation and policy in place for private museums in Mainland China, if a business does not have the long-term commitment to running a museum, it should exercise prudence to protect all interests of different parties in its effort to give back to the society

Fifth, there is a lack of supportive policy in regards to corporate art collection in Mainland China. Corporations overseas are able to receive partial refunds on their company taxes, a supportive policy that the businesses in China are not entitled to. It prevents the companies from arousing a passion for art collecting. Thus, it is imperative for the government to act fast to formulate supporting measures.

Constraints on the Development of Corporate Art Sponsorship

From a legal standpoint, the businesses in Mainland China are not able to receive relevant tax benefits. As of now, the government only allows tax benefits to the companies that give donation to the few selected charitable organizations. The auditing process is complicated and the qualifications are extremely limiting. The lack of financial oversight on social organization leads to over-regulation by different governmental institutions such as the Ministry of Civil Affairs, the Ministry of Finance, the State Administration of Taxation and the National Audit Office. It hinders the growth of



charitable business and corporate art sponsorship in China. Therefore, the lack of supportive policy is a constraint on the development of corporate art sponsorship.

The second constraint is the lack of awareness of art sponsorship on the side of corporation. The companies do not fully understand the information and the benefits of art sponsorship, causing them unable to act on it even if they so intend it.

The third constraint is the fact that many businesses do not have a long-term plan when it comes to art project. Most sponsorship deals are made in an occasional partnership with no long-term mechanism in the work.

The fourth constraint is the lack of professional managerial personnel. Even though art management businesses in Mainland China have been setting up art schools of higher education for 10 years, when faced with the rapid growth in the cultural and creative industry, art industry, the talents in existence fail to meet the rising demand for professional art managers in the cultural sectors. As a result, the shortage of high quality art managers is also one of the constraints on the development of corporate art sponsorship.

The Direction for the Development of Corporate Art Sponsorship

In the future, corporate art sponsorship will grow in a fast pace, and will go beyond a simple exchange of resources between corporation and arts, and will emphasize the interaction and participation level on both sides. In the strategic cooperation plan, the role of corporation will become more active,

transcending the role of a monetary contributor and the beneficiary of a business deal. Corporate art sponsorship in the future will be a collaboration of two equal entities between the business brand and the art brand. Emphasis on the interaction between corporation and art, in another word, is to level up the business's participation, with both corporation and art focusing on customer engagement and experience, and create more cross-sectoral and diverse cooperation opportunities for both parties.

趙力

中央美術學院 教授

1967 年出生，江蘇無錫人。1989 年畢業於中央美術學院美術史系，並留校任教。1998 年獲文學博士學位。曾擔任中央美術學院美術史系副主任，中央美術學院人文學院副院長。現為中央美術學院教授、博士生導師，“藝術北京”、“青年藝術 100”、《藝術財經》雜誌、AMRC 藝術市場研究中心、CCAD 中國現當代美術文獻研究基金等創始人，北京大學文化產業研究院特聘研究員，國家畫院美術研究所研究員，南京大學國學教育中心教授，清華大學清美藝術品鑒定評估研究會專家，中國當代藝術（香港）推廣中心聯合發起人，建銀國際中國文化產業基金顧問，平安銀

行文化事業部顧問，中歐國信藝術金融研究中心顧問。主要研究方向為美術史、藝術推廣、藝術市場與藝術金融等。著作有《中國當代油畫現狀》、《中國油畫文獻》、《中國當代藝術》（主編）、《中國美術簡史》（合著）、《中國美術史簡編》（合著）。策劃項目包括，“2009 義大利威尼斯雙年展中國館”、“20 世紀中國美術奠基人系列展覽”、“新中國美術開拓者系列展覽”、“全球藝術品收藏高峰論壇”、“藝術經濟高峰論壇”、“中國當代收藏家年會”、“上海國際收藏論壇”、“藝術贊助人獎”等。

Li ZHAO

Professor of China Central Academy of Fine Arts

Born in 1967, Zhao Li is a native of Wuxi, Jiangsu. After he received his degree in art history from the China Central Academy of Fine Arts in 1989, he stayed on to assume a teaching position. In 1998, he obtained a doctoral degree in literature. He formerly served as the assistant chair of the Art History department at his alma mater and, subsequently, the assistant dean of the College of Humanities. He currently serves as an art professor at his alma mater and is also an advisor to doctoral candidates. He is the founder of Art Beijing, Art Nova 100, the magazine "Art Value," Art Market Research Center (AMRC), and Chinese Modern Contemporary Art Document (CCAD). He is also a distinguished research fellow at the Institute for Cultural Industries at Peking University, a researcher at the Art Institute of the China National Academy of Painting, professor at the Guoxue Center at Nanjing University, and an appraisal evaluation researcher and expert at Tsinghua University. He is the convener of Chinese Contemporary Art

(Hong Kong) Promotion Centre, a consultant for the Chinese Cultural Industries Foundation at CCB International, a cultural industries department consultant for Ping An Bank, and a consultant for the art finance research center for Lombarda China Fund Management and Guosen Securities. His main areas of research include art history, art promotion, the art market, and art finance. His publications include "Present Situation of Contemporary Chinese Oil Paintings," "Literature on Chinese Oil Paintings," "Contemporary Chinese Art" (editor), "Brief History of Chinese Art" (co-author), "Compendium of Chinese Art History" (co-author). Projects include the Chinese Pavilion at the 2009 La Biennale di Venezia, "Founding Fathers of 20th Century Chinese Art Exhibition," "Neo-Chinese Art Pioneers Exhibition," "Global Art Collections Summit," "Art and Economy Summit," Annual Meeting for Contemporary Chinese Art Collectors," "Shanghai International Collectors Forum," and "Art Sponsor Awards."

劉奕成

中信銀信用金融執行長

學歷

- 美國賓州大學華頓商學院 賓州費城 企業管理碩士 (1997年5月)
財務 / 策略管理雙主修
- 日本慶應大學交換碩士
- 國立台灣大學管理學院 台北市 工商管理學士 (1992年5月)
管理學院學業成績前 1% 畢業，工商管理學系第 2 名畢業，4 次書卷獎
1992 年台大優秀青年

經歷

中國信託商業銀行 台北市 信用金融執長 (2013 年 12 月迄今)

- 協助發展信用卡暨支付相關業務：推動既有支付業務與信用卡轉型，重新檢視公司信用卡 portfolio、定位主力消費客群及其 life style 並發展多元化行銷方式。
- 規劃新興支付、行動商務與電子商務發展藍圖：因應生活與消費行為轉變，協助公司發展數位生活與行動商務經營計畫，擴大支付商機。

桃園大眾捷運 桃園縣 董事長 (2013 年 10 月 -2014 年 3 月)

- 擬定公司重大業務發展：配合桃園縣政府協助桃園捷運發展重要工程、營運與重大專案計畫。
- 協助公司部門組織調整與財務預算規劃：依照公司發展階段，調整部門組織運作與工作範疇，並協助審核年度財務預算編列與追蹤預算執行情況。

英商巴克萊銀行 台北市 董事總經理 (2012 年 8 月 - 2013 年 11 月)

- 企業併購：負責協調與執行公司內購併案件。
- 股權與債權融資：主導富士康債券發行、漢民微測科技鉅額交易、隆達電子鉅額交易，負責籌劃復興航空 750 美金可轉換公司債。

悠遊卡股份有限公司 台北市 董事長 (2010 年 6 月 - 2012 年 8 月)

- 制訂公司策略發展方向：籌畫與各大行業龍頭成立紅利積點公司、服務信管 (Trusted Service Management, TSM) 及第三方支付服務公司。
- 主導公司部門重組：配合悠遊卡小額消費上路，重整公司人力資源規劃及組織策略，提升公司組織效率及完善公司業務計畫。
- 小額消費成長計畫：主導悠遊卡小額消費成長專案，其金額由 3.8 億元大幅成長至 6 億元，成長幅度達 57%。

國泰金控 / 國泰世華銀行 台北市 副總經理 (2003 年 2 月 - 2010 年 5 月)

- 策略規劃及組織管理：負責金控策略規劃部門，並擔任子公司管理職，包括企金執行長、風控長、以及消金執行長，管理幅距涵蓋逾 100 個單位及 4000 名以上員工。
- 企業金融：擔任企業金融執行長，管理企金團隊員工，負責 500 個以上客戶，超過 3000 億新台幣存款。
- 消費金融：擔任消費金融執行長，管理信用卡、財富管理以及 160 家分行。擔任期間發行悠遊聯名卡，發行量為台灣銀行業之最，並曾擔任悠遊卡公司董事。
- 企業併購：負責國泰集團購併相關之規畫事宜。
- 企業購併後管理：負責中聯信託及台中七銀之相關合併事宜。
- 資本市場募集：負責國泰 2003 年 4.5 億美元之全球存託憑證 GDR 初次公開上市 IPO、2004 年 4.95 億美元之 GDR 發行，以及 2005 年國泰一號及國泰二號不動產投資信託之發行。
- 投資人關係：負責國泰金控投資人關係工作長達七年，期間國泰金控之市值增至 170 億美元，並使外資持有比例由 2003 年 2 月的 3% 上升至 30% 以上。
- 海外事業：兼任香港地區負責人以及上海國泰人壽董事。
- 資產負債管理以及投資策略：於國泰人壽負責管理 700 億美元以上資產，負責固定收益投資、資產負債管理以及財務規劃及風險管理部門。
- 新事業發展：協助建立國泰證券公司。

J.P. MORGAN 摩根大通投資銀行 美國紐約 / 香港 / 上海 副總裁 (1997 年 7 月 - 2002 年 10 月)

- 購併案及資本市場經驗豐富：處理與執行多件購併案及企業上市案。
- 跨部門全球輪調：曾於摩根大通不同部門輪調，包括購併、聯貸、不動產、娛樂基金等不同部門輪調，於 1997 至 1999 於紐約總部工作，其後於香港工作，並於 2001 年擔任上海代表。

其他

- 台灣前百位 CFA (特許金融分析師)，並曾擔任台灣 CFA 協會第四屆理事長。
- 中文英文台語流利，日文，粵語可溝通。
- 喜愛音樂、電影、閱讀及藝文活動，曾參與亞太影展最佳影片「台北二一」之製作，並曾投資「海角七號」等電影。

I-Cheng LIU

Executive Director of CTBC Financial Holding

Mr. Liu has covered the financial sector for over 16 years with experience from investment banking, retail banking, wealth management to payment. He joined CTBC BANK as S.E.V.P in 2013, primarily being responsible for the cards and payments strategy which includes customer segmentation refining, card portfolio review and marketing strategy development. Now more committed into new payment initiatives, E-commerce and M-commerce tactics. He also initiated digital life and mobile commerce strategy to further extend payment market and to create more initiative opportunities. He was added a new role in Taiwan Lottery Co., in 2014.

Prior to that, Mr. Liu was the head of Barclays Bank PLC, Investment Banking Taiwan, playing the leading role of Foxconn bond issuing, Hermes-Microvision block trade, Lextar block trade, and TranAsia Airways \$75 million convertible bond.

As the Chairman of the EasyCard corporation from 2010 to 2012, he focused corporate strategies, from launching loyalty program with leading retailers and forming Trusted Service Management (TSM) and Third Party Payment service companies to reorganization in order to increase the corporate efficiency and improve the business operation. In his tenure, the number of EasyCard circulated doubled from 17 million to 33 million, recording an unsurpassed growth rate.

Mr. Liu is a native Mandarin speaker, fluent in English, Japanese and Taiwanese. Currently, he is the club president of Wharton Alumni club Taiwan and CFA Society Taiwan. He is a sponsor of the blockbuster movie "Cape No.7" (highest of box office in Taiwan's movie industry), and many other culture activities such as TED@Taipei.



藝術品產業交易模式： 台灣發展藝術基金的可能性

黃文叡

摩帝富藝術集團副總裁兼亞洲區執行長

前言

早期藝術品的買賣主要基於個人收藏喜好，但當藝術市場蓬勃發展，藝術品單價節節升高，藝術品投資便逐漸成為資產配置的另一種選擇。在歐美，藝術市場機制、稅制法規及保險制度相對成熟，藝術品的市場規模大，藝術基金這類的投資產品已行之有年，其中以英國鐵路養老基金的操作與獲利表現最為人稱道。近年來隨著亞洲藝術市場熱度加溫，藝術品投資成為市場高度關注的一種投資選項。但其中藝術基金要能夠運行，需要多樣環節相互配合，台灣是否擁有這樣的條件？

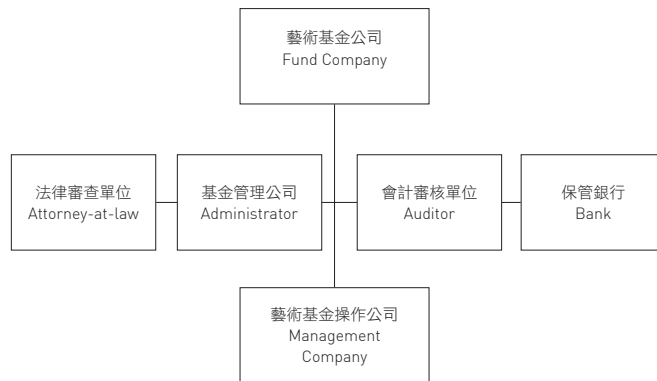
一、藝術基金發展的條件

藝術品之所以能成為投資的選項，必須是藝術品的種類與交易量皆足以滿足市場需求，加上投入藝術市場的熱錢逐年增加，促使買家市場形成。在此有利的前提下，藝術品除了收藏外，便可成為投資組合中的新選項。然而藝術投資的成功關鍵，在於挑選作品的專業度、市場訊息的掌握度和人脈網路的建立等基礎上，相較於一般坊間耳熟能詳的投資項目，藝術品投資的技術門檻較高，也相對增加其投資風險。因此，透過藝術投資專業團隊以集資方式，來降低投資風險的藝術基金，便在近幾年內一躍成為投資的新寵。

以藝術基金的操作方式而言，基金採集資方式投資特定區塊之藝術品，設定閉鎖期，且透過長短線作品的搭配操作來降低買賣風險，以期提高投資報酬率。它具有完整的操作模式，所購入的藝術品交

由託管單位管理，且由法律單位監督及會計單位查核。投資者對於購入的藝術品僅擁有權力，但不能擁有藝術實品。

基金單位運作架構圖



資料提供與整理：Motif Art Management

藝術基金具有以下優勢：

1. 保值、抗通脹：高單價藝術品具保值及增值性，在經濟蕭條時變現性高。
2. 分散風險：與金融證券市場的連動性極低（僅 0.04），受金融市場波動影響較小。
3. 投資回報率高：需求大於供給，歷年平均投資報酬率高於股票、房地產。
4. 委託專業經理人投資：技術門檻高、單價高，集資投資可降低個人投資風險。

二、歐美與中國的基金操作案例

「藝術基金」的概念在歐美已行之有年。歐美人普遍的觀念，藝術品是用來收藏的，不能拿來投資。但近幾年經濟形勢改變，許多人開始思考：藝術品是不是一項好的投資？如果藝術品能作為有價資產，它便可成為投資的一種選項，即使它的投資風險非常高。一般而言，藝術基金有兩種投資方式：一種是投資和藝術產業相關的上市上櫃公司的股票，如 Sotheby's 和 Art Price.com，這類投資因為可計算淨值，為大部分藝術基金所採用；第二種則是直接購買藝術實品作投資，但由於需有龐大的人際網絡和專業團隊共同經營，一般個人較難操作。在中國藝術市場狂熱的這幾年，多家中國銀行的私人銀行部門 (private banking) 借取歐美藝術基金的概念，發行多檔基金，但在操作手法與架構上卻有所不同。

以歐美藝術基金的操作模式而論，在架構上分為境內和境外基金。境內基金往往會涉及稅法、投資人身分等相關問題，而基金管理公司和該基金公司的權責更必須界定清楚，須避開任何形式的利益衝突，且受證券交易法規的監督和約束；而境外基金，在架構上就相對寬鬆許多，一般都將境外基金註冊在像百慕達、開曼群島、維京群島這種免稅屬地，用以避稅。不論境內或境外基金都會約定投資標的、設定資金規模、閉鎖年限、計價和結算方式、提前解約的申請程序和罰款等等，一般基金管理公司每年收取 2% 的管理費和結算後 20% 的績效獎金，但藝術基金除了上述費用外，投資人還得支付藝術品的保管和保險費用，還有法律和會計費用。

而中國的藝術基金純粹是把藝術品作為一種可投資的金融商品，存在與西方類似或相同的基金架構，一般可分為兩種形式：信託方式和有限合夥的形式。大部分銀行的私人銀行部門所發行的基金皆採信託方式，由銀行負責募集資金後交由信託公司託管，再委由基金管理公司操盤。有些信託公司為確保投資人的權益，甚至要求基金管理公司作不同比例的跟投，或用管理公司的財產進行抵押跟投，採優先和略後的方式規範投資人和基金管理人的權利和義務，來確保投資的安全性。

有限合夥的方式 (limited partnership) 則是投資公司自行私募資金，自行發行基金，自由度高，但少了信託公司的監管，投資人承擔的風險相對大些。以有限合夥的方式發行基金，須先幫投資人成立基金公司，資金到位後，由投資人組成的基金公司委託基金管理公司進行操作。如投資產生利潤，基金公司必須扣繳公司所得稅後，再將剩餘利潤依投資比例還給投資人，投資人有了所得還得扣繳個人所得稅，等於是雙重負稅，大大降低了報酬率。雖以信託方式發行對投資人相對有保障，但信託有信託費用，而且強制要求投資決策委員會的權力凌駕管理公司之上，在買賣藝術品的過程中，往往對管理公司的決策產生制肘，造成基金管理人無法及時因應市場的動態，且每筆買賣皆需以發票核銷，更無法順應藝術市場的交易模式，無疑增加了操作上的風險。

歐美的基金架構體現在如何保障基金投資人的權益，但中國的基金架構卻沒有實質的法規來保障投資人的權益，這是兩者最大的差別。此外，歐美基金的操作團隊與中國的基金操作團隊也有實質上的差異：

歐美基金管理團隊的成員一般具備金融和藝術相關背景，還得要有實際的市場操作經驗；但是中國的基金操作團隊，草創之初，人才缺乏、經驗不足、缺少實際操盤經驗、不具風險控管能力，在在都是基金操作的致命傷。其實，藝術品絕非純粹的一種商品，其市場價格奠基於作品本身的美學價值上，而美學價值的認定則是美術史的一門大學問。一個操作團隊首先得解決一件藝術品的鑑定和鑑價的問題，再輔以市場上長期建立起的人脈網絡，逢低買進、逢高賣出，及時掌握市場的脈動，才有高報酬率的可能。

三、台灣現行法規與藝術市場環境是否適合發行藝術基金

以過去的經驗看來，台灣很難發行藝術基金，因為在法規上，目前證券業母法「證券投資信託及顧問法」，只涵蓋投資證券相關的有價證券，以及非有價證券的不動產投資信託資金（REITs）、不動產與金融資產證券化兩項。藝術品並非有價證券，更無法像股票有每日淨值（daily net asset value），屬於不可公開投資的項目，無法適用此法，因此在台灣僅能以私募基金的方式進行操作。

依中華民國的法規規定，私募基金有人數上限，不得超過 35 位投資人，如要發行一檔資金規模較大的基金，每位投資人的申購門檻高，加上基金投資人無法擁有作品，只能持有份額（share），很難吸引藝術品收藏家進場；而對於藝術市場不甚了解的新手投資人來說，該項目的投資屬性特殊，比起其他投資項目也較難入手。其次，私募基金的缺點便是風險難以掌控，在擔心基金管理公司惡性倒閉的預期心理下，除

非透過銀行公開平台販售，否則很難取信於投資人。儘管銀行發行可減緩投資人的疑慮，但是投資標的是否正確與退場機制是否完善，對於缺乏藝術史背景而以金融專業主導的銀行體系來說，都是個難題。

而台灣是否有能力發行一支以台灣當代藝術為標的的藝術基金？發行不難，但操作不易。在台灣這種小區域市場裡，短時間內可以架構起人脈，輕易掌握藝術家、畫廊、藏家和拍賣公司的動態，所以要買對作品，買對價格，在此區域市場難度相對不高，但關鍵是，小的區域市場容易飽和，作品的流動性不足，當基金屆期退場時，很難有足夠的承接機制或願意接盤的人，造成基金退出不易。尤其大部分台灣當代藝術品的主要買賣還是鎖定台灣人，缺少國際的流動性，如關起門來炒，短期效應絕對可期，但長期而言，風險鐵定遠高於獲利。加上台灣不像大陸，人民幣非流通貨幣且境內投資選項少，在股市和房地產低靡之際，藝術品便成了投資選項；但台灣採自由貿易，資金容易進出，投資選項多，加上藝術投資的技術門檻過高，確實很難吸引大筆資金投入。

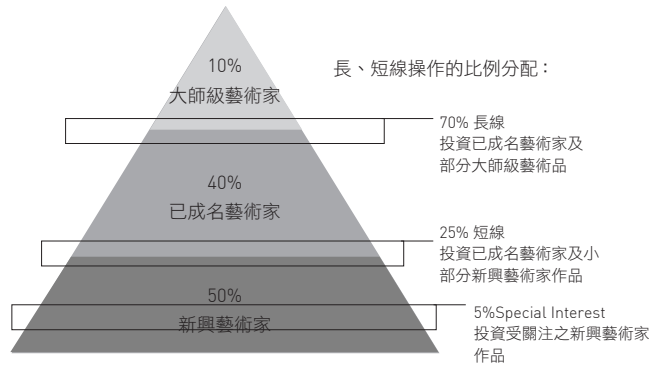
四、其他投資藝術品項目的可能性與操作建議

藝術品雖無淨值，但具高美學價值的藝術品往往有保值和價格成長的空間，此類作品在歐美往往被視為一種有價資產，如股票、房產一般，可列入資產配置的選項，不僅可拿來抵押貸款，有時更可用以節稅。在台灣藝術基金的模式並非是藝術投資的唯一選項，對藝術投資有興趣者也可選擇操作較具彈性的定額資產管理方式進場。

「定額資產管理」就是針對個人或企業的需求，透過獨立帳戶將部分固有資產進行藝術品買賣投資。不同於基金具有閉鎖期贖回條款且無法擁有藝術品的缺點，定額資產管理是依據個別客戶的投資金額、可投資年限、預期報酬率與藝術品喜好等條件，所量身打造的專屬投資組合，由投資顧問與投資人申辦一個聯名帳戶，一切買賣資金的進出均須經過投顧和投資人雙方簽核才能執行，以保障投資人的權益，投資人亦擁有專戶名下所購入藝術品的所有權。此項投資主要是追求高報酬，而不以避險為目的，但是專業的藝術顧問團隊可降低購入錯誤投資標的的機率，並謹慎推估進出場的時間點，有效降低風險。

定額資產管理與基金的操作方式雷同，均採長短線交互操作的方式（採 70% 長線，30% 短線的比例），長線作品需具備有隨時可變現的能力，因此鎖定高單價具代表性的作品；短線則選擇流動性大、短期內易見利潤的作品，一旦作品價格達到預期報酬，便立即拋售，如此也可降低作品的保險與保管費用。唯短線作品風險較高，在瞬息萬變的市場中有可能判斷失準，此時長線作品便能有效彌補短線作品潛在的損失，降低整體的操作風險。此外，更可依據作品的代表性 (quality)、可獲性 (availability)、真實性 (authenticity) 和市場的流通性 (liquidity) 來選定長、短線的標的，且進一步研究藝術家不同風格期作品的主題、表現手法、媒材、數量和尺寸，才能有效布局、準確操盤、作好風控、提高獲利。

長、短線作品選擇依據示意圖



* 三角形內部區塊代表藝術市場中不同等級藝術品的所佔比重

資料提供與整理：Motif Art Management

結語

藝術基金之所以能夠在歐美長期發展，主因是市場夠大，基金規模無法左右市場走向。歐美一年的藝術市場成交總額突破美金百億，而所有現行的藝術基金總額卻不超過整個市場總額的 1%，對整體市場難有干預，更難掌控藝術品的制價權。加上歐美藝術市場的資金充沛且機制健全，對於藝術基金的管理與法規相對明確，買家對投資或收藏的認知清楚，且多數基金以長期投資為策略，非短線炒作，讓基金有良好的發展空間。然而，曾經喧囂一時的中國藝術品基金，甚至文化產權交易所推出的藝術品份額案，皆因市場機制不夠健全，加上藝術品買家多以投資或投機



為目的，傾向短期獲利的短線炒作，買家、賣家、畫廊和拍賣公司聯手干預市場甚巨，甚至形成一個共犯結構從中牟利，因此當市場受到衝擊快速下修的這幾年，許多運行中的藝術基金便面臨無法順利退出的窘境。

以此角度回看台灣的藝術品金融市場，的確尚未臻至獨立發行基金的時間點。台灣是以藏家為導向的市場，不似中國大陸熱愛藝術投資，且礙於台灣藝術家作品的市場流通性不大，國際能見度較低，短期內更無法撐起基金投資的基本面。如將投資標的鎖定在西方藝術品，少有專業的投資團隊具有相應的背景和經驗，很難建立和維持全球藝術市場的人脈網絡，更無法掌握西方藝術品的美學價值與市場價格的微妙關係。如果仿效中國大陸境內的文交所或相關藝術金融商品的操作模式，讓投資者單純以一種虛擬的量化觀念來操作藝術品買賣，讓單件藝術品做不當的份額化處理，忽視每件藝術品的獨特性，也忽略其美學上的表現，便有可能再次遭遇像今日中國大陸藝術金融延伸性商品正面臨的困境。

藝術市場要有資金進場才能幫助運轉，但要吸引資金進場，就得先做好完整的規劃和配套措施。台灣想發行藝術基金，就得具備發行基金的先決條件，健全從藝術家、畫廊、拍賣公司到藏家的產業鏈，孕育足夠的專業人才、擴大投資標的、建立全球性的交易網絡、改革藝術品的交易稅制、增加對藝術品買賣的需求，如此才能製造藝術品的流動性，提高基金清盤退出的可能性。一步一腳印，政府的政策也必須亦步亦趨，與時俱進，才能在督導產業發展的同時，幫產業製造更多的利多。



Modes of Trade in the Art Industry: Possibilities of Developing Art Funds in Taiwan

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Introduction

In the early days, collecting art was merely about a personal passion and habit. However, as the art market flourishes, the prices of artworks soon skyrocket. As a result of the growth, investments in arts are becoming an alternative option for asset allocation. In the U.S. and Europe, the market system, tax law and insurance policy are well established. The success story of British Railway Pension Fund, which made considerable returns through trading art, is a classic and much-celebrated example. The latest emergence of Asia's art market is starting to draw attention, making art one of the focus investments in the marketplace today. Still, there are elements necessary for an art fund to work out. Are the market conditions in Taiwan ready to put art fund into realization?

