

Reviewing Committee on the Export of Works of Art and Objects of Cultural Interest, note of case hearing on 14 December 2016: the *Virgin and Child with Saint Mary Magdalen and the Infant Saint John the Baptist*, Parmigianino (Case 20, 2016-17)

Application

1. The Reviewing Committee on the Export of Works of Art and Objects of Cultural Interest (RCEWA) met on 14 December 2016 to consider an application to export Parmigianino's *Virgin and Child with Saint Mary Magdalen and the Infant Saint John the Baptist*. The value shown on the export licence application was £24,500,000 which represented the agreed sale price of £23,520,000 plus £980,000 buyer's premium. The expert adviser had objected to the export of the painting under the first and second Waverley criteria on the grounds that its departure from the UK would be a misfortune because (i) it was closely connected with our history and national life and (ii) it was of outstanding aesthetic importance.
2. All eight of the regular RCEWA members were present and were joined by three independent assessors, acting as temporary members of the Reviewing Committee.
3. The applicant confirmed that the value did not include VAT and that VAT of £196,000 on the buyer's premium would be payable in the event of a UK sale. The applicant also confirmed that the owner understood the circumstances under which an export licence might be refused and that, if the decision on the licence was deferred, the owner would allow the painting to be displayed for fundraising.

Expert's submission

4. The expert adviser had provided a written submission stating that *Virgin and Child with Saint Mary Magdalen and the Infant Saint John the Baptist* was a rare example of a religious easel painting from the last decade of Parmigianino's short career (1503 – 1540). Characteristic of the more highly finished paintings of his late years, it was one of the finest specimens by the artist remaining in private hands, beautifully painted and notable for the vivid and detailed rendering of the landscape. Furthermore, its iconography was highly unusual and merited further study. In superb condition, it appears to have been painted on paper, a support which may not have been as unusual in the sixteenth century as previously thought, but of which only a few examples have been identified.
5. The work has been in the United Kingdom for nearly 250 years and was one of the first paintings by Parmigianino to be bought by a British collector. Acquired from the Barberini Collection in Rome and imported into Britain by

the Scottish dealer Gavin Hamilton, it subsequently formed part of three distinguished collections of Italian Renaissance paintings in this country.

6. When questioned on Parmigianino's choice to work on paper, the expert replied that it was difficult to know the painter's reasoning, noting that - if Parmigianino had regularly worked in oil on paper - one would expect to see a greater number of survivals. But as an early painting executed in oil on paper, this work held great research potential.

7. When questioned on the unusual iconography of the painting, the expert replied that the significance of the nude woman ascending into the heavens and the identity of the saint, were areas for further research.

Applicant's submission

8. The applicant had stated in a written submission that they agreed that the second and third Waverley criteria applied to the painting.

9. The applicant added, in relation to the first Waverley criterion, that for the first 250 years of so of its existence, Parmigianino's Virgin and Child with St John the Baptist and Mary Magdalene was in Italy. The artist and subject matter of the picture had no specific connection with the UK and furthermore, since it came to England in the late 18th century it had remained relatively hidden in private collections only changing hands on the open market once in 1832. It was exhibited in public on four occasions during the 19th century and once in the early 20th century but had latterly become so overlooked that it was not until 1982 that it was once more shown in public, this time in an exhibition mounted by an art dealer. The title of the exhibition, *Discoveries from the Cinquecento*, acknowledged how little known the painting was in the UK (or indeed elsewhere), and underlined the fact that the picture had no special connection with the UK's history and national life such that its departure would be a misfortune.

Discussion by the Committee

10. The expert adviser and applicant retired and the Committee discussed the case. The painting's illustrious provenance was noted and its prominence in significant British collections, particularly Basildon Park, was discussed. However, there was general agreement that the painting, while highly regarded in the 19th century, had not entered the wider public consciousness. It was observed that - despite the painting's long history in the United Kingdom - it had rarely been exhibited.

11. The Committee unanimously agreed that the painting was one of the finest of the period. A masterpiece which displayed Parmigianino's eloquent approach to composition, the painting exhibited a rare depth of colour and remained in wonderful condition.

12. The Committee noted that the recent discovery that this work may have

been painted on paper was highly significant and had the potential to illuminate artistic working practices of the period. A watermark had been detected during x-ray examination, but since there was no visual evidence of the presence of paper on the surface (eg overlapping or abutting sheets), it was still uncertain whether paper was the primary support, or whether it formed part of the preparatory layer of the painting. There was clearly much further scope for technical examination. Having also taken into account the scope for research into the painting's unusual iconography and the historic variety of views regarding its attribution to Parmigianino, the Committee unanimously agreed that the painting was of outstanding significance to the study of the artist's *oeuvre* and to the practice of painting on paper in the sixteenth century which had yet to be fully understood.

Waverley Criteria

13. The Committee voted on whether the painting met the Waverley criteria. Of the eleven members, five voted that it met the first Waverley criterion. Eleven members voted that it met the second Waverley criterion. Eleven members voted that it met the third Waverley criterion. The painting was therefore found to meet the second and third Waverley criteria i.e. for its outstanding significance to the study of Parmigianino's *oeuvre* and to the practice of painting on paper in the sixteenth century which had yet to be fully understood.

Matching offer

14. The Committee recommended the sum of £24,500,000 (plus VAT of £196,000) as a fair matching price.

Deferral period

15. The Committee agreed to recommend to the Secretary of State that the decision on the export licence should be deferred for an initial period of four months. If, within that period, Arts Council England received notification of a serious intention to raise funds with a view to making an offer to purchase the painting, the Committee recommended that there should be a further deferral period of six months.

Communication of findings

16. The expert adviser and the applicant returned. The Chairman notified them of the Committee's decision on its recommendations to the Secretary of State. The applicant confirmed that the owner would accept a matching offer at the price recommended by the Committee if the decision on the licence was deferred by the Secretary of State.

17. The expert adviser agreed to act as champion if a decision on the licence was deferred by the Secretary of State.

