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Papers of the National Associations of E.C.C.O. - Ensuring high quality in safeguarding Cultural Heritage. The vital importance of protecting the title and regulating the profession of Conservation-Restoration in Europe



ΣΥΛΛΟΓΟΣ ΣΥΝΤΗΡΗΤΩΝ ΑΡΧΑΙΟΤΗΤΩΝ  
& ΕΡΓΩΝ ΤΕΧΝΗΣ ΤΡΙΤΟΒΑΘΜΙΑΣ ΕΚΠΑΙΔΕΥΣΗΣ

ΠΡΑΚΤΙΚΑ ΣΥΝΕΔΡΙΩΝ/ΗΜΕΡΙΔΩΝ

ACAWA-GR CONFERENCE PROCEEDINGS

Papers of the National Associations of E.C.C.O.

### Ensuring high quality in safeguarding Cultural Heritage

The vital importance of protecting the title  
and regulating the profession of  
Conservation-Restoration in Europe

organized by  
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participation of  
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#### The regulation of the profession of conservationrestoration in Austria

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# The regulation of the profession of conservation-restoration in Austria

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## ABSTRACT

The activities of conservators and restorers in Austria are legally considered artistic practice and fall within the scope of the liberal professions. In addition, the Austrian Law for the protection of Cultural Heritage mentions the word "restoration" several times, but it does not specify what conservation or restoration is, nor does it specify the qualification requirements for the implementation of conservation measures. The Berufsverband österreichischer Restauratorinnen und Restauratoren (ÖRV), founded in 1985, is the only nationally and internationally recognized association of qualified restorers in Austria. In a recent statement, the ÖRV has advocated amending the Law accordingly, so that examinations, expert opinions, and conservation advice may only be carried out by persons with a relevant university degree.

## 1. CONSERVATION AS ARTISTIC PRACTICE?

The Austrian tertiary education System offers several specializations in conservation-restoration; therefore, the country can draw on a range of trained, qualified professionals in conservation. Two art universities, both located in Vienna, offer master's degree study programmes (EQF 7): the Academy of Fine Arts Vienna offers 5 specializations in Conservation (Paintings/Sculptures; Objects – Focus on Wood/ Historic Musical Instruments; Paper/Photographs/Books/Archival Material; Mural Paintings/Architectural Surfaces; Modern and Contemporary Art) and the University of Applied Arts Vienna offers 4 specializations in Conservation (Paintings; Object – Focus on Metal; Textile; Stone). Both Institutions are full ENCoRE Members. Since the programmes are embedded in Art Universities, the activities of conservators and restorers are formally considered as artistic practice.

Carrying out conservation and restoration measures in Austria is exempt from the trade regulation (Gewerbeordnung) as long the restoration requires artistic skills. If the activities of conservators fall within the scope of regulated professions (such as house painters, stonemasons, plasterers, or gilders) and do not require artistic skills, the conservators could come into conflict with those regulated professions. This leads some conservators to register at the Austrian Economic Chamber (WKO), under some of the regulated professions, or otherwise work without a licence under the liberal professions.

The Austrian Economic Chamber describes the difference between the activities of liberal professions and regulated professions: "If only cleaning or conservation work is carried out on the artwork, commercial activity will have to be assumed. If, however, the artwork is to be supplemented or even restored due to severe damage, the activity is considered artistic practice, as long artistic skills are needed for this purpose"[1].

Unfortunately, this definition does not reflect the reality of restoration practice. Restoration and conservation measures often cover a wide variety of activities that are sometimes very hard to predict, so they might include the so called “artistic activity”, or measures within a regulated profession. Although examinations became an integral part of the work on monuments, the actual execution is usually not carried out by that same person but is rather tendered within public calls.