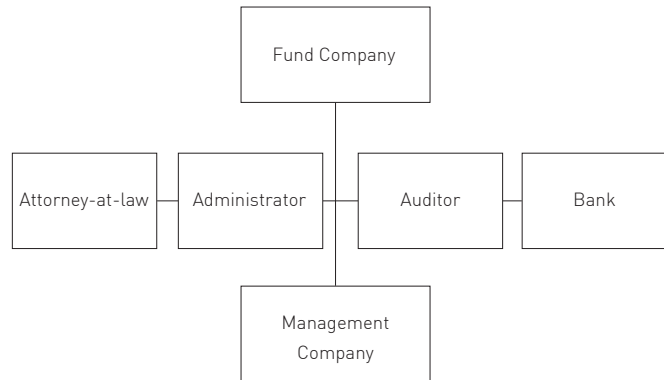
i. Qualifying Conditions for Art Fund

In order to make art investment a sound financial tool, the diversity and quantity of tradable art must satisfy the demand. Sufficient supply coupled with an influx of hot money will create a buyer's market in few years. On these satisfying conditions, art will go beyond a collector's item, it will be investable. A successful art investment, however, requires appraisal technique, market knowledge and great networking skill. Compared to traditional financial products, the market of art investment can be difficult to enter, because it is relatively risky for prospective investors. Subsequently, crowdfunding art fund, which can significantly reduce the perceived risk, is becoming a new favorite.

Art funds pursue a focus investment strategy and

target specific topics of artworks, they also implement a "lock-up period", and minimize the risk by applying both long- and short-term strategy with the attempt to maximize the returns. To operate the investment vehicle, investors turn to trustees for management of their acquisition of artworks, which is overseen by attorney-at-law and auditable for accounting and regulatory purposes. Investors buy "shares" of a particular artwork, instead of buying ownerships.

Fund Operational Structure



Source: Motif Art Management

Advantages of Investing in Art Fund

1. Capital Appreciation: Artworks of great importance are known for their value preservation and appreciation; they also become highly liquid during recession.
2. Diversification of Risks: Art fund exhibits a low degree of comovements with the stock

market (of only 0.04), so it is less susceptible to market downturn.

3. Return on Investment: In the art market, there is shortage of supply due to high demand. Rates of returns in the art market outperform the stock and real estate market for years.
4. Expertise of Professional Fund Manager: There is high barrier to enter the market in which successful investment requires relevant expertise and substantial wealth. Therefore, crowdfunding can reduce these risks.

ii. Case study of Art Fund in Europe, US and China

In the U.S. and Europe, the notion of “art fund” has been in existence many years, and is common among the people. Art buyers from both regions used to have the tendency to view artwork as collectible, rather than a means to financial gain. Yet, due to the recent structural change in the economy, many begin to ask: Is art a good investment? If an artwork can prove to be a valuable asset, it should be considered a good investment option, regardless of the risks. In general, investors utilize one of the two strategies to invest in art. First, investors can purchase common stocks in public companies in related field. Since this type of investment allows investors to measure the net asset value (NAV), it is performed regularly through most art funds. Second, investors can also buy-and-sell actual art. In practice, it can be challenging for them, since such strategy will only become fruitful if one has a sizable network of personal connections and art management proficiency. Recently, during the rapid growth of Chinese art market, a large number of private banking sectors in China adopt a strategic

approach to art fund similar to those in the U.S. and Europe. They, too, offer numerous rounds of funds, but differ in terms of operation and structure.

Both the American and European operating mode of art fund, structurally speaking, consists of domestic funds and international funds. Investments in domestic funds will be held responsible for legal taxation, investors’ backgrounds, and etc. Under securities regulations, it is imperative for both the management company and the fund company to calibrate a clear division of authority and responsibility in order to avoid any conflict of interest. The statutory rules that regulate international funds, on the other hand, are comparably relaxed. In most cases, the funds are set up in tax havens for purpose of tax exemption, such as Bermuda, Cayman Islands and Virgin Islands. In the matter of both domestic funds and international funds, the agreements stipulate for investment target and volume, the length of lock up period, valuation method, settlement, termination fee and procedure, and more. Fund managers usually charge an annual management fee of 2% (of net value) and performance fee equal to 20% (of profits) after settlement. Additionally, participants are required to pay for the storage and insurance, and also legal and accounting fees.

In China, the art funds implement a strictly financial approach. They are fundamentally similar to their siblings in the U.S. and Europe, and, broadly speaking, they can be broken down into the following two variations: A trust or a limited partnership. Most of the art funds offered by private banking sectors come in the form of a trust. In practice, the banks first have to raise capitals, after



which they turn management responsibility over to the trust companies, and delegate operation responsibility to the management company. Some of the fund companies initiate certain measures to protect the rights of the investors, commissioning the management companies to make different proportions of supporting investment, or make supporting investment against the pledged assets of the management companies itself, and set up incentive plan that regulates the rights and obligations of both investors and fund managers, in order to ensure more security.

A limited partnership is formed after investment companies raise capitals for privately offered fund. It enjoys high level of freedom but lacks the protection provided by a trust company, subsequently increasing risks of investors. In practice, a fund company will be established for investors, and once the investment is paid in, the fund company will turn operation responsibility over to the management company. After the company income tax, all member investors are allowed to pick up any returns, according to their percentage of shares. On top of the company income tax, however, the recipients will also be obligated to pay the personal income tax, resulting in double taxation, which substantially decreases their earnings. Although a trust company provides oversight, it charges fees. It also authorizes investment committee to rule over the management company, impeding decision-making by the management company during deals, and causing fund managers' inability to react promptly to the market development. Moreover, every single transaction has to be written-off, making it unable to conform to the business mode in the art marketplace, inadvertently adding to uncertainty.

Security matters. The art fund structures in the U.S. and Europe allow ensuring the legitimate interests of investors. China, on the other hand, is lacking the same kind of legal safeguard to protect investors' interests in art investment. In addition, Chinese management teams are less experienced, less qualified and tend to have inadequate risk management skills when matched by their western counterparts, leading to critical failures during operation. As matter of fact, art as a commodity is not straightforward by any standards. The price of art derives from the intrinsic aesthetic value of art itself, and the ability to recognize such value is a wide-ranging discipline of art history. A management team must first perform thorough appraisal and evaluation of an artwork, and then make use of personal connections that are built through years of networking; buy low, sell high, and always respond to the marketplace development, in order to make the investment profitable.

iii. Regulations, Art Market and the Possibility to Develop Art Fund in Taiwan

Learning from past experiences, art fund does not seem viable in Taiwan. As the law that governs investment activities, namely the Securities Investment Trust and Consulting Act, only applies to quoted securities investment, which covers real estate investment trust (REITs), and the securitization of real estate and financial asset. Art asset, however, is not quoted security, but is instead considered private investment, thus daily net asset value in art fund cannot be measured. The investment in art is not overseen by securities regulations, and as a result it can only be operated as privately offered fund.

According to the law of Taiwan, to meet the criteria of privately offered fund, a fund company cannot exceed the limit of 35 investors. If a funding round happens to demand a considerable amount of capitals, it will pose a high entry barrier for investors, and the fact that the investment will only buy “shares” instead of ownerships makes the marketplace even more unattractive to investors. In addition, owing to the unconventional nature of art as a financial asset, investment in art, when compared to traditional financial instruments, seems out of reach of those who are new to the market. Furthermore, risks of a privately offered fund are fairly unpredictable. There will be psychological expectation for fraudulent activities. Unless offered through an open platform by a bank, the funds are unlikely to win confidence over investors. And if the funds are backed by a bank, it will be a challenge for a traditional banking system, without any background in art history, to set the right investment target and develop a sound exit strategy.

Are the market conditions in Taiwan satisfying enough for an art fund that sets out to target art as investment? It’s one thing to offer an art fund, but another to operate the fund successfully. In a small marketplace such as the one in Taiwan, building a network takes less time, allowing access to the latest development of artists, galleries, collectors and auction companies. Given the conditions, it creates efficiency for investors to make the right purchase at the right price. However, one of the characteristics of a small market is that it is prone to saturation, leading to low mobility. Once the maturity period of the fund expires, few takers are willing to continue the fund, making it difficult to exit the investment, especially when most contem-

porary art in the region is dealt exclusively between Taiwanese buyers and sellers with limited global movement. The market surely shows short-term promise, but in the long run, risks are far greater than profits. Unlike Taiwan, China’s currency renminbi does not circulate abroad freely and its domestic investment options are limited, thus as a result when stock and real estate market become stagnant, art investment grows. Taiwan’s free trade system, on the other hand, allows capitals to move in and out of the country with ease. The fact that there are substantial amount of investment options domestically, on top of the existing high barrier to enter the art market, nothing seems to incentivize investors to bring in a large amount of capitals.

iv. Alternative Investment Options and Operational Suggestions

Although artwork cannot be evaluated on net asset value, it is evident that art with high aesthetic value enjoys price preservation and appreciation over time. In the U.S. and Europe, these artworks are seen as valuable assets, just as stock and real estate properties are, and can be considered as solid options for asset allocation. Not only they are mortgaged, they also bring tax savings. Art fund is not the only solution to art investment in the market of Taiwan. Prospective investors can practice a strategy that offers more operational flexibility, such as fixed asset management.

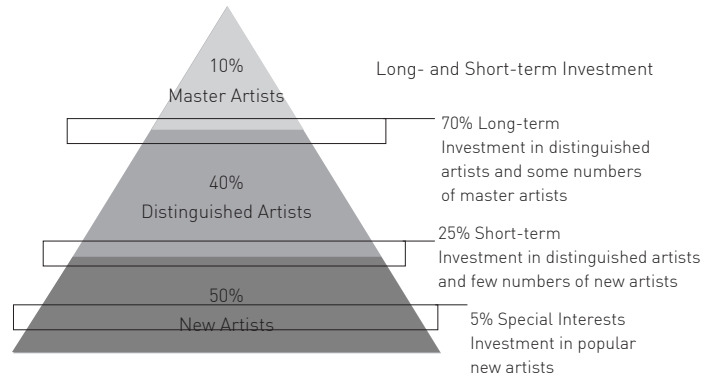
Fixed asset management is designed to meet personal or corporate needs. It invests in art through parts of the fixed assets in an independent account. Contrary to art fund, it is free from the restraint of lock-up period as well as the drawback of being only able to buy “shares” of artwork, because

it is an investment portfolio customized according to the individual's investment amount, time horizon, expected rate of return and art style preference. It is set up by both investor and consultant under a joint account, and any transaction must be approved by both parties to be completed, protecting the interests of investor. Investors also take ownerships of their acquisitions purchased with the special account. The goal of the investment is to maximize returns instead of risk minimization. Nonetheless, professional consultant team can significantly lower the likelihood of making the wrong investment. With rigorously planned entry and exit point, it will effectively reduce the risks.

In terms of operation, there exists similarity between fixed asset management and art fund. They both implement a combination of long- and short-term strategy (with the ratio of 70% of long-term investment to 30% of short-term investment). Long-term asset has the ability to be realized into cash any given time, therefore the artwork is usually historically important and come with a high price. Short-term asset, on the other hand, has high market liquidity, and the potential to make capital gains in a short period of time. It is sold once the value of the artwork can turn into expected returns, subsequently reducing storage and insurance costs for investors. However, in the changing marketplace, short-term asset is relatively risky, and apt to cause misjudgment. By combining long-term asset into the strategy, it will offset the potential loss against short-term asset, lowering aggregate risks during operation. Additionally, investors can design long- and short-term targets according to the quality, availability, authenticity and liquidity of artworks, and further research different art periods, themes,

expressions, media, quantities and sizes in order to exercise prudence, achieve precision, manage risks and increase profitability.

Illustration of Long-and Short-term Strategy



*Triangle represents the quantity ratio of artists from different levels in the market.

Source: Motif Art Management

Conclusion

The longevity of art fund in the U.S. and Europe can be contributed to the large marketplace in the regions. Due to the market size, any amount of investment in art fund simply does not have the power to move the market itself. The annual sales figures in the art market surpass \$10 billion in total, in which the art fund numbers only account for less than 1%. It hardly has any impact on the entire market structure, or any price-making ability. Both the U.S. and European marketplaces are provided with a significant amount of capitals and sound mechanisms.

Furthermore, the relevant regulations are clear. The buyers are knowledgeable in art investment as well as art collecting. Most art funds focus on long term strategy rather than short-term returns, which gives room for healthy growth. In China, on the contrary, the once popular art fund and even the fractional art units offered by cultural assets and equity exchange have failed. This is due to the unsound mechanisms in the marketplace, as well as the fact that most buyers were speculators motivated by short-term returns. Together the buyers, sellers, galleries and auction companies engaged in price-fixing in order to bring in more profits. However, when faced with rapid market decline in recent years, many art funds that are still in operation cannot exit easily.

In perspective, the market of art investment in Taiwan has not been developed well enough to allow art fund to exist on its own. It is a collector-focus market. Unlike China, local buyers do not share the same level of passion when it comes to investing in art for profits. Artworks by Taiwanese artists are less liquid and are given less international publicity, thus they struggle to provide art funds with fundamental support in the short run. Even if investors target western art, finding a management team with relevant background and experience is a challenge, not to mention the hardship to building and managing a personal network on global scale, as well as the ability to understand the subtle relationship between aesthetics and price of western art. If they choose to follow the operational patterns of Chinese art exchange or other related financial vehicles in China, they will have to fractionalize art pieces and trade artwork in fractional units, thereby destroying the uniqueness of each individual artwork and denying its aesthetic expression, thus repeating the mistake that cripples the market in China

to attract capitals, thorough plans and complementary measures should be ready. If Taiwan wishes to launch an art fund, it should fulfill the prerequisites first, solidifying the industry chain of artists, galleries, auction companies and collectors, allowing training to nurture sufficient expertise, expanding investment targets, building a global trade network, revising the tax regulations on art trade, increasing the demand of the market, so it will boost the liquidity of artworks and further make exit possible. Take one step at a time; however, the government should follow up with the improvements to keep up with the tide, and devise timely policy measures. It is the only way to oversee the industry development and, at the same time, offer more advantages for the industry itself.



黃文叡

摩帝富藝術集團副總裁兼亞洲區執行長

黃文叡，現任美商摩帝富藝術集團 (Motif Art Group) 副總裁兼亞洲區總經理，負責東京、臺北、北京、深圳和西安五家公司的營運，且監督亞太區藝術金融產品的發行及管理，任內成功推動藝術基金、藝術品融資貸款、藝術品作為資產配置的選項和藝術品的定額定項投資管理，更涉入中國一、二級城市文創園區的規劃和開發。於臺灣成長，後赴美取得美國哈佛大學 (Harvard University) 藝術史博士、波士頓大學 (Boston University) 藝術史碩士和藝術管理碩士。曾於美國紐約市立大學 (CUNY)、紐約大學 (NYU) 等名校擔任教授，並取得美國耶魯大學 (Yale University) 終身教授職，現於該跨校系研究院擔任兼任教授，也曾於英國牛津大學 (Oxford University) 擔任客座教授一年，

講授視覺藝術符號學。於 2002 至 2003 年間，曾擔任紐約現代美術館 (MoMA) Acquisition Fund 資深經理人，除負責美術館館藏品的選購及出售外，同時負責執行 JP Morgan Chase Funds 針對紐約現代美術館所做的贊助計畫。也曾擔任美國國家文藝基金會 (NEA) 預算審查委員，負責美國國家年度文化預算的審查，並參與國家文化與藝術發展策略之審定。著有《現代藝術啟示錄》、《藝術市場與投資解碼》、《Response to Marcel Duchamp in the Étant Donnés Era》、《Philip Guston: Night Studio and His Art in Woodstock》、《Semiology of Visual Languages in Contemporary Art》。

Terry HUANG

Vice President of MOTIF Art Group
Executive Director of MOTIF Art Consulting Taipei Branch

Dr. Terry Huang, managing partner and vice-president of Motif Art Group, also head of Group's Asian-Pacific region, overseeing its branches in Tokyo, Taipei, Beijing, Shenzhen, and Xi'an, Supervising the issue and management of art-related financial products. He has successfully initiated and introduced several art-related financial products such as Art Fund, Fixed Asset Management, Art as Collateral, and Art as a vehicle for Asset Allocation into Asian-Pacific region. He also participates in the strategic planning, designing, and developing of several cultural and creative parks in the major cities in China. Dr. Huang grew up in Taiwan, awarded a Ph.D. in History of Modern Art from Harvard University and an MS in Arts Administration and an MA in Art History from Boston University. He previously served as the faculty at the Graduate Center of City University of New York, New York University, and held a forum of

Semiotics of Visual Languages at Oxford University. He is a tenured professor at Yale University and had held fellowships from Getty Fellowship / Whitney Humanities Center and Mellon Fellowship. Between 2002 and 2003, he served as a panel advisor overseeing and managing the Acquisition Funds for the Museum of Modern Art in New York(MoMA), while associated with JPMorgan Chase Funds for the Museum's project. Meanwhile, he also served as panel advisor at National Endowment for the Arts(NEA)'s board, brought considerable expertise and former operating experience into the reviews over cultural-related budget and expenses. His publications include An Art Odyssey in the Modernist Era; Response to Marcel Duchamp in the Étant Donnés Era; Philip Guston: Night Studio and His Art in Woodstock; Semiology of Visual Languages in Contemporary Art; Art Market and Art Investment Decoded.

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- 玉山銀行 常務監察人
- 玉山金控 董事
- 中小企業信用保證基金 常務董事

- 中小企業聯合輔導基金會 董事
- 華陽中小企業開發公司 監察人
- 台北漁產公司 董事
- 玉山綜合證券 總經理
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- 大順證券公司 董事

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- 台灣經濟研究院顧問
- 中華經濟研究院專案顧問
- 台灣綜合研究院專案顧問
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Bor-Yi HUANG

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- M.S. in Economics, National Taipei University
- B.A. in Economics, National Taiwan University

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- Dean, College of Management, Shih Chien University
- Professor and Director, Department of Finance and Banking, Shih Chien University
- Chief Executive Officer, Financial Development Research Center, Shih Chien University
- Associate Professor and Director, Institute of Enterprise Innovation and Development, Shih Chien University
- Dean, Student Affairs, Shih Chien University

Career Highlights in Financial Industry:

- Managing Director, Bank of Kaohsiung
- Supervisor and Managing Supervisor, E.SUN Bank
- Director, E.SUN Financial Holdings
- Managing Director, Small and Medium Enterprise Credit Guarantee Fund of Taiwan
- Director, Taiwan Small Business Integrated Assistance Center
- General Manager, E.SUN Securities

Career Highlights in Research Organization:

- Consultant, Financial Research Institute, Taiwan Academy of Banking and Finance
- Consultant, Taiwan Institute of Economic Research
- Project Consultant, Chung-Hua Institution for Economic Research
- Project Consultant, Taiwan Research Institute
- Assistant Research Fellow and Associate Research Fellow, Grassroots Financial Research and Training Center



藝術品鑒價機制與 鑒價師認證制度之建構

大中華藝術品鑑價制度的建立 ---
我們需要 AAC (Appraiser Association of greater
China) 嗎 ?

Betty Krulik

美國鑑價師協會 AAA 前主席

為何要有標準？又由誰來管理標準？

想像當鑑價者信口開河，不加思索或不經什麼論據推理便決定各式財產（不動產、牛隻、美術、生意）的價值。

銀行根據財產的價值發放貸款…財產值影響稅的高低…誰決定那些價值？他們又用什麼方法來決定？從以前到現在皆有鑑價師遵循一套清楚的方法，但有很多、甚至更多是不遵守的。

因此，當 1980 年代初期儲貸危機來臨，全美國上下開始強調需要改善鑑價的做法。許多貸款機構遇到的難題與損失說明了一件事的重要，即必須確保鑑價是依據公認、已建立好的標準，尤其得獨力、不偏頗。

美國鑑價基金會（The Appraisal Foundation，簡稱 TAF）是一民間的非營利組織，由美國議會管理，負責建立、改善與推廣評價的最低統一標準與評價人員的資格要求。

所有美國和加拿大領先的專業鑑價協會開會建立大家皆同意的一套會被普遍承認的最低標準。1987 年，美國鑑價基金會成立且採用商討後通過的標準，實施「專業鑑價實務統一準則」（Uniform Standards of Professional Appraisal Practice，簡稱 USPAP）。全美國公認「專業鑑價實務統一準則」是普遍承認之最低專業鑑價作業標準。

美國鑑價基金會有三臂：

一、鑑價師資格委員會（Appraisal qualifications Board，簡稱 AQB）：替國家的授權、認證與重新認證訂定資格要求。所有國家認證的評價師必須符合委員會對教育、經驗與考試所規定的最低要求。鑑價師資格委員會亦發展建立了自發性的標準供動產評價師參考。

二、鑑價準則委員會（Appraisal Standards Board，簡稱 ASB）：設置開展鑑價與發出鑑價結果的規則，並推廣「專業鑑價實務統一準則」的使用、瞭解及執行。

三、鑑價實務委員會（Appraisal Practices Board，簡稱 APB）：辨認與發表對於評價方法與技巧的看法。方法與技巧可能適用於評價專業內所有的領域。委員會針對評價師和評價服務使用者認為其最需要輔導的主題提供自發性的引導，是否依從委員會的指導完全由他們自行決定。

各類鑑價師的領域

在美國，僅不動產鑑價師有執照。各 50 州有其各自的方針滿足美國鑑價基金會制定的最低要求。

沒有任何管理機構給予不動產鑑價師的執照，三大主要組織的會員：美國鑑價師協會（Appraisers association of America，簡稱 AAA）、美國鑑價協會（Appraisers Society of America，簡稱 ASA）與國際鑑價師協會（International Society of Appraisers，簡稱 ISA）自發遵守由美國鑑價基金會推行的標準及要求。

以下選列了鑒價師廣泛的專長領域：

- 不動產（農地、農村與建築、房地產）
- 企業評價
- 牲畜
- 機械與科技設備
- 玉石與珠寶
- 美術與裝飾藝術

美國與國際對於鑒價與鑒價師的使用很多元，應用層面包括上面所列的領域。

一如過去的股票和債券，藝術品與古董逐漸成為金融商品，因此需要可信且獨立的評價。

- 融資
- 收購價格（成本基礎）
- 訴訟
- 財產稅
- 離婚
- 慈善捐獻
- 購買 / 銷售談判
- 折舊
- 內部業務或個人理財規畫目的

因此，鑒價師是否遵從一定的標準與方法是很重要的，這樣他們的鑒價報告才能透明、可信。

在美國，國家稅務局（Internal Revenue Service，簡稱 IRS）負責稅收與稅法，並且有自己對於何謂合格評價師的指引方針：

一、個人獲得某公認鑒價師組織給予的稱謂，或 / 且符合最低的教育與經驗要求。

二、個人定期履行鑒價服務且獲受費用。

三、個人能出示可驗證的學歷與經驗，展現其有鑒價某資產的能力。

四、個人未被國稅局移除鑒價師的資格。

五、個人寫符合「專業鑒價實務統一準則」的評價報告。

因為目前政府對鑒價師的管制興趣缺缺，所以擁有嚴格道德規範的自律機構對於國稅局而言是很重要的準則。

所以何謂「專業鑒價實務統一準則」 〈USPAP〉？

「專業鑒價實務統一準則」是美國鑒價師必須遵從的最低標準，其許多部份適用於房地產，但一些本質上的概念仍適用於所有鑒價的領域。

「專業鑒價實務統一準則」的目標在於透過建立鑒價師要求來推廣與維繫大眾對鑒價做法的最高信賴。十分重要的是，鑒價師向欲使用鑒價服務的客戶創寫與傳達有意義且不誤導的分析、看法、和結論。

a. 提供鑒價、方法與途徑的定義，例如：

i. 鑒價：發展某價值看法的行為或過程。

ii. 公平市場價值：自願買方與自願賣方於開放市場中達成的價格，未受任何強迫要賣且雙方皆知情相關事實。

iii. 零售重置價值：在合理時間內，某一資產的最

高價值，會作為取代另一具相似年齡、品質、來源、外表、產地與狀態的資產。

iv. 途徑：

1. 收入途徑〈不動產〉
2. 成本途徑〈企業評價〉
3. 市場資訊途徑〈動產〉
- b. 倫理：行為、管理與保密〈例子如下〉
 - i. 行為：鑑價師必須公正、客觀、獨立地履行任務。
 - ii. 管理：鑑價師經其工作的費用獲薪〈且費用不受資產價值的高低影響，或鑑價師不會因鑑價後的使用結果而有所偏頗〉。
 - iii. 保密：鑑價師必須維持及保護與客戶的關係。
- c. 能力：鑑價師必須要有履行報告或婉拒工作的能力。
- d. 工作範圍：揭露鑑價的目的與形成價值看法的因素。
- e. 保存紀錄：
 - i. 每一鑑價任務必須有其工作文件，包含客戶名字、報告副本及輔助的資訊與文檔。
 - ii. 文件必須至少保留 5 年，然後於任何法律訴訟後保留至少兩年。

