

MAAS Deaccession Policy

Draft Policy for comment: 27 June 2016
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1. Policy Statement

It is recognised that MAAS holds the premier cultural heritage Collection of New South Wales. It is the responsibility of MAAS to develop and manage this Collection according to international best practice in Collection management. MAAS recognises that Deaccession and Disposal of material from the Collection is an essential aspect of intentional and sustainable Collection development and management to ensure the whole Collection is maintained to an optimum level. Deaccession and Disposal occurs within an accepted framework to ensure compliance with legal, ethical and cultural considerations.

2. Application

This Policy applies to the Deaccession of accessioned objects from the MAAS Collection. Once an object has been deaccessioned, it may then be disposed of. The Disposal of objects from the MAAS Collection is outlined in the Disposal Policy.

3. Deaccession

- 3.1 MAAS will observe any legal and ethical obligations in considering the Deaccession of any object. It will observe national and international regulations/conventions (e.g. the *Convention on International Trade in Endangered Species* and the *Protection of Movable Cultural Heritage Act 1986*), and cultural sensitivities pertaining to any object.
- 3.2 Any decision to Deaccession an object from the MAAS Collection should be undertaken with great care and consideration. The same careful assessment must be applied to the decision to Deaccession objects as to the decision to acquire objects.
- 3.3 This Policy provides a framework for the removal of an object from the Collection by outlining the criteria for Deaccession.

4. Types of Objects

- 4.1 Only objects that have been accessioned into the Museum's Collection can be deaccessioned. These objects are:
 - a. Ordinary Collection objects
 - b. "D" (disposable) Collection objects
 - c. "E" (education) Collection objects
- 4.2 The following types of material are not Collection objects and are not covered by this Policy:
 - a. Unregistered objects
 - b. Unsolicited or uncollected items deposited with MAAS
 - c. Items held by the library, including library books
 - d. Documentation of Collection objects
 - e. Museum records, including institutional archives, video and audio records
 - f. Museum equipment, furniture and consumables
 - g. Protocol gifts

5. Criteria for Deaccession

- 5.1 Objects proposed for Deaccession should be assessed on the basis of the following criteria and in general should meet at least two of the criteria, although in rare cases the strength of a single criterion may be sufficient to justify Deaccession.
- 5.2 **Relevance of the Object**
 - 5.2.1 The object does not conform to or is not consistent with the mission and functions of MAAS, as defined in the Act.
 - 5.2.2 The object conforms to the mission and functions of another museum and is more relevant to the collecting Policy and scope of that museum.

5.3 Significance of the Object

- 5.3.1 The object so lacks historic; artistic or aesthetic; scientific or research potential; or social or spiritual qualities that its contribution to the Collection is minimal.
- 5.3.2 The object lacks any supporting documentation to enable its proper identification or to establish its relevance to the Collection.
- 5.3.3 The object is found to have been falsely documented, described or attributed, or to be a forgery and of limited historic; artistic or aesthetic; scientific or research potential; or social or spiritual merit.
- 5.3.4 Unless in exceptional circumstances, objects classified as Category A in accordance with the Collection Management of High Significance Objects Policy will not be approved for Deaccession. Objects that have been re-classified from Category A within the previous two (2) years will not be considered eligible for the waiving of the cooling off period outlined in this Policy.
- 5.3.5 Unless in exceptional circumstances, objects classified as Category A or considered to be of significant value will be subject to third party review and/or appraisal before being approved for Deaccession.

5.4 Conservation requirements

- 5.4.1 The object requires extensive conservation to enable its retention and/or extensive restoration to be of use and the expense of this in staff time/financial resources is disproportionate to its significance.

5.5 Storage requirements

- 5.5.1 The object is so costly to store that the expense of its long-term retention is not justified by its significance.

5.6 Duplication

- 5.6.1 The object duplicates another in the Collection. If the duplicate is not required for changeover, education Collection or other legitimate purpose then it may be deemed excess to requirements.

5.7 Provenance

- 5.7.1 The object is the subject of a substantiated claim of ownership by another party, or has been the subject of prior illicit trade such that MAAS does not have legal title.
- 5.7.2 MAAS will be informed by the ATSI Repatriation Policy and Restitution Policy in relation to the Deaccession of objects arising from Provenance, or title claims from Traditional Owners, or Rightful Custodians or Owners.
- 5.7.3 Objects donated to MAAS under the Cultural Gifts Program will not be deaccessioned unless the Committee on Taxation Incentives for the Arts has been advised of the plan to Deaccession the objects, prior to their Disposal.

5.8 Hazardous Material

- 5.8.1 The object contains a material that poses an immediate threat to health and safety or poses a risk to other objects in the Collection. The significance of the object must be weighed against the potential risk to safety.
- 5.8.2 An object may be the subject of Deaccession, regardless of the method of acquisition. However, no object acquired with a restriction as to its retention by MAAS will be deaccessioned while that restriction remains in force.

5.9 Other Considerations

- 5.9.1 MAAS will make reasonable efforts to notify living donors, or the immediate heirs or trustees of the Estate of deceased donors, or trustees of corporate donors of the intention to Deaccession objects donated by them by means of gift or bequest.
- 5.9.2 In the event that a work by a living artist is considered for Deaccession, special considerations may apply and every reasonable effort will be made to first inform the artist.
- 5.9.3 Where MAAS has made reasonable endeavours and is unable to locate the artist, donor, trustee, executor or personal representative, the object may be Deaccessioned.

