



This rare Dinky Toys Morris Oxford Saloon fetched £401 when it sold at auction in June 2013 - but how much more would it have fetched with its original box, rather than this mis-matched reproduction box?



Attributed to Frederick William Watts, this picture of a watermill bears an indistinct signature, according to the auctioneers, whose use of 'attributed' suggests they think Watts is likely to be or could be the artist.



Christopher Dresser had nothing to do with this silver spirit kettle, which was made by the Victorian firm Elkington & Co. However, by describing it as 'in the manner of Dr. Christopher Dresser', the auctioneers will have helped generate additional interest, and additionally they have provided a concise description of its style.

Providing Information rather than censure

The 'descriptions' above are best described as auctions protocol, that is we imply no censure by reviewing them for the purposes of discussion. In fact it is generally the case that the antiques and collecting industry only very mildly, within the notions of any ethical standards, presents marketing in this way. Rather it is the new goods market and the global players and multi national companies where ethics have in the main gone out of the window and anything goes in marketing terms.

John Ainsley



The artist who painted this picture of the Madonna with the infant Christ is unknown, but the auctioneer recognised the style, and described it as being the work of a 'follower of Hans Memling'.



This Art Nouveau walking stick has a 'white metal handle', according to the auctioneers. The hammer price of £70 suggests buyers were cautiously optimistic.



This ladies French watch is missing its key, so the auctioneers has described it as 'as found', as it cannot be tested. Interestingly, however, the unmarked yellow metal case is described as 'tests to approx. 18ct gold', rather than simply yellow metal, and the hammer price of £100 suggests buyers were in agreement.

Caveat Emptor?

Buying Antiques Pt. 1 Roland Head

I am going to look at some of the descriptive issues buyers need to be aware of when buying antiques and art. You may see the antiques market as a free-for-all where caveat emptor, or 'buyer beware', is the only rule, or you may believe that dealers and auctioneers have a responsibility to protect you from misunderstandings and deception. The truth lies between these two extremes. 'Buyer beware' is the name of the game, but auctioneers' descriptions will give you clues to point you in the right direction.

It's all in the description

When buying at auction, the secret is to understand the terms on which items are sold, and to read descriptions carefully, every word may have a precise meaning. A pewter tray 'in the manner of Archibald Knox' will almost certainly not have been designed or produced by the great man. It may also be from a different, more recent period - that's down to you to work out. Similarly, a reproduction is a piece that bears a resemblance to an earlier design, but the age can vary widely, and is unlikely to be specified. A reproduction is only a forgery if it is produced with the intent to deceive. The term 'signed by' means that the auctioneer believes that the work, such as a bronze or painting, is the work of the person who signed it. If, after buying, you decide it is a forgery, the burden of proof will be on you, within a limited time after the sale. However, a description that merely states that an object bears a certain signature is non-committal; it's down to you to decide whether the signature was applied by the person concerned, and whether they were the creator of the work. When describing condition, auction houses do not consistently describe wear, damage or restoration, especially with ceramics and glass. It is assumed that objects have some wear and tear in proportion to their age, and it is your responsibility to identify defects. One area where auction houses do make things simple is precious metals. Auctioneers do not normally describe objects as silver or gold, unless they bear a hallmark, regardless of the auctioneer's opinion. Such objects are variously described as 'white metal', 'yellow metal' or 'gold or silver-coloured metal'. It's down to you, the buyer, to decide.

What about art?

With art, the word game becomes more elaborate. Because famous artists acquired students and followers, attribution can be difficult, signed or not. Auctioneers have a standard code of descriptions, which may be detailed in their terms and conditions of sale. If the auctioneer is confident, they will state a work is by a certain artist. If less so, but generally positive, a work may be attributed, while lesser descriptions such as 'school of', 'circle of', or 'follower of', imply the named artist may have been associated with the picture, but is unlikely to have created it. Further down the scale are statements such as 'in the manner of', a direct indication that the auctioneer does not believe the artist named had any connection to the work. It may even be a direct copy of an original, or perhaps a later work in a similar style.

Royalty costs

There is also another complication when buying art. Since 2006, UK sales of pictures by living artists of more than €1,000 (about £850) have attracted a royalty, known as 'droit de suite'. Literally 'the right to follow', it is the result of an EU Directive aimed at enabling artists to profit from secondary sale of their work. In January 2012, the droit de suite rules were extended to include artists who have died within the last 70 years. The royalties are paid to their heirs or estate and are charged on a sliding scale that starts at 4% for works between €1,000 and €50,000, and continues up to 0.25% for works over €500,000, with a maximum cap of €12,500, which equates to a sale price of €2m. Auction houses and dealers are responsible for collecting and paying droit de suite, so expect an additional surcharge if you pay more than about £830 for a picture by an artist who was alive until at least 1943, a deadline that includes Picasso and L.S. Lowry.

Next time

In the second of the series, I will look at the issues around importing, exporting and trading antique objects of cultural heritage, along with other items such as stuffed animals, ivory goods, firearms and gemstones, all of which have legal restrictions governing how they may be traded.