協會

在美國有三家活躍的動產鑑價師協會，皆為美國鑑價基金會的贊助單位，這表示我們全部的會員遵從美國鑑價基金會的標準，也有機會替國內的鑑價師討論

與編擬指導方針。

- a. 美國鑑價師協會〈AAA〉
- b. 美國鑑價協會〈ASA〉
- c. 國際鑑價師協會〈ISA〉

我來說一下我的機構——美國鑑價師協會的要求。美國鑑價師協會是一個總部設於紐約市的國際組織，會員分布於國內、加拿大、歐洲與亞洲各個城市。由於鑑價這領域沒有對應的學位和資格認證，美國鑑價師協會的會員身分是尋找動產評價師最重要的憑據之一。我們的會員遵守「專業鑑價實務統一準則」，並且以其最高標準的倫理、行為與敬業為名。我們協會的職業會員分兩類：認證會員〈Certified Member〉和認可會員〈Accredited Member〉。認證會員是最高級的會員身分，名字總會附上美國鑑價師協會給予的稱謂，顯示他們在某指定領域有特定的經驗。

要求

我們組織認證的動產鑑價師皆已符合以下全面考試、資格教育與資格經驗的要求。

資格教育

1. 副學士學位〈2 年學院〉或更高的認可大學學位。此為最低要求，我們大多數的評價師擁有更高等的學位。
2. 上課時數達 120 小時，課程的領域如下：

鑑價要領

- 鑑價過程
- 鑑價種類

- 鑑價報告種類
- 鑑價報告用途
- 價值的定義
- 鑑價方法
- 辨定資產方法

鑑價的法律與倫理面

- 道德規範
- 法律對價
- 合約

鑑價師的研究方法

- 鑑價理論與原則
- 市場的定義
- 市場研究與分析

鑑價寫作工作坊

- 陳述式報告寫作

國稅局美術與裝飾藝術評價的法律方針

- 此特針對地產、捐獻和禮品的鑑價

「專業鑑價實務統一準則」(USPAP)

- 如前所定義

資格經驗

A. 經驗量

1. 於專修的特定領域有達 700 小時 (約 4 個月) 的動產評價經驗
2. 額外的經驗：
 - a. 1800 小時 (約一年) 的動產評價經驗，其中專修的領域達 900 小時 (約 6 個月)

- b. 或在專修的領域累積 4500 小時非評價但與市場有關的動產經驗 (三年)

為何要有協會？

大眾信任與公共服務

鑑價師依據鑑價方法為大眾服務，提供公平、客觀與無私的資訊。我們許多的專業同仁任職於非營利組織的委員會，包括博物館、公共藝術研究計畫、學術機構與藝術品收藏團體，他們也在“what’s it worth”地方活動擔任義工，為專業人士、社區組織與大學生講課。

此外，美國鑑價師協會及其會員積極地推廣鑑價領域的高標準，提供公共計畫、主要機構和公司的講課、與稅法律師、保險人員、銀行和其它徵詢專門資訊的對象合作民辦教育，由此提供收藏家與專業人士更好的幫助。

美國鑑價師協會成立於 1949 年，為國家首位的動產鑑價師協會，特聚焦美術與裝飾藝術方面。會員有超過 700 位的獨立鑑價師，專職 100 種不同的領域，因此協會的名冊上盡是有聲望的專業人士，擁有其專修領域上最廣的經驗與技能。

許多成員不是主要博物館的前任館長便是拍賣會的部門主管，有一些則為藝術、古董發行物寫稿與出現於流行電視節目上的專家，比如《尋寶》(Antiques Roadshow) 和其它致力於古董的節目。

美國鑑價師協會具有最高的敬業精神，不僅活躍且

在動產評價領域中獨一無二。私人與社團的藝術收藏品為協會鑑價師的工作對象，他們亦與收藏家、律師、會計師、博物館、教育機構、信託機構、中間商與保險公司合作來體現行業最高的標準。

我們所有的會員皆必須按照最高的專業標準獲得認證，亦即「專業鑑價實務統一準則」。資深專業人員與會員為公家與私人收藏家等服務，給予獨立、客觀和有道德的評價，滿足保險、地稅、慈善捐獻、公平分配和清算的目的。

道德規範

所有鑑價師協會的成員必須遵循嚴格的道德規範，確保無人能及的倫理、行為與專業標準。規範要求鑑價師為公眾利益服務：

- 提供獨立的鑑價，不受第三方影響
- 僅保有正確與專業的價值，不保留評估對象外的利益
- 僅簽約其專修領域的鑑價工作
- 考量評價標準中所有的因素，形成客觀的評價結論
- 運用鑑賞的最高標準檢驗與紀錄資產
- 專業的待遇獨立於評估對象的價值
- 教育編程與職業發展

美國鑑價師協會一年四季提供獨特且廣泛的教育、職業發展與建立人脈的計畫，協會成員及其相關領域的同事皆有機會參與。我們大多數的計畫與會議是開放大眾參加的。除了教育鑑價師，這些計畫對於法律與保險業人員、博物館與拍賣會人員、尋找新機會的藝術學生與經銷商而言也特別有興趣。講課與相關的活動主打各式主題的國際專家，包括當代藝術、民間

藝術、美國繪畫、珠寶、銀器與攝影，也會探討影響專業人員的重要議題，如最近波及遣返的國際法。計畫與講課不僅提供了一個獨立開放的討論平台來探索與美術與裝飾藝術有關的議題，也提供了前所未有的社交網絡機會。

美國鑑價師協會隸屬於紐約大學進修暨專業學院，備受矚目的會員擁有十多年的經驗，教授最聲名顯赫的學術課程。畢業生可獲得美術與裝飾藝術評價研究的結業證書，並且習得如何保持專業評價做法的標準，協會亦出版了《All About Appraising: The Definitive Appraisal Handbook》的修訂版，對每個級別的評價師都是很寶貴的工具書，是2013年9月評價業出版的傑出作品。

合夥

美國鑑價師協會位於身為國際藝術市場中心的紐約市，邀請您前來詢問開創定製化的合夥關係，包括特殊的地方活動、教育節目與贊助我們極負聲望的講課系列、出版物與會議。

國際標準

世界日益變小，人們於世界各地做生意、有自己的資產，國際上有一個統一的鑑價標準對生意的透明化與信賴的建立極其重要。國際價值評估標準委員會（International Valuation Standards Council，簡稱IVSC）為一非營利組織，總部設於英國倫敦，目標與我們鑑價協會和鑑價師協會類似，透過以下來增強全球的評價專業：

- 一、發展高品質的國際標準及支持標準的採納與使用
- 二、促進組織成員間的合作
- 三、與其它國際組織合作
- 四、於國際上為評價專業發聲
- 五、為追求這些目標，國際價值評估標準委員會極其重視公共利益的保護

在香港和中國，有一些機構會提供一基礎架構給推廣最高標準與建立大眾信賴的自律組織。根據它們網站的審查，中國資產評估協會（China Appraisal Society）也是一個自律的單位，有類似我們組織的道德規範，也有為評價專業帶進標準與透明度的憲章。儘管我們不清楚中國資產評估協會是否僅包括房地產或動產，尤其不確定藝術與古董是否也為協會的一部分，其與國際價值評估標準委員會一致，也與之有所關聯。

雖然目前看來美國需要有由國家來頒發許可證予房地產鑑價師的制度，鑑價業仍偏好自律組織。我們有檔案的監督、憑證與維護，能進行重新認證，也有一個懲戒的系統來處理違規的行為。

身為美國鑑價師協會的代表，我們來此會盡己所能地幫助你們，以教育者的身分協助建立、確認與保持我們所期盼的標準。

謝謝。

出處：

美國鑑價師協會
美國鑑價基金會
國際價值評估標準委員會
中國資產評估協會
職業評統一標準鑑價作業
《All About Appraising: The Definitive Appraisal Handbook》





Constructing an Art Appraisal Mechanism and a Appraisal Personnel Certification System

**Establishing an Appraisal Mechanism in the Greater China Region
- Do We Need an Appraiser Association of Greater China?**

Betty KRULIK

Former President of Appraisers Association of America



Why standards? And Who Administers the Standards?

Imagine a time when appraisers “shot from the hip” assigning values to all kinds of property (real estate, cattle, fine art, businesses) with little or no reasoning.

Banks lend on the value of the properties Taxes are dependent on property values... who is assigning those values and what is there methodology?? There have always been appraisers that followed clear methodologies; but there are just as many or MORE that did not.

Hence, with the crisis in the savings and loan industry in the early 1980’s, the need for improvement in appraisal practices throughout the United States was emphasized. The difficulties and losses experienced by many lending institutions illustrated the importance of ensuring that appraisals are based upon established, recognized standards, and most importantly, that were independent and unbiased.

Enter the Appraisal Foundation (TAF) a private, not-for-profit corporation charged by Congress of the USA, with the responsibility of establishing, improving and promoting minimum uniform appraisal standards and appraiser qualifications criteria.

All of leading professional appraisal organizations in the United States and Canada met to establish and agree upon a generally accepted set of minimum standards, those standards were adopted and The Appraisal Foundation was established, in 1987, to implement the Uniform Standards of Professional Appraisal Practice. (USPAP).

The Uniform Standards of Professional Appraisal Practice is recognized throughout the United States as the generally accepted MINIMUM standards of professional appraisal practice.

The Appraisal Foundation has 3 arms:

1. Appraisal Qualifications Board (AQB): establishes the qualification criteria for state licensing, certification and recertification of appraisers. All state certified appraisers must meet the minimum education, experience and examination requirements promulgated by the AQB. The AQB has also developed voluntary criteria for personal property appraisers.
2. The Appraisal Standards Board (ASB): establishes the rules for developing an appraisal and reporting its results. In addition, it promotes the use, understanding and enforcement of the Uniform Standards of Professional Appraisal Practice (USPAP)
3. Appraisal Practices Board (APB): The APB is charged with the responsibility of identifying and issuing opinions on recognized valuation methods and techniques, which may apply to all disciplines within the appraisal profession. The APB offers voluntary guidance in topic areas in which appraisers and users of appraisal services feel are the most needed. Compliance with all guidance issued by the APB is entirely voluntary.

Disciplines of various Appraisers

In the United States, the only appraisers that are licensed are Real Estate Appraisers, each of the 50 States has guidelines that meet the minimum

criteria established by the Appraisal Foundation.

Personal Property Appraisers are NOT licensed by any governing body, those of us that are members of the 3 main organizations, AAA (Appraisers Association of America), ASA (Appraisers Society of America) and ISA (International Society of Appraisers) adhere to the standards and criteria put forth by the Appraisal Foundation voluntarily.

Below, is a selection of the broad variety of disciplines in which Appraisers have specialties:

Real Estate (Farm and Rural as well as Buildings and Property)

Business Valuation

Livestock

Machinery and Technical Equipment

Gems and Jewelry

Fine and Decorative Arts

The uses of appraisals and appraisers in the United States and abroad have diverse applications, this applies to every discipline as outline above. The need for credible, independent appraisals is essential where Art and Antiques are becoming financial instruments, as stocks and bonds and real estate have been in the past.

Financing

Purchase Price (cost basis)

Litigation

Property tax

Divorce

Charitable donation

Purchase/sale negotiation

Depreciation

Internal Business or Personal financial

planning purposes

Therefore it is of great importance that the appraisers adhere to standards and methodologies so that their appraisal reports are transparent and credible.

In the United States, the Internal Revenue Service (IRS), is responsible for Tax Collection and Tax Law has their own guideline for what constitutes a qualified Appraiser. They are:

1. An individual that has earned a designation from a recognized appraiser organization, and or has met the minimum education and experience requirement.
2. An individual performs appraisals regularly, and receives compensation.
3. An individual that demonstrates verifiable education and experience in valuing property like the subject property of the appraisal
4. An individual that has not been disqualified as an appraiser by the IRS.
5. An individual that creates reports that are USPAP compliant.

Because currently our government has little interest in regulating Appraisers, the idea of self-regulating organizations with a strict Code of Ethics is paramount to the IRS criteria.

So, What is USPAP?

The Uniform Standards of Professional Appraisal Practice is the MINIMUM standard for which appraisers in the US must adhere. It has numerous components most of which apply to Real Property,



but some essential concepts are in place for all appraisal disciplines.

The purpose of USPAP is to promote and maintain the highest level of public trust in appraisal practice by establishing requirements for appraisers. It is essential that appraisers develop and communicate their analysis, opinions and conclusions to the intended users of their services in a manner that is MEANINGFUL and NOT misleading.

- a. It provides Definitions for Valuation, Methodologies and Approaches:

for example:

- i. Appraisal: The act or process of developing an opinion of value.
- ii. Fair Market Value: A price achieved in an open market between a willing buyer and willing seller, neither being under any compulsion to sell, and both being aware of relevant facts
- iii. Retail Replacement Value: A properties highest value that would be required to replace the property with another of similar age, quality origin, appearance, provenance and condition within a reasonable length of time.
- iv. Approaches:
 - 1. Income Approach (Real Estate)
 - 2. Cost Approach (Business Valuation)
 - 3. Market Data Approach (Personal Property)
- b. Ethics: Conduct, Management, and Confidentiality (examples below)
 - 1. Conduct: the appraiser must perform the

assignment with impartiality, objectivity and independence

- 2. Management: the appraiser is paid a fee for his work (and that fee is NOT contingent on value, or that the appraiser is biased by the resultant use of the appraisal.

Confidentiality- the appraiser must preserve and protect the appraiser client relationship.

- c. Competency- that the appraiser must be competent to perform the report, or decline the work.
- d. Scope of Work- discloses the purpose of the appraisal, and what facts were considered to develop the opinion
- e. Record Keeping-
 - i. Each appraisal assignment must have a work file with client name, true copies of the report, and support information and documentation.
 - ii. The files must be kept for 5 years minimum and at least 2 years following any legal proceeding.

Associations

There are three associations for personal property appraisers active in the United States, we are all sponsors of the Appraisal Foundation. Which means that our entire membership complies with the standards of the Appraisal Foundation, and that we have an opportunity to discuss issues and craft the guidelines for appraisers nationwide.

- a. Appraisers Association of America
- b. American Society of Appraisers
- c. International Society of Appraisers

Let me speak about the requirements of my organization, The Appraisers Association of America. The Appraisers Association of America is an international organization based in New York City with members in cities across the country as well as in Canada, Europe and Asia. In a field with no degree and no license, membership in the Appraisers Association of America is one of the most important credentials to look for in a personal property appraiser. Our members are USPAP compliant and known for the highest standards of ethics, conduct and professionalism. Professional members of our Association are in one of two main categories: Certified Member, Accredited Member. Certified is the highest level of membership and a Certified Member always has a designation of AAA after his/her name indicating that they have particular expertise in a specified area.

Requirements

Certified appraisers of personal property with our organization have met the following comprehensive examination, qualifying education and qualifying experience requirements.

Qualifying Education

1. An Associate's degree (2 year college) or higher at an accredited university. This is the minimum, most of our appraisers have advanced degrees.
2. Valuation Education of one hundred and twenty (120) classroom hours with courses in the following areas:

Essentials of Appraising

The appraisal process
Types of appraisals
Types of appraisal reports
Uses of appraisal reports
Definitions of value
Approaches to value
Methods of property identification

Legal and Ethical Aspects of Appraising

Codes of Ethics
Legal considerations
Contracts

Research Methods for Appraisers

Valuation theory and principles
Definitions of markets
Market research and analysis

Appraisal Writing Workshop

Narrative report writing

IRS Legal Guidelines in Valuation of Fine and Decorative Arts

This is specific to estate, donation and gift appraisals

Uniform Standards of Professional Appraisal Practice (USPAP)

As defined above

Qualifying Experience

A. Experience Amount

1. 700 (approximately 4 months) hours of personal property appraisal experience in specific area(s) of specialization
2. Additional experience as follows:
 - a. Either 1,800 hours (approximately 1 year) of



personal property appraisal experience, of which at least 900 hours (approximately 6 months) are in area(s) of specialization

- b. 4,500 hours of market related personal property non-appraisal experience in area(s) of specialization.(Three years).

Why an Association? Public Trust and Public Service

Appraisers serve the public by providing fair, objective and disinterested information based on the facts of valuation methodology. Many of our professionals serve on boards of not-for-profits, including museums, public art research programs, academic organizations and art collecting groups. They also volunteer for “what’s it worth” local events and lecture to professional and community organizations and college students.

Furthermore, the Appraisers Association and its members actively promote high standards of the field by offering public programs, lectures at major institutions and corporations, and private education through partnerships with tax attorneys, insurance professionals, banks and others requiring specialized information. In addition, to better assist collectors and professionals.

The Appraisers Association of America, established in 1949, is the premier national association of personal property appraisers who focus specifically on fine and decorative arts. With a membership of over 700 independent appraisers in 100 different areas of specialization, the Appraisers Association’s roster of well-established professionals has the widest range of experience and expertise in their respective fields.

The Appraisers Association, which is associated with the highest level of professionalism, is a dynamic association that is simply unmatched in the field of personal property valuation. Appraiser Association appraisers work with private and corporate art collections as well as partner with collectors, attorneys, accountants, museums, educational institutions, trusts, brokers and insurance carriers to reflect the highest industry standards.

All of our members are required to be certified according to the highest professional standards, known in the field as USPAP (Uniform Standards of Professional Appraisal Practice). Seasoned professionals, members serve public and private collectors alike to deliver independent, ethical, and objective valuations for insurance, estate tax, charitable donation, equitable distribution, and liquidation purposes.

Code of Ethics

All Members of the Appraisers Association are required to adhere to a strict “Code of Ethics” which ensures unparalleled standards of ethics, conduct and professionalism. The code requires the appraiser to serve the public interest as follows:

- provide independent valuation outside of third party influences
- retain no outside interest in the subject property other than an accurate and professional value
- contract for appraisal work only within the areas of their professional expertise
- reach objective value conclusions by considering all factors in appraisal standards
- use the highest standards of connoisseurship

in examining and documenting property professional remuneration is independent of the value of the subject property

Educational Programming and Professional Development

The Appraisers Association of America offers a unique and wide range of professional development, educational and networking programs throughout the year, which are available to both appraiser members and colleagues in related fields. Most of our programs and conferences are open to the public. In addition to educating appraisers, they are of particular interest to collectors and members of the legal and insurance fields, museum and auction house professionals, dealers and art students seeking new opportunities. Lectures and related events feature international experts on varied topics from Contemporary Art, Folk Art, American Paintings, Jewelry, Silver, and Photography. Important issues affecting professionals such as recent international laws affecting repatriation may also be addressed. The lectures and programs provide an independent and open forum to explore issues germane to the fine and decorative arts. They also provide unprecedented networking opportunities.

The Appraisers Association of America is affiliated with New York University's School of Professional Studies. Highly regarded members with over 10 years of experience teach in one of the most prestigious academic programs. Graduates are awarded a Certificate in Appraisal Studies in Fine and Decorative Arts and learn to uphold the standards of professional appraisal practice. In addition, the organization published a revised edition of "All About Appraising: The Definitive Appraisal

Handbook," an invaluable tool for all appraisers at all levels, and a leading publication in the industry in September 2013.

Partnerships

The Appraisers Association of America is located in New York City, the epicenter of the international art market. The organization invites your inquiries with regard to creating custom-designed partnerships, including special local events or educational programs as well as sponsorship of our prestigious lecture series, publications and conferences.

International Standards

The world is getting smaller every day. People own property and do business in numerous places around the world, to have one valuation standard internationally is essential to transparency in business and to building trust. The International Valuation Standards Council, based in London is a not for profit whose objectives are similar to ours at the Appraisal Foundation and the Appraisers Association of America. To strengthen the worldwide valuation profession by:

1. Developing high quality international standards and supporting their adoption and use;
2. Facilitating collaboration and cooperation among its member organization's;
3. Collaborating and cooperating with other international organizations;
4. Serving as the international voice for the valuation profession
5. In pursuit of these objectives the IVSC places paramount importance on protecting the public interest.



There are organizations in Hong Kong and China that provide a framework for self-regulating organizations that promote the highest standard, and build public trust. Based on an inspection of their websites, the China Appraisal Society has a similar code of ethics to our, and is a self-regulating body. They, too, have a charter that brings transparency and standards to the profession. While it is unclear if that association includes just real estate, or if personal property, and art and antiques in particular, are part of the association. It seems that the China Appraisal Society is in accord with and associated with the International Valuation Standards Council.

While the state licensing of Real Estate appraisers in the United States seemed necessary at the time, the greater appraisal profession prefers the self-regulating organizations. We have the oversight, credentialing and maintenance of files for re-accréditation, and a disciplinary system to address any infractions.

As a representative of the Appraisers Association of America, we are here to help you in any way that we can, as educators, to help in credentialing, and to vet, as well as uphold the standard for which we all aspire.

Betty Krulik

美國鑑價師協會 AAA 前主席

鑑價經歷

Betty Krulik 有 38 年經手十九、二十世紀美國與歐洲藝術的經驗，交售與代表全國各地主要的收藏家與博物館，為不同的企業、組織和私人收藏家鑑價。

她專精於美國藝術，但於佳士得 (Christie's) 8 年間，負責了歐洲古典大師、十九世紀以及歐洲當代的藝術作品。

1976 年，她從一家美國小藝廊的畫廊總監做起，學習此行業的各個層面，做庫存管理、記帳、銷售與研究。1978 年進入佳士得，於紐約 Christie's East 待了 8 年，擔任繪畫部負責人、之後擔任公司協理，職責包括生意的接洽、鑑價與編目十七至二十世紀早期美國與歐洲藝術家的繪畫、雕塑和繪畫作品。

1987 年，她成為 Spanierman 畫廊有限責任公司的圖畫總監，在那裡工作了 14 年，專門負責十九與二十世紀重要的美國藝術作品，亦站在此領域研究的第一線，是美國藝術裡家喻戶曉的主要經手人。在 Spanierman 任職期間，她策畫了許多展覽，包括博物館高質量的威廉·梅里特·切斯 (William Merritt Chase) 作品展、威拉德·勒羅伊·梅特卡夫 (Willard Leroy Metcalf) 作品展以及劃時代的阿瑟·衛斯理·道特展：其作品與影響 (Arthur Wesley Dow: His Art and His Influence)。

2001 年，她掌管菲利浦斯、德普瑞和盧森堡拍賣公司 (Phillips, dePury and Luxembourg) 的美國藝術部，為著

名的葛蘭·福斯特海洋藝術 (Glen Foster Marine Art) 與世界聞名的提森-博內米薩 (Thyssen-Bornemisza) 珍藏品舉辦了多場拍賣會，美國藝術界多了許多創世界紀錄的拍賣價格。

2004 年，開始她私人藝術品交易、諮詢與鑑價的事業，經手重要美國藝術作品的拍賣，從哈德遜河畫派 (Hudson River school) 至美國現代主義作品皆有所接觸。

她是美國鑑價師協會 (Appraisers Association of America) 的認證會員，目前以前任會長一職擔任董事，亦兼百慕達藝術傑作博物館 (Masterworks Museum of Bermuda Art) 與位於紐約州由提卡 (Utica) 之曼森-威廉-普羅克特藝術學院 (Munson-Williams-Proctor Institute) 的顧問委員。她也是威廉·梅里特·切斯作品目錄 (William Merritt Chase Catalogue Raisonné) 的委員會會長與托馬斯·威爾默·杜因 (Thomas Wilmer Dewing Catalogue Raisonné) 的顧問委員。曾當過電視節目《尋寶》(Antiques Roadshow) 的鑑價師；任教於紐約大學進修暨專業學院下的美國鑑價師協會；參與國際衝突預防及解決協會 (International Institute for Conflict Prevention and Resolution, 簡稱 CPR)、紐約縣律師協會的藝術訴訟與糾紛解決協會、大學與大學博物館群的專題討論小組。她是負聲望的美國私人藝術交易商協會成員 (Private Art Dealers Association)，近日接手了威拉德·勒羅伊·梅特卡夫作品目錄計畫 (Willard Leroy Metcalf Catalogue Raisonné Project) 的行政業務。

Betty KRULIK

Former President of Appraisers Association of America

Appraisers Qualifications

Betty Krulik has 38 years of experience in the handling of American and European 19th and 20th Century art; she has sold to and on behalf of major collectors and museums around the nation. She has acted as appraiser for corporate and institutional collections as well as private collectors.

Her specialty is American Art, yet in her 8 years at Christies she handled European Old Masters and 19th Century works as well as Contemporary Art.

She began her career in 1976 as Gallery Director of a small American art Gallery. There she learned the business from the ground up, doing inventory control, bookkeeping, sales, and research. In 1978 she went to Christie's where she became Head of Paintings Departments, an Assistant Vice President, Christie's East, 219 East 67th Street, New York, NY 10021 for 8 years. Responsibilities included business getting, appraisal, cataloguing of paintings, works of art on paper, and sculpture, of the 17, 18th 19th and Early 20th Centuries European and American.

In 1987, she became Director of Spanierman/Drawings, where she worked for 14 years. At Spanierman Gallery, LLC she specialized in important American Works of Art of the 19th and 20th centuries and has been at the forefront of research in the field, as well as being known as one of the major outlets for American Art. During her tenure at Spanierman Gallery she curated many exhibitions including the museum quality shows of the work of William Merritt Chase, Willard Leroy Metcalf and the landmark exhibition, Arthur Wesley Dow: His Art and

His Influence.

In 2001, she took the Directorship of the Department of American Art at Phillips, dePury and Luxembourg, 3 West 57th Street, New York NY 10019, where she held the auctions of the famed Glen Foster Marine Art sale, and the world renowned Thyssen-Bornemisza collection, establishing world record prices in many sectors of American art.

In 2004 she began her business as Private Dealer, Art Advisory and Appraiser, Ms. Krulik has handled the sales of important American art, from the Hudson River school to American Modernism.