6. Responsibilities for Deaccession

6.1 Approval

- 6.1.1 All Deaccessions are to be formally proposed by the curator responsible with reference to the above criteria.
- 6.1.2 All Deaccession proposals are to be endorsed by the relevant curator, the Collection Development Review Committee and the Director.
- 6.1.3 Unless the Collection Development Review Committee and Director approve a waiver of this requirement, a setting aside period of two years will apply from the date of approval outlined in 6.1.2.
- 6.1.4 Following the completion of the setting aside period, or its waiver, final approval for Deaccession of permanent Collection objects is the responsibility of the MAAS Board of Trustees on the recommendation of the Director.
- 6.1.5 Final approval for the Deaccession of “D” (disposable) objects and “E” (education) objects is the responsibility of the Collection Development Review Committee.
- 6.1.6 In accordance with the Disposal Policy, suitable methods of Disposal will be identified in the Deaccession proposal and approved by the delegated authority.
- 6.1.7 An object is formally deaccessioned from the Collection on the date of approval of the Recommendation to Deaccession by the delegated authority.

7. Record Keeping

- 7.1 In accordance with the Records Management Policy, staff will maintain records for each proposed and approved Deaccession, including proposed Deaccessions that are not approved, documenting relevant information and decision-making.
- 7.2 The Registration Manager is responsible for the updating and maintenance of all documentation.

8. Roles and Responsibilities

Board of Trustees: Approves the Deaccession and Disposal of Collection material as recommended by the Director, in accordance with this Policy and related policies, plans and procedures.

Director: Makes recommendation to the Board of Trustees regarding Deaccession and Disposal on the advice of the Collection Development Committee.

Collection Development Committee: Assesses proposals for deaccessions submitted by Curators in accordance with this Policy and related policies, plans and procedures.

Head of Strategic Collections: Oversees sustainable Collection management to ensure the whole Collection is maintained to an optimum level and that processes of Deaccession and Disposal are undertaken in accordance with this Policy and related policies, plans and procedures.

Head of Curatorial: Oversees sustainable Collection development and management to ensure the whole Collection is maintained to an optimum level and that processes of Deaccession and Disposal are undertaken in accordance with this Policy, related policies, plans and procedures.

Curators: Review and assess Collection material for significance and condition within the MAAS Collection and make recommendations for Deaccession or Disposal.

Registration Manager: Ensures all documentation of Deaccession and Disposal processes are completed for permanent retention in accordance with this Policy and related policies, plans and procedures.

9. Definitions

Deaccession: The process of permanently removing an object from the MAAS Collection.

Disposal: The process by which MAAS affects the permanent removal of an object that is not part of the MAAS Collection from MAAS care and custody (see Disposal Policy).

MAAS Collection or Collection: The acquired Collection of material and objects owned by MAAS.

Repatriation: The process whereby material or objects in a museum collection are returned to lineal descendants and culturally affiliated communities. Ancestral Remains, Secret/Sacred and Private Objects and other Indigenous Cultural Property may be considered for Repatriation. Unless otherwise outlined in this Policy, all capitalised terms are defined in accordance with the Aboriginal and Torres Strait Islander Repatriation Policy.

Restitution: Return to the Rightful Owners of cultural objects that have been obtained through illicit dealings, pillaged in times of war or stolen, or that may have been otherwise illegally obtained.

Rightful Owners: Person or people entitled by heredity, custom, tradition or legal transfer of title to determine appropriate control and management of their Cultural Property.

Traditional Owners/Rightful Custodians: Indigenous person or peoples entitled by custom, tradition and law to determine appropriate control and management of Indigenous cultural heritage.

10. Related Museum plans, policies and/or procedures

- Aboriginal and Torres Strait Islander Repatriation Policy
- Acquisition and Accession Policy
- Collection Development Policy
- Collection Management of High Significance Objects Policy
- Conflict of Interest Policy
- Disposal Policy
- Restitution Policy

The latest version of any Policy or legislation referred to will apply.

11. Relevant legislation and external context

This Policy should be read in conjunction with the following:

- Australian Government, Attorney General's Department, Ministry for the Arts, *Australian Best Practice Guide to Collecting Cultural Material* 2014
- Collections Council of Australia – *Significance 2.0: A Guide to Assessing the Significance of Collections* 2009
- *Convention on International Trade in Endangered Species of Wild Fauna and Flora* (CITES) 1979
- *Income Tax Assessment Act 1997* (Cth)
- International Council of Museums (ICOM) – *Code of Ethics* 2006
- *Museum of Applied Arts and Sciences Act 1945* (NSW)
- Museums Australia – *Code of Ethics* 2006
- *Protection of Movable Cultural Heritage Act 1986* (NSW)
- *Public Authorities (Financial Arrangements) Act 1987* (NSW)
- *Public Finance and Audit Act 1983* (NSW)
- *Public Finance and Audit Regulation 2010* (NSW)
- UNESCO – *Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property* 1970
- UNIDROIT – *Convention on Stolen or Illegally Exported Cultural Objects* 1995
- *Workplace Health and Safety Act 2011* (Cth)

The latest version of any Policy or legislation referred to will apply.

12. Responsible Officer

Registration Manager

13. Responsible Department & Unit

Curatorial, Collections & Exhibitions department, Strategic Collections team

14. Amendment history

Version	Date issued	Notes	By
1	20/11/2013		Executive
2	21/07/2016		Executive