

# ART GALLERY COLLECTION POLICY

<b>Policy Number:</b>	5.2.1
<b>Approved by:</b>	Council
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<b>Applicable to Unit(s):</b>	Arts & Culture
<b>Responsible Officer:</b>	Gippsland Art Gallery Director
<b>Related Policies:</b>	Nil
<b>Related Documents:</b>	Art Gallery Collection Procedures Arts & Culture Strategy
<b>Statutory Reference:</b>	Nil

## OVERVIEW

To establish a policy for the management and growth of the Gippsland Art Gallery permanent collection.

## THE POLICY

The Art Gallery Collection Policy has been developed to provide guidelines for the acquisition and management of artworks for the Gippsland Art Gallery permanent collection.

The overarching objective in establishing, maintaining and building a collection of artworks is to enrich the community by promoting pride in its artistic and cultural heritage, past and present, and this objective should broadly inform all acquisitions.

When selecting artworks for its permanent collection the Gallery should seek to acquire:

- Artworks that demonstrate artistic excellence in concept and/or execution.
- Artworks that enrich the broader understanding and appreciation of art, and the culture and history of Gippsland.
- Artworks that engage the themes of landscape and the natural environment.
- Artworks that promote a greater appreciation and understanding of First Nations art and culture, specifically of the Gunaikurnai Peoples of Gippsland, the Traditional Owners of the land on which the Gallery now stands.
- Destination artworks that contribute to the Gallery's effectiveness and vitality as a cultural tourist attraction.
- Artworks that perform an educative function by promoting visitor curiosity from a young age to encourage lifelong learning through engagement with the visual arts.
- Artworks by artists who live in or are associated with Gippsland (and specifically with Wellington Shire), or that were created in or are about Gippsland.
- Artworks that increase the depth, breadth, and cohesion of the existing collection and provide greater context and meaning to existing artworks.

The acquisition of artworks should be carried out ethically and in accord with the core values of Wellington Shire Council and the Gippsland Art Gallery, and at all times should uphold the universal charters of human rights and child safety. The permanent collection should seek to unify rather than divide the community of Wellington Shire, and demonstrate artistic, social or historical value as a means to promoting the virtues of inspired learning and cultural tolerance.

Items held or displayed outside of Gallery facilities will be subject to risk assessment (to the item and persons), preventative conservation assessment and a cycle of monitoring and reporting.

All public artworks in the collection, located both on public and private land, will be subject to an annual inspection and approval by the Gallery Director as to the on-going siting of each artwork.

The Art Gallery Collection Policy should follow the Australian Best Practice Guide to Collecting Cultural Material from the Australian Government Ministry for the Arts. The Guide states that in acquiring or borrowing cultural material, Australian public collecting institutions should:

1. Be committed to the principle that acquisitions whether by purchase, gift, bequest or exchange, and loans be made according to the highest standards of due diligence, including ethical and professional practice, and in accordance with applicable law.
2. Not seek to acquire or knowingly borrow Aboriginal or Torres Strait Islander secret/sacred or culturally restricted material but acknowledge legal and ethical responsibility to accept or hold such material on occasion.
3. Not acquire or knowingly borrow cultural material unless satisfied that it has not been acquired in, or exported from, the country of origin (and intermediate countries) in violation of that country's laws.
4. Not acquire or knowingly borrow cultural material where there are suspicions it was obtained through unauthorised or unscientific excavation of archaeological sites, the destruction or defacing of ancient monuments, historic places or buildings, or the theft from individuals, museums or other repositories.
5. Not acquire or knowingly borrow biological or geological material that has been collected, sold or otherwise transferred in contravention of applicable national or international laws, regulations or treaties.
6. Be committed to review new information about an object in the institution's collection and undertake further investigations, including reviewing previous decisions about the object.
7. Be committed to transparency and accountability in relevant policies and procedures and in making information on acquisitions available to the public.

The above guidelines refer to all works of art in any medium that exists now or may appear in the future until such time as this policy is revised or rewritten.

The term 'artworks', for the purpose of this Policy, also includes any item of decorative art, craft or design made using traditional processes or any art which is produced using the processes of contemporary technology. Photography and cinematography, digital video recording or the results of computer usage are valid acquisition categories.

Council has adopted detailed guidelines to give effect to its policy directions and these are contained within the Administrative Procedures Manual. The responsibility to ensure that the guidelines remain current and relevant is vested in the General Manager Community & Culture acting on advice from the Manager Arts & Culture. Any amendment to the guidelines will require approval from the Chief Executive Officer.

## **DEACCESSION OF ARTWORKS**

Artworks in the permanent collection may be deaccessioned in accord with the following guidelines. The broad aim of deaccessioning is to enable the Gallery to maintain a collection of the highest possible quality and the greatest relevance to the Collection Policy through the sensitive removal of artworks that are identified as being:

- irrelevant to the Gallery's Collection Policy;

- outside of the Gallery's capacity to provide safe and appropriate storage;
- an OHS risk to staff or the public (i.e. dangerous to handle, chemically unstable), while either in storage or on display;
- a danger to other artworks in the collection (i.e. carrier of insect larvae, chemical off gassing), while either in storage or on display; or
- in disrepair and unsuitable for exhibition or to be of any further aesthetic or educational value in its current state.