She is Certified Member of the Appraisers Association of America, and currently serves on it's board as Immediate Past President. She also has served on the Advisory Board of the Munson-Williams-Proctor Institute, in Utica, NY, and the Masterworks Museum of Bermudian Art. She is President of the William Merritt Chase Catalogue Raisonnie committee, and on the advisory committee for the Thomas Wilmer Dewing Catalogue Raisonnie. She has appeared as an appraiser on Antiques Roadshow, and has lectured at the Appraisers Association of America, New York University's Continue and Professional Studies, as a panelist for International Institute for Conflict Prevention and Resolution (CPR), the Art Litigation and Dispute Resolution Practice Institute of the New York County Lawyers Association; and for Universities and Museum groups around the nation. She is a member of the in the prestigious Private Art Dealers Association. Recently she has taken on the administration of the Willard Leroy Metcalf Catalogue Raisonnie Project.

藝術品鑒價機制與 鑒價師認證制度之建構

大中華藝術品鑑價制度的建立 ---
我們需要 AAC (Appraiser Association of greater
China) 嗎？

【論藝術品之鑒

——對藝術品鑒定、鑒證、鑒識、鑒價
及其相關問題的觀察與思考】

尹毅

中國文化部中國藝術科技研究所藝術品科研中心前主任

引言

當代中國藝術品認知與管理領域的情況十分複雜，若用一句俗語描述，可謂水很深，也很渾。尤其令人感到無奈的是，天天都有許多原創之作問世，天天又有許多複製品、高仿品、贗品產生，真偽優劣混雜已久且日益嚴重，贗品之災遍布各地尚在不斷泛濫，不擇手段的價格炒作導致了藝術品價值觀的混亂及其評價標準的嚴重異化。何況還有些掛著藝術品鑒定、鑒證、質量追溯等招牌者，其實是一些欠缺專業能力與職業道德的追利者。他們為了開拓其業務不擇手段的炒作宣傳，在市場混亂之「雪」上再加學術混亂之「霜」，藝術品之鑒的偽劣業務為偽劣藝術家、偽劣藝術品提供了混水摸魚的更多機會，使藝術品鑒定與管理工作者越來越感到不堪重負其歷史使命。面對中國藝術品認知與管理的現狀，作者署名真實性、作品原創性及其相關文字信息準確性的認知需求，以及對原創、模仿、複製、作偽、抄襲、代筆等行為實施有效管理的專業需求，特在此針對藝術品鑒定、鑒證、鑒識、鑒價及其相關問題談談我的觀察與思考。

一、藝術品辨偽防偽領域的四大能量

全面觀察藝術品辨偽防偽領域，雖然存在著形形色色的方法、模式以及各具特色的業務案例，但是均歸屬於作者鑒定、經驗鑒定、科技鑒定與科學備案這四大類別之中，有些個案或屬於其中一類，或是其中兩三類之組合。作者鑒定、經驗鑒定歷史悠久，科技鑒定與科學備案是當代與時俱進的新系統，共同匯成了藝術品領域的辨偽防偽陣營，然而現實總是複雜多變的，現就這四大能量的現狀及問題分析如下：

（一）作者鑒定

作者是藝術品的創造者、製造者，對其作品擁有當事人身份與證人資格，所以最有資質、最有條件並有權力針對署有本人姓名的作品進行真偽識別，這不僅是為了維護作者本人的著作權以及相關聯的名譽與利益，而且因為作者也應是藝術品市場正常秩序的擁護者、支持者、參與者。

作者鑒定歷史悠久，作者辨別自己創作的作品憑得是記憶與良心，無需複雜的方法與過程，但是也存在一些問題。

1. 人壽有限問題。在解決有真偽爭議的當代作品中，只要作者健在，人們往往會首先請作者出面認定，藝術品鑒定工作應該珍惜並利用好這一資源。但是眾所周知，所有古代作品的作者早已去世了，現當代作品的部分作者也去世了，去世的作者就不可能再來鑒定作品了。
2. 某些作者的記憶與眼力難免出現問題。特別是某些老作者，他們不可能對其一生中的每一件作品都記憶猶新，因眼神不濟而看走了眼，因記憶力衰退偶爾鑒錯自己的作品是難免的，也是情理之中的事。何況有些贗品亂真水平太高，與原作之間的視覺差異幾乎為零，可以與某作者大腦記憶庫中的信息圖像相吻合，所以作者鑒定之失誤是難免的。
3. 作者鑒定也存在道德問題。確有個別書畫家及其家屬別有用心，故意不承認自己創作的作品，被人戲稱為「掐死自家的孩子」，從而破壞了作者鑒定的信譽。
4. 作者的精力一般都用在創作上，其鑒定往往是兼顧而已，不可能職業化。必然也存在鑒定的時間成本問題，收費或免費與否的問題，是否書寫鑒定結論或出具證書的問題，以及鑒定結論糾紛引發利益衝突導致安全等問題。另外，關於那些家屬代作

者鑒定所出現的問題在此就不贅述。

(二) 經驗鑒定

經驗鑒定也被稱為傳統鑒定，它本是一個由實踐經驗與知識積累形成的學術分析系統。但是由於此類鑒定者與研究者十分強調經驗的作用，便有了「經驗鑒定」的稱謂。就學術分類而言，此處之「經驗」不應略含貶義的將其理解為經驗主義之「經驗」。書畫、瓷器、青銅 等各類藝術品鑒定的歷史文獻和現當代學術專著與論文以及口頭傳授的知識與經驗，是一筆巨大的文化財富，那些不同程度地掌握著這門學問的人，是當代藝術品鑒定實戰中的主力軍，理應得到尊重，而不應因經驗鑒定群體中存在濫竽充數者與專業不精者，就去貶低這個系統，或者將其定位於「參考」「借鑒」之列使其邊緣化。

但是，我們又必須正視經驗鑒定系統所面臨的問題：1. 經驗鑒定者的專業實力到底有多大？藝術品鑒定專家的成長需要認知大量藝術品原作，但是不管是古代作品，還是當代作品，任何人都只能看到其中一小部分，能多看一點就很不容易，欲看全部毫無可能。辨偽需先識真，對原作真品的認知程度往往決定著識別贗品、仿品、複製品的水平。所以，有人可能成為某位作者、某類作品、某時期作品的鑒定專家，但任何人都不能成為全方位的、無所不能的藝術品鑒定超人。2. 許多經驗鑒定者的主要依據是作品風格與藝術功力，有一定道理，也有一定作用，但也存在明顯的問題。一方面是作者的風格與功力是動態的、會變的，另一方面是任何作品的風格都是可以被模仿的，不管某某藝術家的藝術功力多麼深厚，也

是有相近者的。特別是現代科技已經可以讓原作與複製品之間的視覺差異接近於零，在這樣的科技高仿背景下和複雜多變的現實面前，藝術品鑒定專業若仍然停留在依據風格、功力之差異的經驗識別層面，其鑒定結論豈能不遭人質疑。3. 藝術品經驗鑒定系統怎樣才能融入我國的現行司法體系？我國的現行司法體系重證據，一切需要讓證據說話，而藝術品經驗鑒定系統卻重經驗，僅憑經驗和感覺就可以下結論。雖然有些贗品僅憑經驗和感覺就可以一眼識破，但是有時候僅憑經驗和感覺就下結論是會出現失誤的。所以我們必須正確對待經驗鑒定在傳統依據方面的問題與質疑，深入思考藝術品經驗鑒定怎樣才能融入我國的現行司法體系，讓經驗鑒定系統在與時俱進中不斷完善自我，保持其生命活力。

(三) 科技鑒定

在藝術品科技鑒定的國際大趨勢和注重文化與科技融合的國內新形勢共同影響下，讓中國藝術品鑒定走上科學之路就具有了歷史的必然性。利用光學顯微鏡、拉曼光譜法、紅外光譜法、X射線螢光光譜法等現代光學技術，對歷代藝術品進行無損傷檢測，獲取歷代藝術品材質數據並依其形成斷代的比對依據，從而逐步構建歷代藝術品的科技檢測識別系統，這一既定科研目標及路徑設計是合理的、可行的，只不過存在著一個是短期目標還是長期目標的問題。因為中國歷代藝術珍品不僅分布在海峽兩岸的文物機構及各地藏家手中，還有大量精品收藏在英國、法國、美國、日本等國家的博物館以及私人藏家手中，所以要建立科技鑒定所依賴的歷代藝術品材質數據庫，絕不是一個科研團隊在短短幾年就可以辦得到的。所以當下一

定要警惕個別打著「科技鑒定」招牌的謀利者，為招攬生意便把某種科技鑒定設備炒作成某種無所不能的神器，其實天下並沒有某種工具或系統能夠成為識別藝術品真偽的萬能「照妖鏡」，而現實中以「照妖鏡」騙取名利的現象並不少見，也有人將其稱謂「過機」，一過某種機器就可以依其說事了。更有甚者將「過機」與某些專家（甚至院士）掛名宣傳相結合，引得業內人士反感。俗話說：術業有專攻，隔行如隔山。任何大牌專家走入自己陌生的某專業領域，必然也是該領域的非專業人員，藝術品科技鑒定領域也不例外。在欠缺科技鑒定所必須具有的數據支撐條件下，大牌科技專家的實戰能力與普通科研人員的實戰能力往往是差不多的。

當然，就藝術品科技鑒定的作用與貢獻而言，海內外早已有許多成功的案例，而且在書畫、瓷器、青銅器、寶玉石等方面所取得的業績還在不斷的拓展。特別是近些年來以科技手段識別噴墨打印高仿書畫，受到了業界好評和社會公認。因此說，藝術品科技鑒定之路勢在必行，但要腳踏實地，循序漸進。

（四）科學備案

古往今來的中國藝術品欠缺誕生與流傳的備案系統，以至於如今無法準確再現諸多藝術品傳承的歷史軌跡，而且有些懸案可能永遠無法破解，有些爭議也可能永遠沒有結局。因此，如何利用現代科技成果對藝術品實施保真備案或責任鎖定備案，必將成為當代藝術品管理的重要一環。2009年，我單位科研人員採用光學儀器對各類書畫作品的微觀結構進行了大量的取證比對，證實了任何書畫作品畫面的任何一處微

觀形態都是獨一無二的，取其微觀圖像並備案就可以鎖定該作品唯一性特徵信息，成為日後驗證其是否被調換的可靠依據，因為任何高超的複製技術只能複製作品的藝術形態，而無法複製作品物質形態中的微觀世界。在這一科研實證後不久，我就獲悉了A200便攜式顯微鏡的功能與特性，便將其引入藝術品科學備案業務，作為書畫微觀圖像取證驗證的借用工具，於是便策劃了「為中國畫備案」的業務模式以及推廣方案，並從多家企事業單位進行試點，從而為藝術品科學備案事業及產業發展奠定了基礎，在中國大陸逐步形成了為藝術品科學備案的大趨勢。但是，我們必須清醒地面對那些關於藝術品鑒證備案如火如荼發展的各類宣傳，就其技術設備與業務規範以及應用範圍而言尚存在著許多問題，其實至今僅是為中國畫備案的業務在較大範圍內啟動了而已，油畫等其他畫種以及其它藝術品種類的科學備案業務均處在籌備階段或者起步階段；就其專業資質、學術標準以及事業發展而言亟待解決的問題更多，特別是有些從事藝術品科學備案業務的人是為追利而來，不僅欠缺專業素質，而且欠缺職業道德，若讓其擔當藝術品科學備案重任豈能讓人放心？更可怕的是唯利是圖的備案人員與偽劣藝術家以及造假、售假者通過所謂鑒證備案聯手，將會把正能量變為負能量，把淨化藝術品市場的行動變成進一步擾亂藝術品市場的行為。

二、對幾個基本概念的認知與思考

藝術品創作、認知與管理在我國的發展是不平衡、不勻速的。特別近幾十年來，藝術品創作進入了多元化發展的興盛時期，創作隊伍空前壯大，作品質量與數量都有了大幅度的提高與增長。而藝術品認知與管

理方面的發展卻明顯滯後，既欠缺專業人才，又存在嚴重的混亂現象，偽劣藝術品泛濫成災、抄襲模仿司空見慣、真實的價值與炒作的價格之間形成了巨大反差，虛假宣傳與欺詐等行為已成常態。糾其原因有很多，其中基本概念的認知欠缺與惡意篡改不容忽視。藝術品認知是一項學術行為，也是當代藝術品管理領域中不可或缺的基礎專業。由於此認知與管理關係到某些個人利益與單位利潤，特別是某些不具備該項業務所應有的素質與資質的人及其所操縱的單位，為追逐名利也混入了藝術品認知與管理領域，而且也舉著淨化藝術市場的招牌，卻不遵守學術原則，甚至企圖擾亂某些藝術品認知與管理的概念與理念，從而渾水摸魚。所以，是該講清某些基本概念及問題的時候了。

（一）「藝術品鑒定」與「藝術品鑒證」

「鑒定」與「鑒證」，其內涵基本一致。兩個詞的頭一字都是同一個「鑒」字，不存在二義；後一字一個是「證」字一個是「定」字，各自在與「鑒」字的組合中分別有了具體的側重與表述。「證」字指的是證據，強調了「鑒」的過程中證據之重要。「定」字指的是定論，強調了鑒的目的是要準確定論。「鑒證」一詞中的「證」字有助於實現「鑒定」一詞中的「定」字，「鑒定」一詞中的「定」字需要「鑒證」一詞中的「證」字。顯然，「藝術品鑒證」與「藝術品鑒定」所言的並不是兩回事，現實中的鑒定人員與鑒證人員其實是同一個群體，所鑒定的對象或所鑒證的對象其實是同一種事物。無論是從科研對象與業務內容方面觀察，還是從行業形態與專業屬性方面觀察，「藝術品鑒證」與「藝術品鑒定」是針對同一類事物

採取的同一類行為的不同表述。

（二）「藝術品鑒證」為何流行於當下？

在中國大陸、港澳台地區以及也使用漢語的其他國度的某些地區，其相關機構及大眾數十年來廣泛使用的是「鑒定」一詞，鑒證、鑒識等詞的使用範圍與

使用頻率相對少一些，但是鑒證、鑒識二詞都不是新詞，更不是新概念。台灣的司法系統早就在使用「鑒證」一詞，而且早就有「鑒證科」等機構；1997年，中華人民共和國國家工商局曾發佈了《合同鑒證辦法》；同年，香港電視廣播有限公司出品了一部電視連續劇《鑒證實錄》，其熱播對「鑒證」一詞的流行起到了一定作用。近十幾年來，中國大陸藝術品鑒定與管理領域中的一些有識之士，受當代司法體系及其日趨成熟的理論觀念影響，以及實踐經驗的啟發，對無須舉證就下結論的藝術品鑒定習慣做法提出了越來越多的質疑，對因缺證據而「鑒而不定」的現象有了越來越多的關注與思考。2008年至2010年，我作為「書畫真偽科學鑒定系統」這一國家科研項目負責人，曾多次組織文化界、司法界的專家共同探討藝術品之鑒的若干問題，大家普遍認為：無須舉證的藝術品鑒定老模式，難以融入重證據的現行司法鑒定體系。所以我在我所主持的多個科研項目中強化了證據的研究，並且提議：當代藝術品鑒定應以科學取證、科學論證為基點實施歷史性轉型，逐步融入司法鑒定體系的大格局中。

在此社會大背景下，統計、比較藝術品鑒定、鑒證、鑒真、鑒識、鑒別、鑒賞等詞的使用情況，我們

發現：「鑒證」一詞在中國大陸的使用者與使用率正在連年提升，其流行於當下的原因也是顯而易見的了。

（三）「藝術品鑒證」的含義與定位

藝術品鑒證是應對作者署名真實性、作品原創性並相關文字信息準確性的認知需求，界定原創、模仿、複製、作偽、抄襲、代筆等行為及作品的一種專業術語。藝術品鑒證既要遵循嚴謹的科學取證規則，又要遵守科學論證的學術原則，並且提倡綜合運用多種辨偽防偽的有效方法，從而形成的一種互聯網時代的藝術品認知、管理、服務模式與系統。

藝術品鑒證是藝術品認知領域中與時俱進的學術行為，是當代藝術品管理領域中的基礎業務之一。所以說，藝術品鑒證體系必然是藝術品認知領域與文化管理體系中不可或缺的組成部分。藝術品鑒證在藝術品認知領域中的作為，主要從作品真實身份及原作者鑒證、作品原創性鑒證以及相關信息學術分析鑒證三個層面展開；藝術品鑒證在文化管理領域中將涉及到藝術品交流、交易、收藏的諸多方面，其業務資源與社會化服務中並潛在著文化產業的廣闊空間。

（四）慎作鑒定結論，廣持鑒識心態

面對鑒定、鑒證、鑒識、鑒別、鑒真諸詞的使用情況，我希望能像近幾年提倡廣泛使用「鑒證」一詞一樣提倡日後更多的使用「鑒識」一詞。因為現實中有大量的藝術品真偽事件或案件，追溯其本來面目尚需大量證據，只有經過大量的科學取證、科學論證過程，方能針對其中一部分作品步入一錘定音的階段。有些藝術品的作者與年代可能會永存疑問，無法定

論。面對藝術品領域的複雜情況，特別是在各種意見不能統一甚至相悖的情況下，讓大家各述「鑒識」比各述「鑒定」更妥當，更客觀。

上世紀 80 年代，中國國家文物局曾組織謝稚柳、徐邦達、啟功、楊仁愷、劉九庵、傅熹年等專家巡視了許多省市文博機構，對數萬件古代書畫藏品進行了研究，他們對其中的許多作品給予了結論性的鑒定意見，但對其中的 235 件元代以前作品持有不同的鑒識，就沒有急於下鑒定結論，而是很認真地記錄下每個人的鑒識意見留給後人參考。顯然，在這些老專家中間也會出現鑒而不一的現象，但這並不證實他們的鑒定專業水平不高，恰恰證明瞭他們是真正擁有科學態度和專業品質的大家！其實，歷史與現實中的各行各業之中的鑒而不一之事太多了，而今的一些鑒寶類電視節目往往是鑒而必定，鑒定者無所不能，看一眼便定論，這種具有娛樂性的電視節目並沒有真實地反映藝術品之鑒領域中的實情與常態。現實中的每一位專業人員對每一個真偽案例的言與行，都應慎作鑒定結論，廣持鑒識心態。

（五）藝術品質量及其價值、價格評估

在藝術品鑒價工作中，需要關注與研究的因素及問題很多，尤其不可忽視藝術品本體的多面性、複雜性，及其質量方面所應有的多層面研究。以繪畫作品為例，每件作品都具有三種形態。首先是物質形態，它包括畫紙畫布、顏料與墨、印泥等，沒有物質形態存在就沒有繪畫作品，每有其存在就必然有物質層面的質量問題；第二是藝術形態，它包括造型、圖式、筆墨、色彩等，沒有藝術形態存在就

沒有藝術可言，有其存在就必然有藝術層面的質量問題；第三是意識形態，包括題材、內容、思想、情感、政治、哲理、意境等，於是就必然有了精神層面的質量問題。由此可見，繪畫作品確實不是普通商品，其三種形態決定了它必然存在三方面的質量問題。所以，在關注藝術品質量時，切不可忽視其有三個層面的質量因素，要在藝術、物質、意識三個層面綜合觀察，三者都具高品質的作品才是完美的佳作。對此還要特別注意：不可過分誇大某一層面的比重來判斷其價值或決定其命運。

新近發生的關於蔣兆和作品《流民圖》是賣國之作還是愛國主義作品之爭，就是一例。有人認為該作品是「20世紀中國最偉大的人物畫」；也有人認為該作者存在嚴重的政治問題，該作品是為漢奸服務之作，不應參加紀念抗日戰爭70週年的國家大展；也有個人認為，既然此作者、此作品存在的政治問題，就應將其打入冷宮。最近，我曾與引發此爭論的林木先生當面探討此事，並就以下觀點達成了共識：我們應對《流民圖》的作者及其主題思想、藝術價值、材料品質分別進行研究，並綜合評價。不管是要肯定一件作品，還是要否定一件作品，都不可顧其一點不計其餘，要全面認知就不可放過任何一點優點或劣跡，而且還要將其放到足夠的時空中進行更全面調研與比較研究。對《流民圖》的價值評估應如此，對所有作品的價值評估也都應如此。中國大陸自稱「畫家」、「美術家」、「書法家」的人很多，若將這些人放到足夠的時空中進行全面的比較，我們就會發現大多數人僅不過是「票友」或者「愛好者」而已！當下的中國書畫界以各種方式宣傳自己「風格獨特」、「創新」、「開宗

立派」的人很多，若將其放到足夠的時空中進行全面的比較，往往就會是……不過如此而已。所以，藝術品鑒價工作不僅要關注作者的藝術造詣如何、是否是某時空中的代表性藝術家、其作品的存世量多少等因素，以及該作品是否是其精品、其尺幅大小與材質品相如何、有無特殊附加等因素，更重要的是須將該作品的質量分析、價值評估放到足夠的時空中與足夠的作品進行比較研究。

關於藝術品價值、價格方面的學術研究涉及諸多領域，曾有一些專家學者從人類文明與生活、歷史與政治、文化與科技、道德與宗教、情感與感受、經驗與認同、創意與技藝、投資與營銷以及公共交流、宣傳推廣、藏家心理等不同角度進行了多層面的研究，已有的理論觀點無須在此贅述。藝術品價值與藝術品價格是兩個不同的概念，一般來說，藝術價值高的藝術品其價格也應該高，但是現實情況並非完全如此，根據一些地區的某些個案我發現，某些真藝術家的好作品賣不出好價格，而某些善於偷機炒作的庸才拙作卻在瘋狂吸金，在藝術品的實有價值與實際價格之間存在著巨大的落差，這不僅證實了中國藝術品市場不成熟、不健全的問題，而且也反映出官本位文化影響、學術腐敗侵害、文化管理缺失的一系列問題。有些專家學者一直在關注藝術品交易指數，近來尤其關注中國的某些拍賣會上存在假拍現象，研究虛假交易與價格炒作的問題。這方面的研究固然必要，但是我希望各位專家學者以及藝術品領域的工作者、消費者要更多的關注那些真實成交行為幕後的虛假與荒唐！因為某些由大量成交記錄的真實數據所行成的真實價格及價位，往往潛在著不合情理、不合規則的腐敗與荒

唐，難怪某些有識之士期待著中國藝術品市場新秩序下的重新洗牌。

三、藝術品領域中的鑒、證、定需求

藝術品領域的鑒、證、定需求是普遍存在的，十分迫切的，非常強烈的。在這鑒、證、定需求中，不僅存在著學術研究與文化管理的偉大事業，而且會伴隨其文化新業態的形成產生巨大的文化產業。藝術品的鑒、證、定業務範圍十分廣闊，必然涉及到藝術品所觸及的諸多領域與行業，從而產生多樣化的各種業務。但是，若從藝術品的鑒、證、定業務自身觀察，可以從作者署名真實性、作品原創性以及相關信息準確性三個層面分類並開展業務。

（一）作者署名真實性之鑒、證、定

作者署名真實性問題所需要鑒、證、定的是：署名藝術品是否是該署名作者親筆之作，未署名的某些藝術品或工藝品之作者是誰？這是作者鑒定、經驗鑒定、科技鑒定、科學備案四個系統共同面對的主要業務，其應有的模式與特徵是：

1. 鎖定原作，實施保真。必須在作者親臨現場參與配合下，由專業人員以取證驗證儀、定位膜等專業設備鎖定藝術品的唯一性微觀圖像信息，對作者本人確真的藝術品原作實施保真，並將其數據存入專業數據庫備案，從而對該原作實施長久的保真驗證服務。
2. 鎖定原件，明確責任。以取證驗證儀等專業儀器鎖定藝術品的唯一性微觀圖像信息，鎖定交流、交易、典藏之中的藝術品原件，將其數據存入

專業數據庫備案，從而明確記錄了若產生真偽問題而應承擔責任的具體方，並對該作品實施長久的鎖定責任驗證服務，同時也可以對其作者署名真實性進行不斷深入的鑒、證、定研究與判斷。

3. 研究判斷真實作者。憑藉藝術品領域的歷史文獻信息與知識以及相關的個案經驗，分析具體作品藝術形態、意識形態中的各種因素與跡象，對該作品的風格、功力進行學術分析，從而判斷其真實作者；或者採用取證驗證儀及光學顯微鏡、拉曼光譜儀、X射線螢光光譜儀等現代光學技術設備，獲取藝術品的微觀圖像信息與內部物質成分數據，對其實施科學取證與論證，從而判斷其真實作者；或者綜合運用以上兩方面的學術資源與技術成果，努力追溯其歷史實情，還原該作品製造者的真實身份。

（二）作品原創性之鑒、證、定

作品原創性問題所需要鑒、證、定的是：所謂原創作品是否是真正的原始創新之作。針對作品原創性的鑒、證、定業務，不可忽略以下兩條規律：

1. 任何原創藝術品都必須在某一方面率先開創並有別於以往所有作品。現實中大量的所謂原創作品，往往在局部時空中的某個圈子內確實讓人耳目一新，但是若將其放入更大的時空中進行宏觀比對，就會發現不過是模仿之作、抄襲之作。現實中也會偶發不謀而合的「撞車」之作，只能按照雷同雙方的創作時間先後確定原創。互聯網時代之來臨，既為模仿者、抄襲者提供

了跨時空的機遇，也為作品原創鑒證工作提供了跨時空宏觀比較的方便。

2. 所有原創藝術品都必須有原創的具體體現，沒有具體的創新之處豈能稱其原創。當然，不可能要求原創藝術品在其物質形態、藝術形態、意識形態各方面都出現嶄新的面貌，但是擁有一方面的具體原創特色則是必不可少的。不管是材料與技法之原創，還是藝術表現形式與藝術語言之原創，或者是題材之原創、內容之原創、意境之原創、觀念之原創，能擁有其中一項原創就很可貴，也很不容易。但是任何一項原創都必須將其放在古今中外藝術品創作的廣闊時空中，經過專業化的宏觀比較之後方可被確認。