REGULATION OF CONSERVATION IN AUSTRIA	
	YES NO
• Bussines, trade regulation (Gewerbeordnung)	<input type="checkbox"/> <input checked="" type="checkbox"/>
• Legal representation at economic chamber	<input type="checkbox"/> <input checked="" type="checkbox"/>
• Title conservator / restorer regulated, protected	<input type="checkbox"/> <input checked="" type="checkbox"/>
• Mandatory proof of competences/qualification	<input type="checkbox"/> <input checked="" type="checkbox"/>
→ <b>no regulation, liberal profession, considered artistic practice</b>	

Image 1: Summary of the legal status of the conservation-restoration profession in Austria

## 2. LAW FOR PROTECTION OF CULTURAL HERITAGE

According to §5(1) of the Austrian Law for the protection of Cultural Heritage: “any alteration that could affect the substance, the traditional appearance, or artistic effect” requires approval of the Federal Monuments Authority [2]. However, it is not necessarily ensured, that restorations are carried out by qualified professionals. The Law theoretically enables public contracting authorities to ensure the quality of conservation-restoration services, within the framework of invitations to tender. In practice, however, it is apparent that this does not necessarily ensure that conservation-restoration work is carried out in a manner appropriate to the monument. Reasons for that are project-specific criteria for treatment, that open conservation projects to unqualified personnel, on top of that the awarded tenderers are sometimes determined by the client. The client may not be interested in awarding conservation-restoration services to the best bidder, which usually leads to higher costs.

Although the current version of the Austrian Law for the protection of Cultural Heritage does mention the term “restoration” a total of eight times (see Image 2.), it mentions the term rather casually, without specifying what restoration or conservation is and without pinpointing which role it plays in the preservation of cultural heritage. It needs to be defined who is qualified for the implementation of conservation measures and how to ensure the quality of the execution measures.