The deaccessioning of artworks from the gallery collection should be taken with great care and respect to the artworks in question and, in the cases where the artworks were originally donated, to the original donor. It must be clearly demonstrated that any artwork identified for deaccession fits one of the criteria above, and deaccessioning must never take place on aesthetic grounds alone. In the case of an artwork being in disrepair, the opinion of the artist or the estate of the artist should firstly be sought to ascertain whether the artwork can be restored to exhibitable condition.

Once an artwork has been identified for deaccessioning due to it corresponding with one or more of the criteria listed above, the steps to deaccessioning are as follows:

1. A 'Recommendation to Deaccession' report is presented by the Gallery Director to the Art Gallery Advisory Group, including the recommended means of deaccession and outcomes to be achieved
2. If the majority of Advisory Group members vote in favour of the deaccession, a notice must be published in the local newspaper (Gippsland Times) to advise the public of the Gallery's intention to deaccession the artwork, explaining the reasons for deaccession and to provide an opportunity for members of the public to respond and object
3. The artist and/or the estate of the artist will be notified as a courtesy
4. The deaccession will be subject to a three-year cooling off period
5. After three years has elapsed, the report will again be presented to the Advisory Group, and if the majority of members are again in agreement to accept the deaccession, a second notice will be published in the local newspaper, repeating the intention to deaccession and providing members of the public with an opportunity to respond and object
6. 30 days after the publication of the 'Notice to Deaccession' the Gallery may dispose of the artwork by either (in this order):
  - offering the artwork back to the original donor\*
  - if the artwork was purchased, offering the artwork back to the artist (or the artist's estate)
  - offering the artwork as a donation to another PGAV member public gallery
  - selling the artwork by public sale
  - disposing of the artwork
7. Any income received through the subsequent sale of a deaccessioned artwork will be returned to the Art Acquisitions ledger to contribute toward the future purchase of artworks
8. Where the artwork to be deaccessioned was originally received as a donation, and the artwork is not returned to the original donor and is sold by public sale, any income derived from that sale that is used to purchase a replacement artwork will be done so in the spirit of the original donation (i.e. a work by the same artist), and the replacement artwork will continue to bear the acknowledgement of the original donor
9. At the conclusion of the deaccession process, all details will be recorded in the Gallery's collection records for posterity, including minutes from the relevant Advisory Group meetings. These records will be available for public view on request.

\*No artwork being considered for deaccessioning should be offered to the original donor if that donor received a tax deduction under the Australian Government Cultural Gifts Program, however, the donor may have the opportunity to re-purchase the work.

Gallery staff members, Members of the Gallery Art Gallery Advisory Group, Councillors or officers of the Wellington Shire Council or members of their families will not be permitted to acquire deaccessioned artworks, nor will they benefit financially from deaccessioning in any way.

## NATIONAL AND INTERNATIONAL AGREEMENTS AND LEGAL CONSIDERATIONS

- *Protection of Movable Cultural Heritage Act 1986*
- UNESCO Convention on the Means of Prohibiting and Preventing Illicit Import, Export and Transfer of Ownership of Cultural Property 1970
- *Environment Protection and Biodiversity Conservation Act 1999*
- Convention on International Trade in Endangered Species of Wild Fauna and Flora 1975 (CITES Convention)
- *Historic Shipwrecks Act 1976*
- *Aboriginal and Torres Strait Islander Heritage Protection Act 1984*
- *Protection of Cultural Objects on Loan Act 2013*
- UNIDROIT Convention on Stolen and Illegally Exported Cultural Objects 1995
- UNESCO Convention on the Protection of the Underwater Cultural Heritage 2001
- UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage
- UNESCO Convention for the Protection of Cultural Property in the Event of Armed Conflict with Regulations for the Execution of the Convention 1954 – (The Hague Convention, First Protocol, 1954 and Second Protocol 1999)
- UNESCO Convention concerning the Protection of the World Cultural and Natural Heritage 1972
- UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expression 2005
- UN Declaration on the Rights of Indigenous Peoples 2007

## HUMAN RIGHTS

Wellington Shire Council is committed to upholding the Human Rights principles as outlined in the Charter of Human Rights and Responsibilities Act 2006 (Vic) and referred to in Council's Human Rights Policy. The Human Rights Checklist has been completed and this policy accords with Council's policy commitment to uphold human rights principles.

## REVISION HISTORY

VERSION	MAJOR / MINOR UPDATE	SUMMARY OF CHANGES
1.0	Major update	Inclusion of deaccession of artworks procedures (workshop with Councillors conducted)