（三）相關信息準確性之鑒、證、定

相關信息準確性所需要鑒、證、定的是：圍繞藝術品及其作者所產生的種種宣傳、評論、估值等信息是否客觀，是否精準，是否遵循了藝術規律，是否尊重了學術原則。藝術品及作者相關信息鑒證就是要還原創作、模仿、複製、作偽、抄襲、代筆行為及作品的本來面貌，清理一切錯誤的、偽學術的相關信息，並將經過學術梳理的、科學取證與論證的精準信息存入數據庫。由於藝術品數據及作者相關信息往往直接關係到藝術品價值、作者及收藏者的利益，有些作品的某些信息甚至會對社會、對後世產生一定的影響。所以藝術品數據庫科學備案系統的信息數據必須是真實、準確、具有社會公信力的，其業務人員必須遵循學術原則、堅守職業道德。對藝術品及作者的相關信

息既要有鑒，又要有證，對涉嫌炒作的描述一定要嚴格遵照學術原則將其刪除。

四、藝術品科學備案的技術系統

對古代的、現當代、未來的所有藝術品都實施科學備案管理，並建立相適應的藝術品數據庫，利用互聯網技術為世界各地的交流交易典藏業務服務，是藝術品管理工作最美好的願望和最迫切的需求。要實現這一願望、滿足這一需求，就必須對取證鑒證的技術與設備提出更高的要求。2008年，我憑借本人所擁有的學術資源、單位及國家科研項目所提供的有利條件，從藝術與科技相結合的角度策劃了為中國畫科學備案的方案，並攜科研團隊共同啟動了為中國畫備案的第一代技術與模式。七八年來，這種為中國畫備案的技術與模式得到了廣泛的推廣應用與好評，但是我一直認為在為書畫藝術品科學備案的技術、設備與業務模式方面都還存在一些問題，雖然有些人與機構為此曾努力過，並曾有幾種代用的、改造的、發明的技術設備及其應用模式問世，但是都在精準性、嚴密性、使用性、公信力等方面存在著問題。於是，我便在近期組織文化、科技、公安、司法等領域的一些相關專業專家為此展開了針對性研究，而且遵循圖像+文字、物證+人證一體化取證的新理念，研發了以「藝管鎖」為品牌的書畫定位膜和書畫取證鑒證儀以及與之相配套的新技術系統、新業務模式，而且已經通過了中國公安部刑事技術產品檢驗和文化部相關專家們的監制與驗收，目前已進入了批量生產與廣泛推廣應用階段。知情人士一致認為：該科研成果與新業務模式必將十分有效地強化藝術品管理，為建立規範的藝術品市場新秩序做出貢獻！現將此書畫專用的微

觀圖像取證驗證儀和微觀結構定位膜的主要功能與特點介紹如下：

（一）以此膜與作品的重合圖像可識別所有臨摹品

微觀結構定位膜可以標記畫面結構，具有定位取證、比對驗證的識別功能。原件與膜重合備案後，再以其膜識別手工臨摹品具有百分之百的把握。將定位膜覆蓋在取證備案的畫面上，透明膜上的各縱橫線及其交叉形成的各方形區域、各取證點上的橢圓形與長方形、取證點序號並各處文字的筆劃與畫面結構細節相重合形成的定位關係，具有標記畫面結構的作用。將此重合形成的圖像拍攝備案，可成為日後驗證再次重合定位的還原依據——驗證時將定位膜覆蓋在需要驗證的畫面位置上，並努力還原定位膜各縱橫線、各方形和橢圓形、各文字筆劃與畫面各結構細節的重合關係，如果存在明顯差異而無法還原，則可斷定此驗證作品不是當時取證備案的原件。當然，此膜此法僅針對備案後的手工臨摹品之識別，識別噴墨打印、珂羅版等現代科技複製品尚需動用取證驗證儀。另外，定位膜可以使儀器與畫面隔離，對取證驗證的畫面還具有保護作用。

（二）以此儀器可識別各類噴墨打印高仿品

噴墨打印高仿品對原作有極高的還原度，其顏料墨的質感很接近原作，所以以其假亂原作之真時僅憑人們的肉眼很難識別。而且噴墨打印技術還在不斷提高，質感可以變的更貼近原作，噴點可以變的更小，但是這種書畫取證驗證儀具有較高的放大級別和清晰的圖像顯示，可以通過顯微攝像裝置觀察並獲取其微

小噴點的圖像，識別當下的各類噴墨打印高仿品。特別是在如今的高仿書畫中，噴墨打印高仿品已佔據了絕大部分的比重，該儀器可以極便捷的進行識別，其意義與作用是顯而易見的。

（三）此儀器與膜的立面操作優勢及其嚴謹系統

回顧以往的、現行的取證驗證工作問題：以手持式儀器在大尺寸作品上平面操作，只能從四周邊緣地帶取證驗證，使大作品中央區域成了取證驗證工作的死角地帶……；各類用於取證驗證的檯式設備，由於不便於移動而不能流動服務，由於檯面所限必然頭痛那些大於工作檯尺寸的作品……；特別是這些手持式與檯式設備都不便於物證與人證的結合，難以形成嚴謹的取證驗證操作系統。

取證驗證儀及定位膜均可通過其磁性吸附功能使其在立面上操作，並可以與翻拍作品整體畫面使用同一個場地，利用同一次畫面定位、光線調整，這種連貫性操作可以一舉多得，既可以節省工作時間，又可以節省工作空間，簡化了獲取微觀圖像的過程，提高了取證驗證效率，特別是還可以將取證驗證儀之微觀取證與相機的宏觀取證結合在一起，並且可以很方便地將物證圖像與人證圖像融為一起，形成一個更加嚴謹的取證驗證體系，從而使該類取證驗證業務更具公信力，更易融入司法工作領域。

（四）此儀器與膜的精準定位、準確記錄特點

微觀取證驗證比對的有效面積往往在 1 平方毫米左右，不易查找具體位置，更不易讓鏡頭精準對準該位置。為此，該取證驗證儀與該定位膜共同設置

了精準定位系統：在取證驗證時，先將透明的定位膜覆蓋在作品畫面上，讓定位膜上的橢圓形取證標識標定出取證位置，並以膜與畫面相重合的圖像以及某橢圓形定位點作為儀器鏡頭定位的依據。該定位膜上有9處橢圓形（內含小長方形）取證點，其序號採用三種字號逐級標注；取證驗證儀軟件中設有橢圓形定位標識，可在屏幕顯示中與定位膜上的橢圓形、長方形兩級取證點逐步套合定位，並含序號拍攝成一個完整的圖像信息實施備案。以此膜此法標記取證位置及序號，相當於在取證原件上精準標記取證點而又不觸及畫面，解決了人工圈注取證點、書寫編號難免產生筆誤的問題，降低了驗證時尋找取證點的難度，以及無須動筆就可以準確記錄的難題，並由此提高了取證驗證工作的質量與效率，確保了信息的可靠性與完整性。

（五）取證驗證儀的其他功能與優點

1. 在取證驗證儀中設置了作品文字信息書寫存儲軟件，可採用中英多種文字並拼音、手寫等多種輸入法，將作者、作品、備註等基本信息由取證人現場填寫，並與取證驗證所獲取的微觀圖像結構於一體，拍攝成一幅圖片證據並存儲。在取證驗證現場以儀器獲取微觀圖像過程中，由取證驗證者本人面對具體作品具體部位的取證驗證點，及時將基本文字信息填寫在取證驗證的圖像中，可以形成一個文圖結合於一體的完整圖像數據，省去文圖分離的書寫環節。這樣既可以保障該數據無誤，又可以增強該數據的公信力與證明力。
2. 在取證驗證儀屏幕上顯示出本儀器的唯一編號，可將該儀器及其專用人取證驗證具體操作獲得的圖像連接在一起，從而便於鎖定具體機構具體工作人員的具體業務。這樣既便於對具體業務具體工作人員實施管理，又可以增強該數據的公信力與證明力。
3. 利用互聯網與 GPS 系統在取證驗證儀屏幕上自動顯示出準確的取證時間（包括年月日、幾時幾分）和取證地點，並與取證驗證的以上各項圖文信息融為一體鎖定存儲，這樣可以使數據更加完整，防止日後或異地補填文字出現失誤或人為篡改數據，從而增強該數據的公信力與證明力。
4. 將取證驗證儀屏幕上左下角顯示出的本機編號，與其右下角顯示出的的取證時間（包括年月日、幾時幾分）相串聯（即本機唯一編號+取證驗證時間）即是該數據編號，通過該數據編號便可以一眼看出是那一台儀器、那位操作人在何日期何時間獲取得此數據。所以，無論是在全國各地還是在世界各國，也無論有多少台儀器獲得了多少數據存入了數據庫，其數據編號永遠不會重復，十分便於數據查找與追溯。
5. 讓取證驗證儀具有了 QQ、郵箱、微信、藍牙、瀏覽器、圖庫、設置等功能，既可以將取證驗證數據及時傳輸到異地數據庫及時存儲及時發佈，又可以給使用手機、iPad 接受信息的用戶帶來即時享受取證驗證信息服務的方便，從而給取證驗證的信息傳輸與服務工作帶來了極大的方便。同時，取證驗證儀所擁有的這種信息

異地傳輸功能與及時發佈特點，綜上所述，可見藝術品科學備案的技術與設備已經成熟。但是如何推廣應用該技術系統，並與其學術系統相融合，共同推動形成互聯網+藝術的大數據庫，而且使其應用與服務逐步社會化、國際化，我們所面臨的問題還很多。

五、藝術品之鑒中的學術與利益問題

藝術品鑒識、鑒證、鑒定、鑒價過程中的每一個環節都需要學術支撐，其結果都難免會觸碰到某種具體的利益。前不久，有人拿出一批個人珍藏的繪畫作品讓我和另一位專家一起鑒賞，我們倆對其中的三件古代名家的大作品感覺有問題，便以取證驗證儀對其進行了微觀取證，從中查出了噴墨打印工藝中的微噴色點。於是，這三件當代科技高仿品的非原作品質便被一錘定音了。當時有位在場者曾經感言：「這技術設備是不講情面的，面對這無可爭議的證據，好幾個億的心理資產轉眼之間就幻滅了！」。顯然，藝術品之鑒步步都涉及學術，件件都觸及利益。不僅藝術品投資與收藏觸及投資者、收藏者的利益，而且藝術品鑒識、鑒證、鑒定、鑒價也涉及收藏者、投資者的利益。因為能否以學術與技術為支撐，客觀地判斷其真偽優劣，準確地評價其價值，也必然觸及到投資者、收藏者的利益；再進一步說，最大限度地調動業界各方力量，利用各種可利用的因素，推動形成以科學備案為基礎的藝術品鑒證文化新業態，既是藝術品市場管理的重大舉措，還潛在著巨大的文化產業。兩年多前曾有人根據藝術品鑒證的巨大社會需求，預言藝術品鑒證產業在全國大規模展開後年利潤可達 15-20 億人民幣。特別是書畫藝術品科學備案的業務成本比較

低，這種低投入可以獲得高收益的消息傳開後，必然會有一些欠缺基本專業知識的、跨行業的非專業湧入者為利而來。其實欠缺基本專業知識、跨行業、非專業並不可怕，可以通過學習努力提高專業素養與業務水平；為利而來也不可怕，只要能「君子愛財，取之有道」，也不會出大問題。怕的是有個別人、個別機構不僅欠缺基本的專業知識，而且欠缺相關的行規與法規素養，甚至欠缺基本的學術品格與職業道德，為了追求自我名利或者某一伙人的利益而不擇手段，濫用職權，製造學術混亂與腐敗，並冒用國家名義惡意炒作，企圖操控業界，壟斷市場……。為此，我們必須關注藝術品鑒證文化新業態的健康發展，當下尤其要關注個別人為了個人名利、為了少數人的利益所製造的學術混亂與學術腐敗。

（一）要警惕追求名利的惡意炒作

中國大陸有一位副部級高官，在其退休前夕籌建了中國檢驗檢疫學會（以下簡稱該學會）。該學會本是一個自籌資金的社會組織，其生存也面臨著經營收入問題，於是該學會負責人在其欠缺藝術品基本常識與修養的狀況下，看上了藝術品鑒證文化產業項目。但是，該學會既沒有從事藝術品鑒證的經營資質，又沒有從事藝術品鑒證的專業實力，於是該學會負責人便利用其他資源追求藝術品鑒證方面的利益，為達其操縱藝術品鑒證市場之目的，而不斷製造學術混亂。

該學會負責人利用關係將中國檢驗檢疫科學研究院主管的一份雜誌《食品指南》改名為《藝術品鑒證》，並歸該學會主辦。該學會利用該媒體平台拋出了一系列歪理邪說。在今年初的創刊號發刊詞中曾宣

傳：「藝術品鑒證」是相對於「藝術品鑒定」而提出的一個具有特定內涵的新概念。其特定內涵就是指被世界公認的「四大國家質量基礎」，即計量、標準化、認證認可、檢驗檢測。……四者之間具有緊密的內在邏輯關係，構成了藝術品鑒證技術鏈條中的核心部分，並在此基礎上形成了一個具有理論意義和實踐價值的新體系……這是藝術品鑒證區別於藝術品鑒定的顯著特點。」於是，一種「相對於藝術品鑒定」、「有別於藝術品鑒定」的所謂藝術品鑒證及其體系便悠悠於世了。更荒唐的是該學會將其會長吹捧為藝術品鑒證的首創者、首倡者，曾在其雜誌中宣傳：「藝術品鑒證」這一新概念，最早是由時任國家XXX局副局長XXX先生在與國家標準化管理委員會、北京出入境檢驗檢疫局等多位專家學者交談中首次提出的。」許多讀者看到此話，都認為這是一個典型的學術造假並加惡意炒作事件。「藝術品鑒證」既不是一個新詞語，也不是一個新概念，業內人都知道！這位退休高官的藝術品常識不及美術學院學生，其講話稿、文章有的依靠秘書代筆，有的請作家代筆，敢編造出自己首次提出了藝術品鑒證新概念這一謊言，就足見其對藝術品鑒證領域的陌生與無知，當然也無畏！值得深思的是：這位追求個人名利的外行人，不僅要當「藝術品鑒證」的領導者，而且還要建構「藝術品鑒證體系」，能讓人放心嗎？可見在學術腐敗嚴重的區域不僅需要藝術品鑒定與鑒證，尚需要針對偽劣鑒證言行的鑒證，以及針對假冒國家與政府形象拋制虛假鑒證系統廣告宣傳及其相關法規與標準的鑒證！藝術品鑒識、鑒證、鑒定、鑒價的現實就是如此複雜。

（二）對「藝術品鑒證質量溯源系統」的質疑

2015年以來，中國檢驗檢疫學會在大量宣傳該學會的所謂「藝術品鑒證質量溯源系統」，其實該系統的主體部分就上海錦渡科技有限公司研發的那台紋理圖像分析的設備，該系統採用照相機微距圖像拍攝技術，可對書畫實施微距紋理圖像的取證或驗證，但不具檢測藝術品材質從而鑒證古代贗品的功能，也不具檢測判斷當代手工高仿藝術品的功能，更不具分析追溯藝術品三種質量（藝術質量、意識質量、物質質量）的功能，而且其取證驗證功能尚難以勝任雕塑、瓷器、青銅器、珠寶玉石等藝術品，甚至也不適用於某些油畫、漆畫等其它畫種，上海錦渡公司的主研發人員也誠實的承認這一點，而中國檢驗檢疫學會無視這一事實，為推銷該設備及附件系統並從中獲利，便將該系統妄言為「藝術品鑒證質量溯源系統」？所以，早有人質疑該學會：「藝術品鑒證質量溯源系統」到底有那些功能？有多大作用？可以解決那些藝術品種的那方面質量問題？為什麼不敢接那些看其廣告而來的鑒定與質量追溯之活？其實，大家心裡都明白，無論科技多麼發達，也不可能出現一個如同「照妖鏡」的藝術品鑒證質量溯源神器，還是實事求是為好，請不要低估別人的智商，以一個所謂「系統」的虛假廣告宣傳誤導行業，忽悠社會，忽悠政府，其後果如何自食？

（三）藝術品質量管理宣傳中的錯誤觀念

中國檢驗檢疫學會負責人說：「藝術品真偽優劣的實質，是一個質量問題；鑒定市場亂象的實質，是一個質量監管問題。」該學會一直在大肆宣傳「造成當前藝術品市場亂象叢生的主要原因之一是藝術品鑒定領域「四大國家質量基礎」的缺失。而解決藝術品



市場的種種問題，必須大力實施國家質量基礎建設，強化計量的基礎作用，強化標準的規則作用，強化認證認可的橋梁作用，強化檢驗檢測的服務作用。惟其如此，才能實現藝術品市場的正本清源，還藝術品以聖潔。」這話太不靠譜，有悖客觀事實。凡對當代藝術品市場略知一二的人都知道：當下的藝術品市場之亂，不是因藝術品材料出現質量問題而亂。藝術品材料確有質量高低、價格高低之分，就以上海馬利顏料廠為例，其產品分類為藝術家專用的、普通大眾用的、還有兒童專用的，均有不同的質量標準。藝術家專用的質量最高，銷售海內外深受歡迎。普通類的質量當然略低，但價格也低，所以也深受大眾歡迎。兒童類的就繪畫創作質量要求肯定不如藝術家專用的，但衛生質量要求更高。中國有著數量巨大的業餘書畫愛好者或者初學者群體，他們往往不需要高質量高價格的藝術品材料，所以中國當代的藝術品材料市場的問題並不嚴重，沒有人聽說假宣紙、假墨、假顏料、假印泥事件吧？關於計量、標準化、認證認可、檢驗檢測這「四大質量基礎」，是針對物質商品提出的，藝術品材料商品可在其例。但是，藝術品是人類的精神產品，有其獨立的質量標準體系，在此等同於普通商品就不對啦！偽劣食品、藥品以及偽劣的普通商品之質量問題，往往是其物質成分不合格，或者是因為其物質成分之假。而藝術贗品的問題往往並不是材料質量問題，有些贗品的材料質量甚至還高於真品。假冒偽劣的藝術品往往不是藝術品本身材料質量的假冒偽劣，而是冒名頂替的作者之假。所以，這類事情不應將其歸於產品質量問題，而是誠信的問題，是侵犯知識產權、作者名譽權、署名權的問題，是商業欺詐問題，或者是經濟案件，甚至是刑事案件。這就是藝

術品質量方面的實情，切不可把如今藝術品市場之亂的責任轉嫁到藝術品材料生產銷售者頭上，這個行業是應該被點贊的才對！

該學會曾隆重提出了「把藝術品市場推向質量時代」的口號，該口號是「把中國的商品市場推向質量時代」口號的摹仿版，或者說是「東施效顰版」。顯然，對於「西施版」大眾是肯定的，點贊的。但是對於「東施效顰版」就令人莫名其妙了！其實，「把藝術品市場推向質量時代」是該學會的一句欠缺專業知識的廣告詞，這句廣告詞的潛台詞是「把藝術品市場推向國家質量檢督局退休副局長及其中國檢驗檢疫學會企圖壟斷藝術品鑒證業務的時代！」

我國當代藝術品市場擁有海量藝術品，且品種繁多，風格多樣。縱觀藝術品來源可追溯至歷朝歷代，橫觀其流向可謂海內外、普天下；其作者有古代的宮廷畫師、文人雅士、達官貴人，也有當代畫院的畫家、大學教授、專業人士、業餘愛好者，還有歷代民間藝人、工藝大師等；觀其品質，有的質樸，有的奢華，有的完整無缺，有的殘缺不全。但是，其藝術價值、歷史價值，決不可單單以其材料質量和保存質量而論。

試問：「將藝術品市場推向質量時代」的提出者，當下的中國藝術品市場處在什麼時代？面對藝術品創作、交流、交易的輝煌業績以及泛濫成災的贗品生產、銷售、收藏的客觀事實，是有質量的時代？還是沒有質量的時代？我們的古代藝術品市場又是處於什麼時代？面對中國歷代藝術珍品、國之瑰寶，有沒有質量可言？它們所處的時代是有質量的時代，還是沒

有質量的時代？還有，這藝術品質量的各時代之劃分其標誌與依據是什麼？誰能說清楚！

再試問：「將藝術品市場推向質量時代」的提出者，為了確保中國藝術品市場的質量，按其「質量標準」要將那些藝術品拒之於市場之外。是那些品相不佳的歷代畫作嗎？是那些來自鄉村、街道的下里巴人之作嗎？是那些兒童的、家庭婦女的、退休老人的不成熟之作嗎？何況任何一位藝術大師都不是天生的，大師之路的起步階段往往都是以質量低下之作奠基的，沒有低質量的過程，就不會有高質量的前程。所以，我們奉勸該學會慎言藝術品的「質量時代」，還是認真研究藝術品及其市場之後再開口發言吧。

其實，不可以低估該學會提出該口號的智商與知識水平，在其宣傳文章中曾有言：「眾所周知，質檢部門是全國質量管理的歸口單位。」「對於質檢部門而言，服務藝術品產業發展，遏制藝術品鑒定的亂象，把藝術品市場推向質量時代，是職責所系，使命使然。」基於此邏輯，於是該學會便可以蔑視職權法定所給予國家文化部門的職責、權力、使命，而從質量監督切入自定職權，制定准則、規範、標準，從而把管理藝術品鑒證業務的權力從文化系統拉入質檢系統，而國家質檢局又沒有管理藝術品的對口部門，那麼就由該學會代政府部門對這些藝術品業務單位實施資質管理吧！而且還要由該學會統一發放並管理鑒證書或檢測報告，於是乎收費就在情理之中了。所以，該學會面對中國藝術品市場擁有的海量藝術品，以大躍進的速度忽悠出了一個「藝術品鑒證質量溯源體系」，而且在其宣傳推廣中多次謊稱「國家藝術品鑒證質量溯源體系」並在其雜誌中宣傳該學

會要對中國的藝術品「進行強制備案」！而且該學會還企圖在中國的藝術品（包含當代書畫家作品）上通通貼上該學會的電子標籤！此學會也由此可以收取一大筆手續費。顯然，該學會的這一系列言行並不是因為其智商與知識方面出了問題，而是其動機與立場方面出了問題。當然，更不能低估藝術家、藝術品鑒證與管理業界以及廣大消費者的智商！其實大家心裡都有一桿秤。

（四）對「六位一體」藝術品鑒定系統的質疑

伴隨著藝術品鑒證文化新業態的形成，以及國家社科基金項目「藝術品鑒證體系建構及其產業模式研究」的啟動，藝術品鑒證體系建構問題得到了學術界的重視，該課題組專家計劃於2017年結題，並將在技術開發、學術研究、制度建設等各方面呈現多方面成果。就藝術品鑒證體系建構而言，如果要徵集廣告語式的語句，給一天時間編出幾十條來是很容易的事。但是，若要從技術、學術、產業模式、政策法規等方面腳踏實地的去建構，則需要花費大量精力，決非易事。

為了理清藝術品鑒證體系建構的思路，有必要剖析一下該學會在廣泛宣傳的「以科技鑒定為基礎，以經驗鑒定為借鑒，以標準計量為依據，以認證認可為手段，以檢驗檢測為依託，以信息化為平台，並與國際通行規則相銜接」所謂「六位一體」的藝術品鑒證體系。

1、關於藝術品鑒證體系的基礎。如果從業態發展的角度說基礎，藝術品鑒定的各種資源一定是

藝術品鑒證體系的最大基礎；如果要以鑒定方式為基礎的話，藝術品鑒定體系包括作者鑒定、經驗鑒定、科技鑒定三種直接識別的鑒定方式，還有在防偽備案基礎上再驗證識別的科學備案鑒定方式，這四種鑒定方式共同組成了藝術品鑒證的整體架構，四種能量各有各的作用，如同四位兄弟抬著一台大轎前行，何必僅把其中一位兄弟稱為基礎呢？是想貶之呢？還是想褒之呢？

若要識別現代科技高仿的書畫作品，科技鑒定可以大顯身手，與其稱為基礎不如稱其為主力或主體；

若要為古代書畫作品斷代辨真偽，必須充分擁有歷代書畫材料的權威數據。由於古代書畫不僅典藏在海峽兩岸的收藏單位，而且還收藏在英、美、法、日等國的博物館裡，以及海內外大量私人藏家手中，所以說歷代藝術品的物質成份數據採集工作是百年大計。科技鑒定欠缺籌備完善的權威數據比對，其應用範圍必然受限，只能應用於使用了現當代新材料所仿的古代書畫。但是，當代造假高手是會盡量不用新材料的。何況古代同期臨摹作品，往往不存在物質成份差異。

若要以科技鑒定辨別現當代書畫作品，目前也存在很多問題。利用現代科學檢測技術，雖然可以準確地檢測出藝術品的物質成份，但是問題的關鍵不在於能否檢測出被檢藝術品的物質成份，而在於被檢藝術品是否使用了與眾不同的材質，檢測人員能否在藝術品大數據比對

中找出這一件被檢作品物質成份的唯一性特徵。如果沒有事先備案鎖定該作品物質成份及微觀圖像特徵的話，面對當代藝術品材料的商業市場，材料專供、專用之說往往缺乏公信力。所以說，藝術品科技鑒定所依靠的基礎數據還要作長期規劃。

- 2、關於「以經驗鑒定為借鑒」。該學會負責人曾在多個場合多次闡述：「以經驗鑒定為借鑒旨在由經驗鑒定提出‘大膽設想’，為科技鑒定提供判斷參考，實現經驗鑒定和科技鑒定的高度融合，這代表著未來藝術品鑒證的發展方向。」2015年3月，中國美術家協會主席劉大為以及張廷皓、潘魯生等多位藝術家、專家都曾針對「六位一體」的觀點進行了反駁。業內人士普遍認為：經驗鑒定是一門學問，是在經驗與知識指導下的小心謹慎的分析、認真負責的判斷。豈能描述為輕鬆浪漫的「大膽設想」？所以有人針對該官員的外行話諷刺說：「幸好沒說大膽幻想」！經驗鑒定在歷代藝術品鑒定實戰中一直發揮著主要作用，理應得到尊重，用「借鑒」二字將這門學問邊緣化，用「大膽設想」四字將其學術研究的判斷過程不嚴肅化，這是對經驗鑒定這門學問及其系統成員的一種歪曲與傷害！