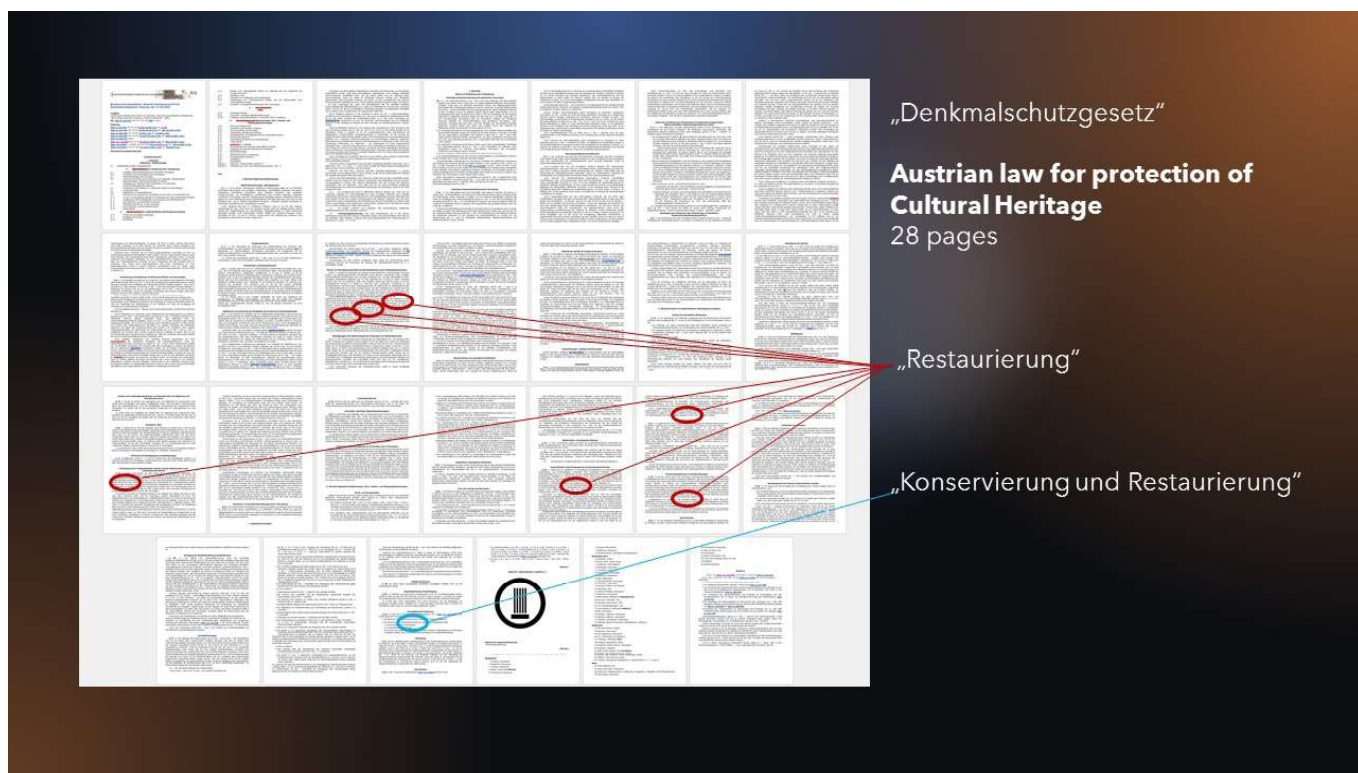


Image 2: Mentions of “Restoration” and “Conservation” in the Austrian Law for the protection of Cultural Heritage

The ÖRV strives for the recognition and implementation of a valid quality standard in restoration and conservation. Efforts have been made for quality assurance: the paper “Standards in the Preservation of Architectural Monuments” [3] was published 2015 by the Federal Monuments Authority. The “Standards” suggest that the performers of restoration examinations should have the following qualification (page 33): “The execution of the restorative examination is only purposeful by appropriately qualified specialist restorers. It requires a scientific-methodical approach. For an assessment of the qualification of the performers, the information on educational background and corresponding references in the field of monument conservation are useful (documentation of comparable services from the last five years)”. However, the “Standards” refer only to examinations when discussing the tasks of trained qualified conservators-restorers and it must be emphasized that these “Standards” have no legal validity.

### 3. REQUIREMENTS ACCORDING TO QUALIFICATION

Currently, the Austrian Cultural Advisory Board is preparing to change the Austrian Law for the protection of Cultural Heritage. Reasonably we, the board members of ÖRV, seized the opportunity to have our say on some changes. A specific passage in the law drew our attention: §11 of the Law states, that conservators-restorers who treat archaeological objects, are required to have an academic qualification [2]. This little detail opened the opportunity to argue that this should also be mandatory for other conservation and restoration measures.

Our main proposals to the Austrian Culture Committee are:

- Examinations, reports, and conservation-restoration consultancy may only be carried out by persons who have completed a relevant university degree.

- The Austrian Heritage Advisory Board should include conservators/restorers (so far the following fields are represented: art history, architecture, architectural art, history, archaeology, spatial planning, and business administration).

In conclusion, carrying out conservation and restoration measures is not subject to any legal regulation in Austria; it is a liberal profession. There is no legal representation or a chamber of conservators-restorers in Austria besides the association ÖRV. Furthermore, it is not specified which skills or qualifications must be proven to carry out conservation-restoration work on monuments, and there is no regulation about the use of the professional title conservator or restorer. The published "Standards in the Preservation of Architectural Monuments" prove that the Austrian authorities know and acknowledge the lack of regulation in our profession. Let's hope the Austrian Culture Committee confirms our concerns and adapts the Law accordingly.

## REFERENCES

[1] Wirtschaftskammer Österreich, (accessed 2022, June 6.), FAQ about Artistic activity - Arts and crafts – Restoration [Online], Available: [https://www.wko.at/service/wirtschaftsrecht-gewerberecht/Kuenstlerische\\_Taetigkeit\\_-\\_Kunsthandwerk\\_-\\_Restaurierung\\_.html](https://www.wko.at/service/wirtschaftsrecht-gewerberecht/Kuenstlerische_Taetigkeit_-_Kunsthandwerk_-_Restaurierung_.html)

[2] Legal Information of the Federal Government, (accessed 2022, June 25.), Austrian Law for the protection of Cultural Heritage [Online], Available: <https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10009184>

[3] Federal Monuments Authority, (accessed 2022, June 25.), Standards der Baudenkmalpflege [Online], Available: <https://www.bda.gv.at/service/publikationen/standards-leitfaeden-richtlinien/standards-der-baudenkmalpflege.html>