- 3、關於藝術品鑒證的依據。我國傳統的經驗鑒定主要依據是作品風格與藝術功力。當然，依據作品的個人風格、時代風格以及藝術功力之高低識別作者真偽，既有一定道理，也有一定作用，但也存在一定的問題，特別是面對現代科技高仿的藝術品使用此依據就不夠可靠了。但

是，絕不應因此而拋棄這一依據，而是應從理論與實踐兩方面不斷充實、完善藝術品鑒證的依據。

藝術品鑒定的依據應是多元化的。就經驗鑒定而言，在以個人風格、藝術功力為依據時，還要充分考慮作者功力的動態因素及其風格的變化因素；就作者鑒定而言，其主要依據是記憶與誠信，但就其記憶準確度並誠信度而言，會因人而異；就科技鑒定而言，其主要依據是具有比對價值的微觀圖像數據、物質成份數據，在此還存在一個數據的質與量問題；就防偽備案及驗證業務而言，其主要依據是庫存的取證數據和新提取的驗證數據。凡是對藝術品鑒證業務有所熟悉的人都會知道，以上各依據才是藝術品鑒證業務直接可用的依據。當然，我們還可以從不同角度找出一些依據。例如，政策法規依據、道德法則依據、學術原則依據等等，而且這些依據都比所謂的「以標準計量為依據」更需要、更可行。

計量，是指實現單位統一、量值準確可靠的活動。此處的所謂「標準計量」應理解為標準的計量，也就是說：在公認機構批准共同使用的和重複使用的一種規範性文件管理下的實現單位統一、量值準確可靠的活動。藝術家們、鑒定專家們一致認為，將用於物質產品檢驗檢疫的語言硬套用到精神產品的鑒定評估上，是無知加胡作為的一種表現！藝術品的創作者、鑒定者、理論研究者以及管理者，豈能容忍「計量標準器具」闖入文化領域作精神產品的依據？有位藝術家諷刺說：這是一個難得的漫畫題材。說到標準，文化

藝術領域中不是沒有標準依據的。早有專家對不同藝術門類及領域的標準進行了研究，並取得了眾多研究成果，而且政府文化管理部門還發佈了一系列關於文化藝術的某些標準的規範性文件。技術標準的建立必須腳踏實地，既要符合國家有關規定，又要適合行業健康發展的綜合需要，特別是許多業內人士有一個共識：藝術品鑒證業務的技術標準建設，一定要站在行業立場上，由真專家們制定。面對個別非專業人士站在小圈子立場上操縱出台的所謂的規則、規程以及標準，是不得人心的，不僅會被歷史拋棄，甚至會被釘在學術腐敗的恥辱柱上。

4、關於藝術品鑒證的手段。藝術品鑒證的手段既是多樣的，又是因鑒證主體與鑒定方式的不同而存在不同選擇的。就作者鑒定而言，不用動手段，單純憑借記憶即可，但要遵守誠信的道德准則；就經驗鑒定而言，要憑經驗、憑知識、憑學問、憑眼力、憑綜合性分析，雖然有時有人也動點技術手段，但稱之為方法更妥當；科技鑒定就是要動用多種多樣的技術設備、各種各樣的技術手段，科學取證，科學論證；認證備案是在對藝術品實施防偽備案的基礎上再實施驗證辨偽，其實這本身就是一種手段。藝術品鑒證的手段是多種多樣的，因鑒證物品不同又有所不同的。略有一點藝術品鑒證常識的人都懂得，不僅對瓷器、青銅器、書畫的鑒定手段是不同的，而且同為書畫鑒定其手段也往往是不同的。例：鑒定噴墨打印複製品、珂羅版複製品、木版水印複製品以及手工高仿品所採用的手段是不一樣的。之於「以認證認為

手段」，在藝術品鑒定的實戰歷史中尚無一例以此手段開工、收工的先例。

認證，按照國際標準化組織（ISO）和國際電工委員會（IEC）的定義，是指由國家認可的認證機構證明一個組織的產品、服務、管理體系符合相關標準、技術規範（TS）或其強制性要求的合格評定活動；認可，是指由認可機構對認證機構、檢查機構、實驗室以及從事評審、審核等認證活動人員的能力和執業資格，予以承認的合格評定活動，也是對從業者和從業單位專業性的肯定。顯然，認證認可可是行業管理中的一個自成一體的系統，而不是藝術品鑒證的手段。

5、關於藝術品鑒證的依託。藝術品鑒證體系應以誰為依託？讓我們先看看以往的、現行的藝術品鑒定機構、專業人員及其業務依託在何處。有依託在文博系統中的，有依託在公安系統、司法系統中的，有依託在國家科研機構與教育系統科研機構的，有依託在拍賣公司、文交所、畫廊等藝術品交易機構中的，還有人從不固定在具體的某一家業務公司，卻直接依託在藝術品交易大市場中……。如果說，「以檢驗檢測為依託」不是指單位依託，而是指業務依託。那麼，業內人士都清楚：作者鑒定用不著檢驗檢測作依託；經驗鑒定也不存在檢驗檢測內容；科技鑒定中利用顯微技術識別噴墨打印複製品中的噴點，其專業術語是「微觀取證」，而不是「檢驗檢測」；同樣，對藝術品先防偽鎖定微觀形貌特徵再驗證的鑒定方式，也不是能用「檢驗檢測」準確稱謂的。用拉曼光譜、x射線等技術設

備獲取藝術品的物質成份可謂「檢測」，但是這項「檢測」在整個藝術品鑒證業務中能佔有多大比重呢？目前還不足千分之一吧！這項技術僅在個別實驗室只被個別人掌握，尚需檢測海量文物藝術品建立有公信力的比對數據庫，才能較多的去應用於實戰。難道目前能超越這段歷史進程嗎？難道能讓藝術品鑒證新業態僅依託在個別檢測技術之上嗎？整個藝術品鑒證行業能容忍嗎？社會各界能認可嗎？

6、關於「以信息化為平台」。何為平台？何為藝術品鑒證的平台？平台通常指高出來的某個平面，泛指工作場地與環境，還可指信息匯集在一起所形成的某個界面。所以，無論是作者鑒定，還是經驗鑒定，或者科技鑒定與防偽備案取證驗證的各個工作之處，以及藝術品鑒定實驗室、學術研究交流所在之處，都可以泛指為藝術品鑒證平台。何為「信息化」？據權威文件所述：「信息化是充分利用信息技術，開發利用信息資源，促進信息交流和知識共享，提高經濟增長質量，推動經濟社會發展轉型的歷史進程。」弄清以上概念後，一個問題便出現了：信息被「化」的歷史進程（時間概念）怎麼會變成平台（空間概念）了呢？「以信息化為平台」雖然好聽！卻是一個莫名其妙的病句。

關於藝術品鑒證與數據庫、與信息化，不僅是一個老話題，而且是被眾人一步一步走過來的歷史。至於已有多少成果？存在什麼問題？未來應如何走？還是讓專業人士去設計、去身體力行吧！

7、藝術品鑒證要與哪些國際通行規則相銜接？2012年曾在中國湖南召開了「藝術品認知與管理專家會」，這是一個國際交流性的專家會議，多國專家們曾共同交流了藝術品認知與管理方面的一些信息，探討了相關問題。有一點很明確，大家都很想藝術品鑒定方面有一些國際間的配合，甚至合作，但是至今並沒有簽署國際間的藝術品鑒定通用法規，所以也沒有什麼國際通行規則相銜接之說。而且有的外國專家不僅對中國當代藝術品市場價目泛濫感到不可理解，而且對大力發展藝術品鑒證文化產業更感到不可理解，如果讓這份產業大發展，那麼就需要有識別贗品的大量需求做支撐，就像補車胎店的生意需要有破車胎修復需求做支撐，於是到馬路上瀆釘子者就產生了。以此推論，個別靠藝術品鑒證業務生存的企業會不會不管藝術品真假優劣，給錢就備案，就出證書呢？會不會出現偽劣藝術品鑒證機構與偽劣藝術家唇齒相依呢？對此，不能不思考，不能不設防。所以專家們產生了共識：藝術品鑒證是藝術品認知領域的學術事業，是政府文化管理中的一項工作，某些夠了級別的藝術品造假銷假則是司法領域的案件。藝術品鑒證社會化服務中的產業模式，正在相關法規引導下通過局部地區試點向更大範圍穩步發展。但是總有個別人受利益驅動，要以一系列亂作為打破正常的發展格局，企圖把一些從事藝術品鑒證業務的單位銜接到個別人或某某單位的壟斷與控制中。總之，依據各國國情對藝術品鑒證正確定位，比空談無處對接的「國際通行規則相銜接」更實

際、更重要。特別是，如果把此話改成「參考國際通行作法」，還比較靠譜。

總之，所謂「六位一體藝術品鑒證體系」是一個外行人提出的，本來可以不用去理睬，但是由於此人已在中國各地不斷散布其歪理邪說，擾亂藝術品鑒證學術研究及事業發展的正常秩序，並引起了許多業內人士的反感與憤慨，特別是該官員該學會的主要問題已不是無知亂講了，而是要操縱這塊業務領域為之圖名與營利。所以，我不能再袖手旁觀了！

藝術品之鑒的業界難免會混入欠缺專業素質與職業道德的唯利是圖者，有些偽劣藝術家特別願意將自己的偽劣作品貼上某某鑒證單位或檢測機構的「認證」標籤，從而進行其作品炒作。唯利是圖的鑒證人員與偽劣藝術家通過不設學術底線、欠缺學術原則的所謂「認證」合作，將會把藝術品鑒證的正能量變為負能量，把淨化藝術品市場的行動變成進一步擾亂藝術品市場的行為。所以，一定要警惕！

藝術品之鑒是文化管理系統中必不可少的組成部分，所以我們一定要按照藝術規律腳踏實地地有序發展，絕不可以「大躍進」的方式與速度亂作為！曾有不少人呼籲：傳統的經驗鑒定行業魚龍混雜，早被攪亂了，新興的藝術品鑒證文化新業態千萬不要再被攪亂了！





Constructing an Art Appraisal Mechanism and a Appraisal Personnel Certification System

**Establishing an Appraisal Mechanism in the Greater China Region
- Do We Need an Appraiser Association of Greater China?**

**[A Conversation about Authentication, Certification, Attribution
and Appraisal of Art]**

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Abstract

In today's art scene in China, the management and perception of art are in deep waters. Its situation is rather chaotic. What frustrates the most is that even with a large number of new original works being made day after day, a matching amount of copies, forgeries and counterfeits are being created as well. The problem with quality control is becoming a more serious issue everyday as floods of forgeries and fakes find their ways into the market. With no bottom line, price inflation schemes lead to unstable values and distorted appraisal standards. There are also a number of pseudo experts who make unjustified profits from art appraisal, certification and quality tracing without relevant professional abilities and ethics. To expand their businesses, they will not hesitate to employ false promotions about themselves, further complicating the academia as though the situation in the market was not complicated enough, adding hail to snow. These pseudo specialists in art authentication plot numerous schemes with the pseudo artists for their pseudo art. In doing so, they create the social responsibilities for the legitimate specialists in art authentication to make reformative changes and a positive impact. In the context the current status in China's perception and management of art and in regards to the demand for authentication in artwork's attribution, originality, and pertinent information, as well as the demand for professional and efficient management solutions to copy, forgery, fake, counterfeit and ghost authorship, I will discuss my observations and thoughts on the subjects of art authentication, certification, attribution, appraisal and some other relevant issues.

I. Systems of Art Authentication and Registry

On the subject of art authentication, different methodologies, modes and professional references are in place. However, they can be classified into the following 4 categories: artist authentication, empirical authentication, technological authentication and scientific registry. Certain instances might fall under one specific category, while some others apply to more than one. There is a long history of practice pertaining to artist authentication and empirical authentication. Technological authentication and scientific registry are new systems evolving from the modern technology. Together they represent the positive energy of anti-forgery "alliance". However, the real world is both complex and uncertain. Now, I will go in depth on the present situation as well as the problem analysis of these 4 categories.

1) Artist Authentication

Artist is the creator, the maker and the rightful witness involved in the creative process. Therefore, without a doubt, he or she is deservedly the most qualified individual to authenticate an artwork of his or her signature. This not only safeguards the copyrights of artist, but also protects artist's relevant interests and reputation. Further, artists should always take on the roles of an advocate, a supporter and a participant in maintaining the order of the art market itself. There is a long tradition of the practice of artist authentication. The authentication is performed relying on the memory and self conscience of artist. It does not involve any complicated methodology or procedure. Nevertheless, there are problems need to be

pointed out. a) All humans are mortal. When an artist is still living and in good health, he or she will be needed for verification if disputes surrounding the authenticity of a particular artwork arise. Thus, artists are tremendously valuable resources when it comes to art authentication. However, as we know very well, all artists in the ancient times have long been deceased, and even some of the modern artists have now passed away. Late artists cannot possibly authenticate their artworks. b) Artists are subject to memory loss and vision deterioration, especially the elderly. It will be impossible for them to have unabridged memories to recall details about every single work created in their lifetimes. As a result, it is inevitable, and understandably so, that they will be mistaken due to poor eyesight and memory loss. Also considering the fact that forgeries today manage to look very genuine, and appear to have no conceivable differences from authentic works. They usually seem right according to artists' visual memories, leading to misjudgment and resulting in inaccuracy. c) The authentication process is vulnerable to ethical transgressions as well. There have been instances in which the artists and their families consciously choose not to identify the authorship of their creations in fear of damaging their reputations due to the poor quality of the works. d) In general, artists spend most energy on creating art. Authentication can be seen as an act of "moonlighting", thus it will not be their professional focus. Controversies emerge when serious time consumption, opportunity cost, additional charge, and the availability of certification and documentation is involved. There is also an issue of personal safety resulting from subsequent dispute and conflict of interest. Further, it will be more complicated when authentication involves

artist's family member, but it is unnecessary to go into details of the matter for now.

2) Empirical Authentication

Empirical Authentication is also called conventional authentication. It is an academic analysis system that underlines the accumulation of first-hand experiences and knowledge. The specialists and researchers in the specific discipline heavily emphasize the role of empirical evidence, hence the self-explanatory name "empirical authentication". For the sake of academic classification, the word "empirical" hereby should not be confused with the derogatory tone of the philosophical theory "empiricism". The authentication of Chinese art such as painting, calligraphy, porcelain and bronze relies on historic texts, modern academic publications and papers, as well as word-of-mouth transmissions of knowledge and experience, which all prove to be priceless cultural resources. Therefore, the community of specialists who have deep proficiency in the discipline are the clear leaders in the field, thus should be given due respect. On the other hand, those unqualified should not disgrace the system by using it as a "reference" tool and marginalize its importance.

However, we must also confront the problems we face in the system of empirical authentication. a) How professional is the specialist? An art authentication specialist requires learning about a wealth of authentic artworks in order to become good at the job. Regardless of art genres, let it be ancient art or contemporary art, any individual will only be able to perceive a part of it, and to perceive more will be extremely challenging, not to mention to perceive



an art completely, which will be impossible. One must tell what is real before being able to tell what is not. The level of familiarity with the artist's authentic pieces determines the ability to identify forgery, counterfeit and copy. Hence, a specialist can be an expert in a particular artist, a particular topic or even a particular period, but will not be able to be an expert in everything about art. It is impossible to become "Superman" in art authentication. b) Many empirical authentication specialists utilize their observations of artist's style and artistic technique, which is rather understandable and will usually do the job. But there are drawbacks in this approach. First, artist's style and technique are dynamic. They can change. Second, any style of art can be imitated. No matter how deeply skilled the artist is, techniques can be replicated. Nowadays, owing to the modern technology, today's forgeries are capable of exhibiting little to no visible difference from the authentic. In the context of the intricate nature of reality and modern advanced technology, the credibility of authentication specialty will be in question if it only depends on observations of technique and style. c) How will the system of empirical authentication fit into the legal system of China? The legal system in the country is bound by the rules of evidence, but the system of empirical authentication lays emphasis on experiences. Empirical conclusions can be arrived at based on experience and observation. Without question, a specialist can expertly utilize experience and observation as a basis to identify many forgeries in no time. Still, there are times when mistakes are made in the process. With regards to the rules of evidence, we must confront the questions and problems we face in the system of empirical authentication. We must examine how to apply the legal body to the operation of empirical

authentication. Keep up with the times and make improvements in order to ensure the longevity of the system.

3) Technological Authentication

Influenced by both the international trend of scientific solution to authentication process and the domestic trend of integrating science and culture, art authentication in China must take a historic turn to the way of science. By utilizing optical microscope, Raman spectroscopy, infrared spectroscopy, x-ray fluorescence spectroscopy and other instruments in modern optical technology, a specialist can, without imposing damage to art, obtain the material data of artworks from past to present. Use this information to construct a comparative basis for different art periods, and gradually build a scientific investigation and authentication system for all works. The design path as well as the research objective is fairly feasible and reasonable. However, we face a question of whether it is a long-term or short-term objective. Chinese art are not only in the possessions of private collectors and cultural institutions on both sides of the straits, but also in the collections privately owned by connoisseurs living in different countries across the world such as Great Britain, France, the United States and Japan. Building a material database of art that is extensive enough for investigative operation is not a task that can be done by a single scientific research team in only a few years. Therefore, one must exercise extra caution when approaching a business that advertises itself as "technological authentication" professional. It will endorse a specific technological authentication equipment as if it was an all-powerful machinery,

but in reality there is no tool or system that can be credited as the “magic mirror” in art authentication. In an ironic fashion, there is no shortage of fraud involving “magic mirror”, as many in the industry call such system “test passing machine”. Once the machine passes the test, the results can be taken out of context with much absurdity. In the advertisements of these businesses, references are intentionally made to mention the names of certain specialists and even some academics in the attempt to affiliate with these professionals. Many in the industry have taken offense at it. There is a saying that goes “Let the cobbler stick to his last”. Any expert who walks outside of the area of expertise and enters into a new profession will be considered unprofessional, and it is no exception with the specialty of technological authentication. Without the necessary support of scientific data, there is no level of difference in the abilities between a well-known expert and an ordinary scientific researcher.

Of course, the contributions and the role of technological authentication must not be taken lightly. The system has proven to be successful both domestically and overseas. Moreover, there is a continuing success in the authentication of painting, calligraphy, porcelain, bronze and gems. Especially in recent years, this scientific application has made numerous newsworthy identifications of high quality inkjet-printed forgeries. It is well received by the industry, and highly reputable among the public. As a result, it is imperative that technological authentication will continue, but it should take it step by step, making steady and gradual progress.

4) Scientific Registry

For generations, there has not been a registry system that is able to substantiate creation and circulation of Chinese art. It is the why, in present day, much of the heritage and history of Chinese art has not actually been able to come to light completely. As a result, unsolved mysteries may never be solved, and certain controversies will likely never settle. In light of this, how to make use of the gift of modern technology to implement the registration of art and personal accountability will be essential to the art management of today. In 2009, the researchers in our institution utilized optical instruments to perform large-scale observation on the microstructures of various works. They proved that even a single component on the surface of art has certain microscopic formation that is unique to it. Registering each microscopic image into the system as an unique information about a targeted original work of art. In the future, such data can be used to disclose any artistic deviation from the original. And because even a high level forgery is only capable of copying artistic style, it will not be replicating artwork’s material formation on microscopic scale. Shortly after the conclusion of the scientific research, I learned much about the functions and properties of A200 microscope, and subsequently introduced it to the industry of art registry to collect microscopic image as investigation evidence. Thus, I designed a business mode named “Register for Chinese Painting” along with its marketing campaigns, and experimented with the proposition in various business corporations. This establishes the foundation of the business of art registry that leads to future expansion of the industry. It has gradually generated a trend of art registration in China. However, we must think of it with discretion when considering the increasing popularity of art



registry and relevant advertisement. In the aspects of technical equipment, business standards and application range of the system, there are still improvements need to be made. As a matter of fact, the mode has only generated an increase in application range in terms of Chinese painting. As for other painting media such as oil painting, the business of art registry is still either in the developing phase or in initiation process. With regards to professional credentials, academic standards and business development, there are even more problems to be solved. Sadly, some in the industry of art registry are motivated by self interests alone. They not only lack professional credentials, but business ethics as well. If we entrust these people with the duties of art registration, how can we feel safe? What should terrify us more are the collaborated schemes between mercenary specialists and pseudo artists, forgers and forgery dealers. If they succeed, they will turn positive energy into negative, then transform the refinement of the market into further disorder.

II. Thoughts and Perceptions of Basic Concepts

The development of China's art-related production, perception and management is unbalanced and inconsistent. China's art production enters an age of diversity and prosperity within the past decades, with the increase in the number of artists leading to artwork growth in terms of quantity and quality. Nevertheless, the perception of art and the development of art management are lagging behind. Not only there is a shortage of professional personnel, but a scene of serious disorder as well. Forgery is wildly rampant, imitation is a common phenomenon and there is a huge contrast between art's true

values and inflated prices. Activities of false advertisement and fraud have become normalized. There are a number of reasons behind the chaos. Two of the reasons that should not be overlooked are the failure to perceive the basic concepts and intentional market tampering. The perception of art is an academic discipline. It is also an indispensable skill in today's art management. Since the perception and management of art concerns the interests of certain individuals and the profit gains of certain organizations, many, especially those who do not possess the necessary qualifications and credentials, enter the profession for the sole purpose of money-making. But they cover their true intentions with falsified commitment to refining the market, disobeying academic standards in attempt to distort the basic concepts and ideas of the perception and management of art. Therefore, it is time to address the basic concepts and problems on the subject.

1) "Art Authentication" and "Art Verification"

The words "authentication" and "verification" share two similar definitions of establishing truth and accuracy. They do not differentiate much from each other, as the latter focuses on the importance of evidence substantiation and proof, while the former emphasizes the discovery of the truth with conclusive accuracy. Authentication cannot be performed without the process of verifying, and vice versa. It is evident that "Art authentication" and "Art verification" refer to the same topic. In practice, authentication specialists and verification specialists are working in the same discipline. They both target the same subject matter. In the perspectives of research substance and commercial practicality,

or in the scope of business design and attribute, "Art Authentication" and "Art Verification" are two separate formulations, but are the same means to the same end.

2) The Popularity of "Art Verification"

In China and the region of Hong Kong, Macau and Taiwan, as well as other Chinese-speaking countries and regions, the vast majority of organizations and the societies have preferred using the term "authentication" for decades. Comparing to terms such as "verification" and "investigation", "authentication" has been used more frequently and broadly. But neither "verification" nor "investigation" can be seen as new vocabulary or new concept. The legal system in Taiwan has been referencing "verification" for a while, as the term is featured in various institutions such as Forensic Science Bureau. In 1997, the State Administration for Industry and Commerce of the People's Republic of China promulgated the Provisional Regulations of the State Administration for Industry and Commerce on the Authentication of Economic Contracts. Hong Kong's television station TVB (Television Broadcasts Limited) coincidentally ran a successful drama series named Untraceable Evidence in the very same year. Both literally referenced "verification" in Chinese, as the show's success grew, it brought significant popularity to the term. In recent decades in China, there has been an educated group of people in the field of art authentication and art management that are starting to have a new mindset under the influence of modern legal system, the increasingly mature perspective on the subject, and the inspiration from their firsthand experiences. The group starts to question the con-

ventional practice of authentication, specifically the practice of reaching conclusion without any burden of proof; they are also raising serious concerns and issues about the phenomenon of "unsubstantiated authentication" due to the lack of conclusive evidence in the process. Between the year of 2008 and 2010, as the director of the national scientific research topic "Scientific System in Authentication of Forgery in Painting and Calligraphy", I reached out to professions in the judicial and organizational culture community to explore the problems in art authentication. We had a general consensus that the outdated way of authentication without the burden of proof can hardly be in accordance with today's legal system that accentuates the substantiation of evidence. Therefore, in the several research projects I led, I fortified the concept of evidence investigation, and further proposed that the modern authentication procedures should be ready for a historic transformation to become an evidence- and science-based practice so as to be incorporated gradually into the structure of our legal authentication system.

Under the surrounding circumstances, we analyze and compare the statistics of the public usage of the following terms: authentication, verification, validation, identification, attribution and appreciation; and we find that "verification" is growing in popularity in terms of the prevalence of users and the frequency of usage. The implication is very clear.

3) The Meaning and The Role of "Art Verification"

Art verification is a professional language of acquiring the necessary cognition pertaining to



the authenticity in the attribution, the originality of art and the accuracy of pertinent information so as to determine whether art is an original, forgery, replicate, counterfeit, copy or created under ghost authorship. It should be up for the rigors of scientific investigation, and concurrently comply with academic principles of scientific argumentation. Also, it should encourage a combined application of a multitude of efficient anti-forgery measures, becoming a mode and system of art perception, management and service in the Internet Age.

Art verification is an academic discipline in the field of art perception with evolving nature that is also one of the essential topics in today's art management. Hence, it is an integral part of the perception of art and the system of cultural management. There is a threefold accomplishment that can be done with art verification pertaining to the field of art perception: The first is to verify the identity and attribution of artwork. The second is to verify the originality of artwork. And third is to verify the academic analysis of pertinent information. It will also touch upon various aspects of cultural management such as art exchange, sales and collecting. Its resources and socialized services entail a breadth of potential for cultural industry.

4) Conclude Deliberately and Be Investigative

Faced with a multitude of terminologies used today: authentication, verification, identification, differentiation, validation, etc., I aspire to see a rise of popularity in the usage of "identification" just as we have seen in "verification" in recent years. Because there are so many incidents involving art forgery, the traceability of affected artworks will

require a substantial amount of proof, thus it can only be acquired through a lengthy process of substantiation of evidence and scientific argumentation to solve only a portion of the cases. Certain identify of artist and year of creation will probably remain unknown forever without being given a conclusive answer. In such complexity, when differing opinions are not resolved and even lead to conflict, the term "identification" allows room for discussion and is deemed more appropriate and objective.

In the 80s, the State Administration of Cultural Heritage of China organized a group of experts, consisting of Xie Zhiliu, Xu Bangda, Qi Gong, Yang Renkai, Liu Jiu'an and Fu Xinian, to inspect a number of cultural institutions and museums in various provinces and cities. They proceeded to conduct research on tens of thousands of ancient paintings and calligraphies, out of which many received a finalized authentication result. However, 235 pieces of art in pre-Yuan Dynasty period had not been given a conclusive result due to the group's different opinions on findings. In view of this, they did not make any conclusion, but they did record these opinions for future reference. Thus apparently, these experts also fell victim to the phenomenon of "unsubstantiated authentication". However, it does not mean that they are professionally incompetent. It is actually quite the opposite. This entails that they truly possessed a scientific mind along with great professionalism. From past to presence, the phenomenon has been a common occurrence in all professions. Nevertheless, today's treasure authentication television shows tend to tell a different story. It gives us the impression that authentication experts are possessed of an almost god-like power that enables them to know the identity of artifact

right away. While being entertaining to watch, the shows themselves do not reflect either the reality or commonality in the practice of art authentication. In real life, an authentication specialist must only make conclusion with the utmost deliberation and care, and in the meanwhile keeps an investigative approach to every single case they are working on. Even if an authentication result is formally certified by an organization, people should question its credibility to make this determination, and ask what legal basis the conclusion is derived from and what scientific evidence is applied in the decision-making process.

5) The Quality, Value, and Appraisal of Artworks

In art appraisal, there are numerous factors and issues that demand our attention and investigation. The immense versatility, complexity and the multi-faceted studies on the quality of art are not to be downplayed. Take the art of painting for example, there are 3 forms featured within a single painting. The first is the material form. It includes paper or canvas, pigment, ink, inks and so on. Since a painting cannot exist without its material form, there will always be quality issues in terms of material. The second is the artistic form. It includes style, imagery, shade, color and so on. Without the artistic form, there is no art. Thus, there will be quality issues in the artistic form. And the third is the spiritual form, consisting of theme, substance, thought, emotion, politics, philosophy, mood and so on. There will also be quality issues on the spiritual level in a painting. This goes to show that painting is not an ordinary commodity. The existence of the 3 forms creates the inevitable threefold of quality issues. Therefore, when evaluating the quality of

art, one cannot neglect the quality of the forms, but instead one should appraise art in a combined aspect of artistry, material and spirituality. Only by having superior quality in all three forms, an artwork can be called a masterpiece. It should be noted that no one is allowed to exaggerate the importance of one single form over the others in attempt to boost the overall value of an artwork.

In a recent debate about Jiang Zhaohe's famed painting Liuwang Tu on whether it is a traitorous work of art or a patriotic, some consider it "the greatest Chinese portrait painting in the 20th century", while some others find the painting to be politically incorrect and a treacherous act to China, thus it should not be a part of the Exhibition Commemorating the 70th Anniversary in the War of Resistance Against Japan. Then there are the people who feel that since the painting is politically polarizing, it should be withheld from the public. Lately, I had a chance to discuss the controversy with Mr. Lin Mu in person, and we reached the consensus that we ought to examine each form of Liuwang Tu: its spiritual theme, artistic style and material quality, in order to complete a thorough evaluation. Whether an art is to be approved of or to be disapproved of, art evaluation should cover all facets of artistic creation instead of singling out one particular form of art. Any praises should not go unsung and any criticisms should not go unnoticed. Furthermore, it should be given context for more comprehensive investigation and comparative research. We should have evaluated Liuwang Tu this way, just as we should have done to any other artwork. There is a large number of self-claimed "painters", "artists" and "calligraphers" in China, but if we provide it with enough context



for research, we will find that many of them are merely “hobbyists” and “art enthusiasts”. And the same applies to many painters and calligraphers in the industry who, in all possible ways, promote themselves as “unique” “innovative” and even “leading”, once we give it enough context for comparative research, we tend to find them to be less than advertised. Therefore, the artistic technique of artist, the prototypicality of given artwork in particular period and the quantity of market supply are all determinants in the assessment process of art appraisal. There are also factors such as whether a targeted artwork is one of best-known works by the author, the size of frame, the conditions of art, additional relevant information, and so on. More importantly, besides performing quality analysis and value assessment, art appraisers must provide artwork with enough context and with sufficient quantity of comparable works for thorough comparative research.

The study of the value and price of art covers a variety of topics. Since scholars have been conducting multilayer research on the subject in respect to human civilization and living, history and politics, culture and technology, ethics and religion, emotion and senses, experience and recognition, creativity and artistry, investment and business, public interaction, advertising, collector’s psychology and so on, these existing studies have already provided much information and require no further elaboration. The value of art and the price of art are two completely different concepts. In general, a high value artwork should reach a high price. But in reality, there is no such certainty. According to individual cases in some regions, I have discovered examples in which great artworks by genuine artists

have low selling price, while inferior artworks have high selling price inflated by price-fixing, creating a huge gap between the art’s true values and prices realized. Not only it proves that the art market in China is less developed with less maturity, it also shows us the negative impact of bureaucracy, the violation of academic principles and the failure of cultural management. Numerous scholars have been paying attention to art sales index to specifically study certain auction schemes in order to gain more insight into the problems of bogus transaction and price-fixing. Such research is necessary for obvious reason, however, I urge every expert and professional in the industry and every consumer in the market to pay even more attention to the plots behind realized transactions, because a large collection of statistics of realized prices and payments often show indications of underlying irrationality, irregular corruption and absurd activity. No wonder many educated individuals are hoping for a refinement in China’s art market that will rectify the situation.

III. Market Demand for Authentication and Verification of Art

The market demand for art authentication and verification is high and has turned into a pressing one. Such demand entails that many great achievements in academic research and cultural management can be possible, and a massive cultural industry can be created through the formation of this new culture development. The realm of authentication and verification is very broad. It will also affect many other trades and industries, and, as a result, generate a variety of new possibilities. Although, when we study the

nature of authentication and verification, we should break it down into the 3 following components: the attribution of artwork, the originality of artwork and the accuracy of pertinent information.

1) Authentication and Verification of Attribution

The questions we are faced with in making an attribution are: Is the artwork truly created by the attributed author? Who and what are the unattributed artists and artworks? This is the main functionality of the 4 systems – artist authentication, empirical authentication, technological authentication and scientific registry. And the responding modes and operations are as followed:

- a) Target the original art and perform authentication. Authentication must be practiced with the presence and participation of the author. Specialists will utilize professional technology such as forensic verification instrument and positioning membrane to produce unique microscopic images of the targeted artwork as proof of authenticity, and import the information into professional database for long-term authentication service.
- b) Target the original art and define responsibilities. Utilizing the forensic verification instrument to target the information of unique microscopic images of artwork and target the original artwork through the records of circulation, sales and collecting. Import the information into professional database in order to clearly define the party responsible for any potential forgery dispute and provide long-term liability service for targeted artwork. Meanwhile, it will continue to undergo

research and investigation on the authenticity of attribution.

- c) Determine authorship. Take advantage of historical data, information, and individual case studies, to analyze the elements and details in artistic form and spiritual form, deconstructing the style and artistry to determine the true author. Or adopt modern optical technologies such as forensic verification instrument, optical microscope, Raman spectroscopy, x-ray fluorescence, etc. to obtain microscopic images and data of internal material composition which will, through scientific investigation and argumentation, determine the identity of true author. Or utilize academic resources and technological acquirement from both methods above to trace artwork's history, and ultimately recover true identity of the creator.

2) Authentication and Verification of Artwork's Originality

The questions we are faced with in authenticating art's originality is: Is the so-called original work is truly original? In regards to the authentication and verification of originality, there are two rules as followed:

- a) An original artwork must be the first of its kind in some respects that is entirely distinctive from what has been done before. In reality, an abundance of so-called original art, while promising, are often limited to its small circle with little context. But when we put it in a larger context through a broader comparison, we will find that these works are merely an imitation or copy of something else. However,



there are incidents in which the similarities are unintentional. If such situation arises, we can only determine art's originality based on the time of creation. With the dawn of the Internet Age, it provides many cross-context opportunities for imitator and copyist to do wrong, but it also facilitates the process of cross-context comparison when authenticating originality.

- b) All original art must embody originality. If artwork appears to have no embodiment of originality, how can it be called original? Of course, it will be impossible for original work to have entirely new features in all of the 3 forms of art – material form, artistic form and spiritual form – but embodying a distinguishing feature in at least one form is a must. Whether it is originality in the use of material and technique, originality in artistic expression and language, or even originality in theme, substance, spirituality and concept, for an artwork to have any kind of embodiment of originality is rare and very hard to come by. However, any original must be placed in a large context of art from past to presence in order to confirm its originality through comparison on a broad scale.

3) Authentication and Verification of Pertinent Information

The authentication of pertinent information is to determine the accuracy of the material from advertising, critique and evaluation of art, as to whether they are objective, correct, and follow regular practices in art as well as being in accordance with academic principles. Authenticating pertinent information about artist and artwork is discovering

truth in incidents of copy, replication, forgery, imitation and ghost authorship and restore the true identify of art, undoing every mistake and pseudo academia element in the information. And through academic correction of scientific investigation and argumentation, import the accurate information into the database. Because the data of art and the pertinent information about author often has direct influence over the price value of artwork and involves the interests of artists and collectors. Certain information will have lingering effect on society and generations to come. Therefore, it is imperative that the data of pertinent information in the art registry system is correct, accurate and credible. The specialists in the discipline must follow academic principles and preserve high standards of professional integrity. The information pertaining to artwork and artist must be investigated and verified, and any descriptions suspected of price fixing will be deleted as a result of academic violation.

IV. Technical System of Scientific Registry of Art

We should implement scientific registry management that will apply to all art from the past to future, and concurrently establish corresponding art database. Using the Internet technology to better service the activities of art exchange, sales and collecting is not only a wonderful prospect, but also a pressing demand. To realize this, we must call for better standards of equipment and technology of art investigation and authentication. In 2008, armed with all the academic resources I had acquired and the advantages offered by the national scientific research project, I engineered a scientific registry for Chinese paintings combining

art and technology, and led the research team to push forward the first generation of technique and mode. To this date, the application of the technique and mode has led to extensive utilization of the registry and has also received favorable reviews. However, I still sense the need for improvement in the aspects of technique, equipment and mode regarding the scientific registry of paintings and calligraphies. Although a number of individuals and institutions have tried to improve it by introducing a series of substitute, remade and invented technical equipment and operational modes to the public, they still exhibit problems of accuracy, exactness, usability, credibility and so on. Thus, as of lately, I reached out to several affiliated communities in the professions of organizational culture, technology, public security and judiciary, to conduct targeted research. Adopting a new concept of integrated investigative method that follows the rules of "image + word" and "evidence + witness" under the brand "Yi Guan Suo", I have developed a positioning membrane and forensic verification instrument for paintings and calligraphies, and have also devised a new corresponding technical system and operational mode. All has been accepted and approved by the Criminal Technique Product Quality Supervision & Test Center of the Ministry of Public Security as well as the specialists of Ministry of Culture, and has since been in phases of large-scale production and popularization. Many agree that the accomplishment of this particular research and the new operational mode will effectively consolidate the management of art, and contribute to the refinement of the art market. The followings introduce the features and functionalities of the microscopic image forensic verification instrument and microscopic composition positioning

membrane designed specifically for paintings and calligraphies:

1) Overlapped Image of the Membrane and Artwork is Able to Identify All Forgery

The microscopic positioning membrane is able to mark all components on the art's surface, allowing identification through collecting positional and comparative evidence. After placing the membrane over the original work and registering the generated image, the membrane will be able to identify any handmade forgery with 100% certainty. When overlapping the positioning membrane over the registered image, the transparent membrane's every horizontal and vertical line, every segment of square, every oval and rectangle that marks the evidence, every serial numbers of the evidence, and the level of proximity between the strokes of characters and the compositional details on the surface, all become markings for composition on artwork's surface. Import the overlapped image in the registry as the basis for future authentication use. When authenticating, place the positioning membrane over targeted surface, and reconstruct every horizontal and vertical line, every segment of square, every oval marking, every stroke of characters and the proximity between the overlapping image and compositional details. If the reconstruction fails due to apparent positional difference, then we can conclude that the targeted artwork is not the registered original artwork. However, this measure only applies to identifying handmade forgery, forensic verification instrument will be needed in case of inkjet printing, collotype printing and other modernized copying techniques. Also, the positioning membrane is able to shield art's surface



from the instrument, thereby protecting the work itself during the investigation process.

2) The Instrument is Able to Identify All High Quality Forgeries of Any Type of Inkjet Printing

Inkjet-printed forgery boasts a high level of resemblance to authentic art. Since the texture of the ink can be made very close the original paint, the forgery is almost impossible to be detected by the naked eye. Furthermore, inkjet technology is still improving, making texture even closer to original's, as pigments and dyes can now be sprayed into smaller ink dots in a droplet. But the purpose-specific forensic verification instrument is equipped with higher-resolution image display and higher level of magnification capacity, therefore it can view and obtain information through its lens device from image comprised of extremely small ink dots, making it able to identify high level inkjet-printed forgeries of all types.

3) Operational Benefits and the Rigor of the Instrument and Membrane

In regards to current problems in art authentication, operating small portable instruments on large size art limits the investigation range to the bordering area near frame, leaving a blind spot in central area. As for benchtop instruments, they are designed to be operated on workbench with little versatility, therefore are not ideal for authenticating large size art either. Most importantly, there are inconveniences in both portable instrument and benchtop instrument when implementing integration of evidence and witness, indicating they lack the necessary rigor in the system of investigation and

authentication. Forensic verification instrument and positioning membrane can be operated on surface of art through the attraction of magnetic force, thus can be used in any existing surroundings of art, and is able to set position and adjust light accordingly at once, allowing a sequence of maneuver that has many benefits. It can save working time and space, facilitating the process of obtaining microscopic image and elevating efficiency in collecting evidence. Moreover, it combines instrument's collection of microscopic evidence with camera's investigation of macroscopic evidence, integrating evidence image and witness image to form a rigorous system of investigation and authentication, thereby increasing the credibility of the system and its adaptability to the legal sphere.

4) The Instrument's Precision and Accuracy

Conventional method of microscopic comparison often has an effective area of 1² millimeter, which is too small to be located easily and difficult to be positioned precisely by lens control. In light of this scenario, the forensic verification instrument and positioning membrane is equipped with high precision positioning device. When acquiring and investigating evidence, place the transparent positioning membrane over the surface of art, use the oval outlines on the membrane as markings of evidence to target collecting position, then set the overlapped image of the membrane and surface as well as the oval markings as the positioning basis for the instrument's lens control. There are a total of 9 markings in oval shapes, each containing smaller rectangular outlines. The serial numbers of markings are labeled by 3 different codes according to its level. The software in the

forensic verification instrument contains oval positioning label, which can be positioned with the evidence markings of ovals and rectangles on the membrane. Together, they generate a complete implementation of image information registry with referencing serial numbers. Using this method to label evidence's markings and serial numbers is equivalent to accurately highlighting evidence on art without physically touching the surface. It solves the problems of inevitable human errors from hand marking and numbering evidence. It also reduces the difficulties of locating markings of evidence, and allows accurate documentation without having to hand write anything. As a result, the efficiency in the authentication process is increased, and the credibility and integrality of the data is significantly solidified.

5) Other Benefits and Functionalities of the Forensic Verification Instrument

- a) The instrument has installed a textual information and writings storage software. Investigators can take advantage of various language and input sources to record basic information about the author, artwork, etc. on the spot, adding it to microscopic image obtained through evidence collecting and investigation, and take a picture of the records to be imported to the storage. In the immediate process of investigation and obtaining microscopic image through instrument, investigators can document basic textual information pertaining to the specifications about art in the picture taken. It creates thorough image data combining texts and picture, strengthening the links between texts and picture to ensure the accuracy of data, simultaneously enhancing its credibility and competency as well.
- b) On-screen display of the identification number specific to the instrument used will link it to the user of the instrument and the image obtained through the particular investigation, providing convenient access to targeting specific institutions, specialists and operations. It will better manage specialists and operations, and enhance the credibility and competency of data.
- c) Utilizing the Internet and GPS system to display and document correct time (including year, month, date, hour, minute and second) and location of investigation conducted. Then, combine every targeted textual and image information mentioned above and save it in the storage, adding to the integrality of data to prevent future tampering or any unauthorized modification to the texts at an unidentified location, thus increasing the credibility and competency of data.
- d) Connecting the instrument's identification number shown on the bottom left on the screen to the time of investigation displayed on the bottom right on the screen to create a data number (identification number + time of investigation). Using data number, one can tell right away which instrument is used, by whom and when the data are collected. As a result, whether investigation takes place domestically or overseas, how many instruments have been used and how many data have been obtained, the data number will remain the same, providing convenient access to searching and tracing data.



e) The forensic verification instrument has built in various media applications and programs such as QQ, email, WeChat, Bluetooth, web browser, image storage and so on. It allows instant data transfer to other locations, as well as instant storage and sharing. It also allows smart phone and iPad users to enjoy the conveniences of instant investigative information, providing an enormous facilitation to the timely transfer of data and services of investigation to different locations.

In sum, the techniques and equipment in the field of scientific registry of art have matured. But with regards to the issues of popularizing application of the technical system, integration into academic system, creating larger database of "art + the Internet" and taking steps to the socialization and internationalization of its application and service, there are still challenges to overcome.

V. Academic Issues and Interests in Authentication of Art

Every link in the process of art identification, verification, authentication and appraisal requires support of academic substance. But authentication results will often affect personal interests. A short while ago, we were offered an opportunity to view a private collection of paintings by a collector. Upon viewing, we had some suspicions about these works, and decided to perform microscopic investigation on these paintings with the help of forensic verification instrument. On the surfaces, we discovered microscopic ink dots, which can only be seen on inkjet-printed works. In the end, this collection of 3 paintings was identified as high quality forgeries produced with modern technology.

When commenting on the result, many sighed: "This equipment has no considerations for people's feelings. Once it presents indisputable evidence, millions and millions of investment can turn to dust at a blink of an eye!" Apparently, there is much about art authentication that involves both academic and personal interests. Thus, the interests of art collectors and investors are not only a matter of art investment and collecting, but also a matter of art identification, verification, authentication and appraisal. Whether or not authentication practice is performed with academic and technical competence and whether or not it exercises objectivity and precision when determining authenticity and value concerns the very interest of investors and collectors. In further elaboration: The new cultural mode of scientific registry-based art authentication is made possible through the maximization of efforts by professions in many different disciplines and seizing every possible opportunity. It is a major initiative of art management, and it also entails art authentication's potential as an enormous cultural industry. Two years ago, an individual made a prediction that, based on the high demand in the market, the business of art authentication will be able to make an annual profit of 1.5 to 2 billion RMB soon after its national expansion. Since the costs of scientific registry of paintings and calligraphies are relatively low, once the public starts to learn about this low risk-high reward investment opportunity, there will be an influx of cross-professional and unprofessional groups of people into the market who will be exhibiting inadequate expertise. However, a lack of professional expertise is not an issue, neither is being cross-professional or unprofessional. They can be fixed by diligent learning about the trade, which will ultimately

elevate one's professional skills and standards. As for being "in it for the money", it is not an issue either. There is nothing wrong with making profits in an appropriate way. Issues only arise when individuals or institutions who enter to the business not only lacking professional expertise, but respects for regulations and laws as well, and even without basic academic integrity and professional ethics. In pursuit of fame and wealth, and to protect special interests of certain groups, they abuse the power of their profession and achieve what they desire by fair means or foul, creating academic disorder and corruption, committing business manipulation in the name of China with attempt to monopolize the market. In light of this, we must emphasize the healthy development of the new cultural mode of art authentication, and pay extra attention to individuals who create academic disorder and corruption in the pursuit of fame and wealth and for the protection of special interests.

1) Beware of Manipulation for Fame and Wealth

There is a deputy-level official in China who founded the Chinese Society of Inspection and Quarantine (shortened as the Society in this article). The Society itself ought to be a self-sustaining social organization. When the organization encountered problems with revenues, the director, lacking basic knowledge and training in art, started to take interests in the cultural industry of art authentication. However, the Society does not possess operational qualifications required to perform any authentication, neither does it have any professional capabilities for it. As a result, the director began to utilize other resources in attempt to gain advantages in the field. To achieve market manipulation, the

Society ceaselessly causes academic disorder.

The director pulled strings to change the name of the magazine "About Food" issued under the Society to "Art Verification". The new magazine is still sponsored by the Society, thus the Society is able to utilize its media platform to publish a series of nonsensical statement. It proclaimed in the first issue of the magazine early this year: "'Art Verification' is a new concept derived from 'Art Authentication' with specific properties, which are the globally-recognized '4 major national principles for fundamental qualities': investigation, standardized measurement, certified approval and testing... The four principles share a strong correlation between each other, forming the integral part of the art verification's chain of links. Upon the foundation, it develops into a new system that is both theoretically substantial and practically important... This is what makes 'Art Verification' so remarkably different from 'Art Authentication.'" Subsequently, the notion of the so-called "Art Verification" and the systematic concept that is "derived" and "remarkably different" from "Art Authentication" suddenly creates itself out of thin air. What is even more absurd is how the Society and its director praise the pioneer and the ambassador of the term "Art Verification", stating in the magazine: "'Art Verification is a new concept first put forward by the national deputy director *** of *** in discussions with Standardization Administration of the People's Republic of China, Beijing Entry-Exit Inspection and Quarantine Bureau, and a number of experts and scholars." Many readers react to the statement thinking it is a typical example of faux academic in addition to market manipulation. Art verification is not a new term or a new concept. The industry is



well aware of the fact. The retired deputy official has a level of art cognition that is lower than those of the students in art academy. And not only is that the case, the director has to rely on ghostwriters such as artists and secretaries to create manuscripts and articles. But creating falsehood about inventing the concept of "Art Verification" is enough to show the director's inexperience, ignorance and lack of judgment in the field of art. What is worth noting is that this unprofessional individual wants to not only become the leader of "Art Verification", but also establish the system of "Art Verification". It is very disturbing. It shows that in the areas of serious academic corruption, more is needed be done besides having legitimate sources of art authentication and verification. We should target and punish malicious acts, false representations of our national and government, false advertisements and erroneous regulations pertaining to art authentication. The reality of identification, verification, authentication and appraisal of art is extremely complex.

2) Questioning the "Quality Tracing System of Art Verification"

Ever since 2015, the Chinese Society of Inspection and Quarantine has been promoting its "Quality Tracing System of Art Verification". Actually, the main body of the system is based on the textual image analyzer developed by Shanghai Jin-du Technology Company. It is equipped with macro-view camera technology to take macro photos of miniature textures on paintings and calligraphies. However, the system is not capable of detecting necessary material required to identify modern high quality forgeries and even ancient counterfeits, not to mention the ability to analyze the 3 forms

of art (artistic form, spiritual form and material form). And the functionalities of investigation and evidence collecting are hardly practical in terms of authenticating sculpture, porcelain, bronze, gem and other types of art. In some instances, it is not suitable for certain oil painting, lacquer painting, and other forms of painting. The main researchers for Shanghai Jin-du Technology Company admit it with honesty, but the Chinese Society of Inspection and Quarantine overlooks the fact. It continues to advertise the equipment and system for profits, claiming it to be the "Quality Tracing System of Art Verification". Some have already questioned the Society: What are the functions of "Quality Tracing System of Art Verification"? How effective is it? What quality issues in what specific kind of art can it resolve? Why does the Society refuse certain authentication and traceability requests made due to its advertisements? In reality, everyone is aware of the fact that no matter how advanced the technology is, there is no such thing as "magic mirror". With regards to the quality tracing system, it will be better off to be perceived realistically. Do not underestimate the public's intelligence by perpetuating a false idea of a "system" in the industry with attempt to deceive the society and the government. Who are to bear the negative consequences?

3) Misconceptions about Artwork's Quality Control in Advertisement

The director of the Chinese Society of Inspection and Quarantine states: "The determinant of artwork's conditions is essentially an issue of quality. The disorder of the market of art is an issue of quality control." The Society continues to claim: "One of the main reasons behind the disorder in

the art market is the disregard to the '4 major national principles for fundamental qualities'. To solve the variety of problems in the art market, we must enforce plan to strengthen the fundamental qualities by improving the basics of investigation, reinforcing the rules of standardized measurement, enhancing the applications of certified approval and bettering the services of testing. Only by accomplishing all these, we can strike at the root of evil and restore art to its pure form." The statement is lacking substance and objectivity. Anyone has the slightest knowledge of the art market knows that the disorder is not caused by the quality problem with the material. It is true that there are differences in terms of the material quality and price. Take Shanghai Marie Painting Materials for example, its products are divided into professional grade, regular grade and even paints for children, depending on the different material standards. Among them, the professional grade paints have the highest quality, which are well-received domestically and overseas. The regular paints have lower quality but are sold at a lower price point, therefore are just as popular sales-wise. The quality in the children paints cannot be expected to be the same as the quality in the professional grade ones, but are held at higher health and safety standards. China's market boasts a large number of amateur painters and art beginners, and they often do not feel the need to purchase high quality yet pricey professional painting material. As a result, forgery problems with the art material market in China are not as serious. It is very rare to hear about fake rice paper, ink, paint or inkpad. Thus, the 4 major principles for fundamental qualities – investigation, standardized measurement, certified approval and testing – only apply to regular products. Art material is the ex-

ception. It is a physic product created by human, so it has an independent system of quality standards. Defining art as a strictly physical product is completely incorrect. Quality issues with food, drugs and regular commodities are essentially the failure to meet the quality standards or the use of fake ingredients. The issues with art forgery often do not involve any problems with material quality. Certain forgeries are made with even better materials than the originals. So fundamentally, the forgery of art is not the forgery of material, but the forgery of authorship. Therefore, it is not a matter of quality, but a matter of trust. Art forgery is a violation of intellectual property and an infringement on the right of reputation and authorship. It is a commitment of fraud, a commercial dispute and even a criminal act. These are the real quality issues of art. One should not confuse it with the quality of art material and blame it on the art supplier. The supplier is doing a very good job.

The Society once brought up the slogan "Pushing the art market into a new era of quality", which itself is a copy in poor taste from the existing slogan "pushing China's commodity market to a new era of quality". The latter slogan is widely recognized by the public, while the former causes tremendous confusion. "Pushing the art market into a new era of quality" is merely an advertising message that is nothing short of amateur.

China prides itself with a wealth of artworks that are rich in both varieties and styles. Looking back on the history of generations and generations of Chinese art, it has a vast capacity of themes and cultures, covering all beings under the sky. The author can be an imperial painter, an intellectual,



an aristocrat, a modern artist, a college professor, a professional artist, a hobbyist, a folk artist or even a great master. The works can be very much unadorned, glamorous, perfectly intact or broken in pieces. However, its artistic and historical values can not be decided solely by the quality of material and preservation status.

I would like to ask the creator the slogan "Pushing the art market into a new era of quality" the following questions: Considering the fact of this era of booming art creation, exchange and sales, plagued by the widespread problem of forgery, should it be qualified as an era of quality or not? How would you qualify the era of the art market before in the ancient times? Is there any measurable quality in China's generations of national treasures and artifacts? Do they belong to an era of quality or not? Also, what are the criteria when categorizing different historical eras of quality?

I still have questions for the creator of the slogan "Pushing the art market into a new era of quality": To ensure the quality of China's art market, what are the artworks that should not belong to the market according to its "quality standards"? Are they the works that have lived through generations but are in bad physical conditions? Or the works created by country folks or commoners? Or those underdeveloped works made by children, housewives or retired seniors? But in fact, great masters are not born, but made. They often start off the foundation of making low quality works. But only through the process of making low quality works, they can have the opportunity to make works that are high quality down in their career. As a result, we should exercise prudence when speaking of art's "era of quality".

And instead do serious research on art and the art market before commenting on it.

Although, we should not underestimate the intelligence and the level of knowledge the Society has. In its advertisement, it once stated: "As everyone knows, the Administration of Quality Supervision is the main body of quality control in the nation." "As the Administration, its goal and duty is to better service the development of art industry, to contain the disorder of art authentication and push the art market into a new era of quality."

Based on the reasoning, the Society can defy the administrative regulations that have entrusted art-related governing responsibilities, authorities and duties to the Ministry of Culture, and customize a new set of authorities, rules, regulations and standards in the aspect of "quality supervision", reassigning authentication affairs from the cultural governing body into the quality supervision body, while the Administration of Quality Supervision itself has no art management authority. Accordingly, the Society has the right to represent the government to implement quality control of all art authentication entities, and centralize the issuing of authentication certificates and investigation reports on behalf of the government. Thus, charging fees for these services are more than reasonable. So when faced with a wealth of artworks in China's market, the Society managed to invent a system in an almost immediate fashion, namely the "Quality Tracing System of Art Verification". Additionally, in a number of advertisements, the Society claims it to be the "National Quality Tracing System of Art Verification", and state the intention to enforce compulsory registration of art in China.

Furthermore, it plans to place an electronic label of the Society onto every artwork in China, including modern paintings and calligraphies. And of course, there will be fees associated with the services. Learning about these activities and strategies, it is apparent that the intelligence and knowledge of the Society are not to be questioned, but instead we should question its motive and position. However, do not underestimate the intelligence of the professionals and the vast number of consumers in the industry of art authentication and management. We are well aware of the situation.

4) Questioning the "Six in One" Authentication System of Art

Even since the forming of new cultural mode of art authentication and the initiation of national social science topic "Research on the Construction of Art Authentication Systems and the Industrial Mode", the construction of art authentication systems have received much attention in the academic field. The experts leading the topic expect to finish the research by 2017, and the results are to bring significant contributions to technical development, academic research, institutional construction and other aspects of art authentication. When speaking of the construction of art authentication systems, it will be fairly easy to fabricate numerous systems if they are to be used as catch phrases in advertising campaigns. However, if the systems are to be carefully planned, considering all aspects of technologies, academics, industrial modes and government regulations, it will not be a simple task at all.

In order to have a clearer thought process of how

to construct the systems, it is necessary to analyze the phrases that have been widely publicized by the Society: "Taking technological authentication as the foundation, empirical authentication as the reference, standardized measurement as the evidence basis, certified approval as the means, testing as the support, informatization as the platform, and further connect with common international regulations."

- a) Regarding the foundation of art authentication systems, if explained in the perspective of industrial development, the variety of resources of art authentication should be considered the basic elements of the foundation of art authentication. The authentication systems, namely artist authentication, empirical authentication, technological authentication, which are 3 authentication methods used to directly identify art, and scientific registry, which is an anti-forgery registration system with verification capabilities. These 4 systems unite to constitute the entire structure of art authentication with each has its own function for applications. If the machine requires all 4 to work as a whole, why should we only consider one of them to be the foundation? Is it less or more important?

When authenticating high quality forgery made by modern technology, technological authentication will be playing an essential role. Rather than calling it the foundation, it will be more appropriate to call it the main force or main body. When identifying the authenticity and periods of ancient paintings and calligraphies, we must possess a substantial amount of authoritative data about



the material of paintings and calligraphies in the past. Due to the fact that ancient artworks are not only kept in the cultural institutions on both sides of the straits, but are also in museum collections in countries such as Great Britain, the United States, France and Japan, not to mention the large number of private collectors overseas. As a result, it might take generations of efforts to finish off assembling data of material compositions on all ancient artworks. Technological authentication is still in need of a more complete authoritative data for proper data comparison, which is the reason why its application is limited to identifying counterfeit of ancient art that is made with modern material. However, today's skilled forgers avoid using modern art supply when forging ancient works. Also, in the ancient times, emulations and originals in the same period often exhibit no difference in terms of material composition. Even if we only focus the application of technological authentication on the art of today, there are many problems too. Despite using the investigation technology of modern science can accurately disclose the material components of a targeted artwork, the key is not about discovering material components, but instead whether a targeted work contains any distinguishable material and whether the specialists are able to pinpoint the unique trait of the material composition among piles and piles of art data. Without the support of the registered information about artwork's material composition and the microscopic image of the unique trait, modern commercial art suppliers' expertise of material often lacks credibility. As a consequence, long-

term planning is needed for the basic data that technological authentication depends upon.

- b) Regarding the phrase "Taking empirical authentication as the reference", the director of the Society has, on numerous occasions, expounded: "The idea behind taking empirical authentication as the reference is to "make bold assumption" based on empirical evidence that will be used as reference into the process of technological authentication, realizing the integration of empirical and technological authentication, and suggesting the suture development of art authentication." On March 2015, Chinese Artists Association chairman Liu Dawei, as well as artists and scholars including Zhang Tinghao and Pan Lusheng all refuted the system of "Six in One". They countered that the empirical authentication is a discipline exercising deliberate analysis and disciplined judgment through the guidance of experiences and knowledge, thus it will be naïve to consider it "making bold assumption". One of the group even joked about the claim, saying: "Thankfully, it wasn't 'making bold imagination' " Empirical authentication always has its share of significance in real life application, so it should be given due respect. Using the word "reference" to marginalize importance of the discipline and using the word "bold assumption" as dismiss to its rigorous process of academic research is an distortion and abuse to the discipline and profession of empirical authentication.
- c) Regarding the evidence basis in art authentication, the main for China's conventional empirical authentication is style and artistic

skill. And of course, using individual style, periodic style and the level of artistic skill as the determinants of authenticity make perfect sense and are usually effective. But there are problems as well, especially the problems with credibility when using the technique on high quality forgery that is made with modern technology. However, the correct response to the problems is not to disregard these evidence basis, but to improve and better it in the aspects of theory and practice.

The evidence basis in art authentication should be diverse. With regards to the evidence of individual style and artistic ability, one must take considerations of the dynamical element of artist's ability and the transformative element of artist's style. With regards to the system of artist authentication, the evidence basis is memory competence and credibility. As for the level of memory competence and credibility, it varies from individual to individual. With regards to the system of technological authentication, the evidence basis is microscopic image and compositional data that contain comparable information. Also, the level of quality and quantity of the data are crucial. With regards to the authentication aspect of anti-forgery registry, the evidence basis is investigation data in the storage and new investigation data collected. Anyone familiar with the operations of art authentication is aware of the fact that only the evidence basis mentioned above are truly applicable and usable. Of course, we can discover other evidence basis when looking at different angles. For example, it

can be evidence basis by policy and regulation, evidence basis by rules of morality or evidence basis based on academic principles. All these evidence basis are more feasible and important than the "standardized measurement" can ever be.

Measurement refers to the activity of realizing the unification of units and the accuracy of data. The term "standardized measurement" will be explained better as standard measurement, referring to the activity of realizing the unification of units and the accuracy of data that is officially approved under regulations and in normative use publicly and repetitively. Artists and authentication experts all agree that it is ridiculous to impose the terminology of supervision of physical products on the evaluation of physic products. Art creators, appraisers, theoretical researchers and managers will not welcome the introduction of "standard measuring tool" into the cultural field to be used as evaluating basis for physic products. An artist comments sarcastically: "This is some rare and great material for comics." In terms of standardization, there is no lack of standard basis in the field of art. Experts have already undergone research of standardization of different topics of art to many research results. The government's cultural department has published a series of normative documents about certain standardizations of culture and arts. Technical standards must be pragmatic. It must comply with relevant law of the country, and be appropriate for the healthy development of industry as well. Many in the industry have a consensus



that the construction of technical standards in art authentication must be approached from the perspective of the industry and be executed by true experts. The rules, regulations and standards fabricated through manipulation of unprofessional individuals standing in the positions of certain interests will not be accepted. They will be neglected by history and labeled as corruption and disgrace to academia.

- d) Regarding the means of art authentication, they are diverse, and will become different options according to the nature of authentication and methodology. As far as the system of artist authentication is concerned, no means is necessary. Relying on memory will suffice, but it must be done with integrity and also obey ethics rules. As for the system of empirical authentication, it is a methodology based on the combined analysis of experiences, intelligence, knowledge and observations. Although they are indeed means as occasional technical maneuvers, to describe them as methods will be much more appropriate. They system of scientific authentication involves a variety of different technical equipment, technical means, scientific investigations and argumentations. Registry authentication is an practice of authentication of art based on anti-forgery registry, which can be defined as a means. There are various means in art authentication, and they change according to the nature of the targeted artwork. Anyone with the slightest knowledge of art authentication will know that not only there are different means used in identification between paper-based arts, such as paintings and calligraphies, and non pa-

per-based arts, such as porcelain and bronze, there is also a distinguishable difference in means solely when identifying paper-based artworks such as paintings and calligraphies. For example, the means of identification of inkjet-printed forgery, collotype-printed forgery, water block-printed forgery and high quality handmade forgery are totally different. As for the phrase “certified approval as the means”, there has not been any instance of such.

According to the International Organization for Standardization (ISO) and the International Electrotechnical Commission (IEC), they define certification as a qualifying and judgment tool, approved by a body of authority, to prove that certain organization’s product, service and management system is with accordance to relevant standards, technical specifications and regulations. Approval is a qualifying and judgment tool by an approval authority to admit the ability and professional qualification of certain certification authority, supervision authority and laboratory, as well as certain professional in the field of inspection, examination, and so on. It is also a recognition of professionalism to the professional or the professional body. Apparently, certified approval is a solitary and independent system in professional management, instead of a means to art authentication.

- e) Regarding the support of art authentication, who should be responsible for supporting the systems of art authentication? Based on both the current and past authentication institutions and professionals, some are supported

by the cultural and museum system, some are supported by the public safety system, some are supported by the legal system, some are supported by national research institution and educational research institution, some are supported by art sales organization such as auction company, culture and artwork property exchange and private gallery, while some others are not supported by a specific body, but support themselves through the big market of artwork. If “testing as the support” refers to professional support instead of organizational support, then the people in the industry will inform you that the system of artist authentication does not require testing as support, neither does empirical authentication; technological authentication uses the microscopic technique to identify ink dot in inkjet-printed forgery, and the technique refers to “microscopic investigation” instead of “testing”. The same applies to anti-forgery registry that targets microscopic traits used for further authentication, which is a technique that will be incorrectly described as “testing”. Using technical equipment such as Raman spectroscopy and x-ray spectroscopy to obtain information of material composition can seen as “testing”. However, what is the proportion of the importance of this “testing” in the context of art authentication? For now, it is not even 1/1000. The technique will be of any significant use to the individual laboratory and investigator alone. It will only be capable of real application once a credible comparison database is constructed through collecting sufficient data in art. How can we fast-forward the historic development? How can the entire

operations of art authentication be supported by a single technique? Will the industry of art authentication welcome it? Will the public approve of it?

- f) Regarding the phrase “informatization as the platform”, what is the platform? How to define the platform of art authentication? The definition of platform often refers to a raised surface, figuratively meaning an environment of workplace. Hence, regardless of the workplaces for different authentication systems such as artist authentication, empirical authentication or anti-forgery registry authentication, or the physical environments of art authentication laboratory or academic research, any specific location can be defined as the platform of art authentication. What is “informationization”? Based on authoritative documents, it is defined as “the historical progress that fully utilizes information technique and develops information resources in order to facilitate information exchange and knowledge sharing, to achieve economic gain, and to boost social advancement. After such definition is clarified, another question arises: Informationization is a progress in the capacity of time, how can it be confused with platform, which is a space? The phrase “informationization as the platform” sounds promising, but is incoherent at best.

Regarding the database of art authentication and informationization, not only they are repeated subjects, but are also accomplishments already done by many from the past to presence. As for how many accomplishments have been done? What kinds of problems ex-



ist? And how should it continue in the future? We better leave it to experts to explore and to design solutions.

- g) Which standard international regulations does art authentication need to connect? In 2012, an “Art Perception and Management Experts Conference” was held in Hunan, China. It was a conference involving much international networking and cooperation of experts. Experts from all over the world exchanged information about art perception and management, discussing several relevant issues. One issue in particular is that the experts aspired for more international coordination, even collaboration, on the subject of art authentication. But until today, there has not been any signing of the law that stipulates universal regulations in art authentication, thus there is no such things as standard international regulations to connect with. Not only that some international experts were baffled by how much the Chinese art market is flooded with forgeries, they also could not comprehend China’s ambition to substantially grow the cultural industry of art authentication. They thought that in order to grow the industry successfully, it must be supported by high demand for identifying forgery. It seemed to them that it was no different than spreading hard nails alongside the roads in order to boost the business of automotive tires repair. Based on this reasoning, individual businesses that survive on art authentication will have tremendous incentive to register and certify any art for profits regardless of quality. Will there be any potential corruption arising from the plots between malicious institutions

and artists. We should give more thoughts to these possibilities and work to prevent them. As a result, experts reached an consensus that art authentication is an academic discipline and governmental duty in cultural management. Some more serious instances of sales and production of forgery should be handled legally. The industrial mode of the socialized service of art authentication is being regionally experimented and is steadily expanding under the guidance of relevant regulations. However, there are few motivated by self interests that disrupt the healthy pattern of such development in attempt to affiliate art authentication bodies with a certain organization or individual to achieve monopoly and control over the market. Based on international positions on art authentication, there is not substance in the phrase “connect with standard international regulations”. It will be more practical and noteworthy if rephrased as “connect with standard international practices”.

In sum, the so-called “Six in One System of Art Authentication” is clearly proposed by amateur. We can just ignore it. But because the individual has been spreading false information in all regions of China as well as disrupting the course of development of art authentication’s academic research and business, it has infuriated and disgusted many in the industry, especially when the official and the Society have gone beyond spreading false information and start to manipulate authentication affairs for personal interests, I cannot sit by and let this happen.

It is inevitable that the industry of art authen-

tication gets mixed in with unprofessional and greedy individuals with no business ethics. Some pseudo artists want their works to be labeled with certification "approved" by certain authentication and examination body for the purpose of price inflation. With no bottom line, these pseudo artists collaborate with mercenary specialists in an academically unprincipled "approval" scheme that will ultimately transform positive energy in art authentication into negative, turning refinement of the market into further disorder. So beware!

Authentication of art is an indispensable component of the system of cultural management. We must follow the steady footsteps of art and make orderly progress. Avoid "Great Leap Forward"-style rush, as many have urged: "The traditional business of empirical authentication has been in disorderly conditions. We must prevent it from happening to the new industrial mode of art authentication!"



尹毅

中國文化部中國藝術科技研究所藝術品科研中心前主任

尹毅，一級美術師，藝術品鑒證學者，享受國務院政府特殊津貼，全國文化行業高技能人才，文化部創新獎獲得者。曾任山東省出版局美術編輯，山東省委宣傳部美術編輯，山東省文聯創作室美術創作研究員，中國藝術科技研究所書畫真偽科學鑒定中心主任、藝術品科研中心主任，現為中國藝術科技研究所學術委員會委員，中國藝術研究院藝術創作院特約研究員，中央文化管理幹部學院美術學院客座教授，中國藝術品鑒證聯盟總召集人兼學術委員會主任。

1970年至1984年，尹毅曾致力於油畫、水墨畫、宣傳畫、連環畫等多畫種的學習與創作，這一時期的代表作品有《祝願》《偉大的戰士》《藏族姑娘》等油畫作品以及出版發行的宣傳畫。自1985年至今，尹毅三十年如一日專心致力於中國畫技藝創新研究，新水墨作品《銀潮》入選第八屆全國美展，新水墨連環畫《生命的呼喚》（10幅）入選第九屆全國美展並獲優秀獎，還有許多作品入選海內外其它重要美展；尹毅曾在濟南、北京、洛杉磯、費城、萊比錫等地舉辦個人畫展，在國內外20多個市地與其他畫家舉辦聯展。

尹毅在國家科研單位的有利條件支援下，曾主持實施了文化部資金專案“中國畫新材質新技法研究”以及國家文化提升計畫專案“中國繪畫材料關鍵技術與應用研究”，並結合課題內容深入研究了中國畫藝術語言系統及其表現力問題，不僅取得了諸多科研成果，而且創作了許多佳作，其雪域系列、山石系列、雲霧系列、原野系列、新水墨系列、重畫經典系列等作品，均展現出了嶄新的藝術效果。

尹毅擔任國家科研專案“書畫真偽科學鑒定系統”負責人期間，對書畫鑒定的歷史與現狀進行了系統的研究，對藝術品鑒證新業態及其體系建構進行了總體理論設計。特別是尹毅策劃並啟動了“為中國畫備案”的業務，並帶領其科研團隊率先為部分藝術家及其作品實施了科學備案，不僅為推動藝術品鑒證新業態提供了關鍵技術、規範化操作流程以及業務模式，在科技鑒定、科學備案兩方面都取得了一些科研成果，而且主編並出版了《為中國畫備案》《藝術品鑒定新探》《書畫認知與管理》等學術專著，並在海內外許多媒體發表了大量論文，在海峽兩岸許多市地舉辦了許多

次講座，從而為這項事業與產業的發展奠定了堅實的學術理論基礎。因此，該專案在 2010 年通過國家驗收時受到了專家們的高度評價。2012 年，尹毅主持實施的國家科研項目“書畫科學備案認證系統”也順利通過了國家驗收，驗收專家們並一致認為，此科研成果將在事業與產業兩方面造福於社會，其現實意義與歷史意義不可低估。尹毅擔任負責人並已通過驗收的科研專案還有“中國畫藝術生態研究”“藝術品備案類型分析與模式研究”。作為首席專家正在實施的有國家社科基金項目“藝術品鑒證體系建構與產業模式研究”。自 2011 年開始，尹毅帶領其科研團隊對雅昌集團、山東省美術館等多家企事業單位進行了書畫科技鑒定、科學備案技術培訓，並在海峽兩岸許多省市舉辦藝術品鑒證學術講座，為推動形成藝術品鑒證文化新業態做出了突出的貢獻。

近幾年來，尹毅對藝術品創作生態、市場生態、管理生態進行了全方位調研，並在藝術本體研究、風格流派認定、價值評估與價格認定、藝術品鑒證體系建構與產業模式研究等層面進行了較系統的研究。主要論文有：《對中國畫藝術的思考與建議》《關於中國畫藝術的“須知”與“須思”》《水墨藝術裂變說》《現代筆墨宣言》《水墨思辨》《中國畫藝術與科學技術》《也談‘打造’畫派》《對中國畫作者的觀察與思考》《中國書畫鑒定的歷史性轉折》《中國書畫鑒定的現狀分析與策略研究》《中國書畫鑒定與管理的科學之路》《論中國書畫鑒定的科學體系》《中國書畫科學備案模式解析》《中國畫資料庫資訊採編須知》《論藝術品鑒定與管理的四大正能量及藝術品鑒證體系建構》等。

Yi YIN

Former Dean of Art Science and Technology Studies Center, China Art Science and Technology Institute

A first-class artist and art authentication scholar, Yin Yi has been the recipient of special government allowances from the State Council, is deemed a highly-skilled individual in the national cultural industry, and is also a recipient of Ministry of Culture's Innovation Awards. He formerly served as art director at the Publication Bureau of Shandong Province, art researcher at the Shandong Province branch of CFLAC (China Federation of Literary and Art Circles), and both director of the Painting Authentication Center and director of the Art Research Center at China Art Science and Technology Institute. He currently serves as a member of the academic committee at China Art Science and Technology Institute, visiting art professor at Central Academy of Cultural Administration, research fellow at the Artistic Creation Department of China Art Research Institute, and chief convener and director of the academics committee of the Chinese Artwork Appraisal Alliance.

From 1970 to 1984, Yin Yi concentrated his efforts on the learning and creation of many genres such as oil paintings, Chinese paintings, propaganda posters, comics, etc. Representative pieces of this era include oil paintings such as "Wishes," "Great Warrior," "Tibetan Girl" and his published propaganda posters. From 1985 to the present, Yin Yi has much of the last three decades focused on the research of innovations in Chinese painting techniques. His neo-Chinese painting "Silver Tide" was nominated for the 8th National Fine Arts Exhibition and his neo-Chinese

painting style comics "The Call of Life" (10 in total) was nominated for and received an award at the 9th National Fine Arts Exhibition. Much of his work have also been selected for important domestic and foreign exhibitions. He has held personal exhibitions in Jinan, Beijing, Los Angeles, Philadelphia, and Leipzig. He also held joint exhibitions with other artists in more than twenty cities both in China and abroad.

With the support of national research agencies, Yin Yi has spearheaded the Ministry of Culture's special funding project "Research on New Mediums and New Techniques of Chinese Paintings" and a National Cultural Enhancement project "Chinese Painting Material Technology and Applied Research". He also combined disciplines and conducted in-depth research on the language system in Chinese painting and its issues of expression. Not only did he obtain good results, he has also created many great pieces of art. His snow series, boulder series, clouds series, wilderness series, neo-Chinese painting series, and his series on rehashing classic pieces have all presented a brand new artistic effect.

When Yin Yi was serving as point person for the "Art Authentication System", a National Scientific Research project, he conducted systematic research on the history of art appraisal and its present situation. He designed a general theory on the new modes and structure of art appraisal. In particular, he designed and launched the

operations of "Tracking Chinese Painting" and led the research team in archiving some artists and their work in a scientific manner. Not only did this provide vital technology for promoting new modes of art appraisal, it also standardized operating procedures and business models. In terms of scientific appraisal and tracking, new research milestones were achieved and Yin compiled many academic publications such as "Tracking Chinese Paintings," "New Exploration into Art Appraisal," and "Understanding and Managing Paintings." He also wrote for many domestic and foreign media outlets and attended seminars in many cities across the Taiwan Strait. By doing so, he laid a very strong academic foundation for the development of this industry. When the project passed evaluations in 2010, it was heavily praised by experts in the field.

In 2012, the National Scientific Research project "Paintings Tracking Validation System" successfully passed evaluations and the evaluators all believed the research results would greatly benefit both the business and the industry and that its value, both real and historical, cannot be underestimated. Projects that Yin Yi spearheaded that also passed evaluations include "Research on the Chinese Art Ecosystem" and "Categorical Analysis and Modality Research on Art Tracking." He is currently the leading expert spearheading the National Social Sciences Foundation project titled "Research on Art Appraisal Systems Construction and Industry Models." Since 2011,

Yin has led research terms and trained many entities such as Artron Group and Shandong Art Museum in scientific appraisal of art and scientific tracking technology. He has also hosted many seminars on this subject matter in cities across the Taiwan Straits in order to promote the new modes of art appraisal and further contribute to this field.

In the recent years, Yin performed comprehensive research on the art creation ecosystem, the market ecosystem, and the management ecosystem. He also conducted systematic research on art ontology, genre classification, value assessment, art appraisal structure construction, and industry modalities. His major publications include "Thoughts and Suggestions on Chinese Painting," "What You Need to Know and Think about Chinese Painting," "The Fission Theory of Chinese Painting," "Modern Chinese Painting Declaration," "Theories on Chinese Painting," "Chinese Painting and Technology," "Let's Talk about 'Creating' a School of Painting," "Observations and Thoughts on Chinese Painters," "Historical Turning Points of Chinese Painting Appraisal," "Present Situation Analysis and Strategic Research of Chinese Painting Appraisal," "Management and Appraisal of Chinese Paintings," "The Scientific Structure of Chinese Painting Appraisal," "Analysis on Chinese Painting Archiving Methods," "Must-Knows of the Chinese Painting Database for Editors," and "Four Major Forces Driving Art Appraisal and Management and Constructing an Art Appraisal System."

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- 成功將桃園縣客家文化館閒置空間活化，該館 2009 年榮獲桃園縣轄館舍優等獎
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- 擬具《所得稅法修正案》，讓文物或藝術品交易所得採分離課稅，除與國際慣例接軌、稅率更具誘因，並藉由文物、藝術品的交易、流通與推廣，促進文物和藝術品的保存、修復和營運管理等產業，以及提高其附加之經濟價值，進而增加就業機會和稅收。
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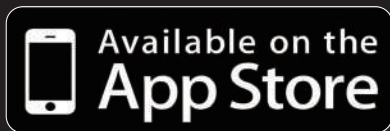
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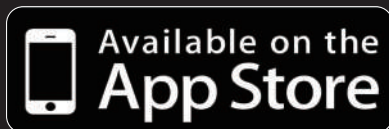
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