

ART COLLECTIONS

University Policy No: BP3310

SCOPE

9.00 This policy and its associated procedures apply to the Artwork entrusted to

- 17.00 All Acquisition and Deaccessioning activity by Legacy is undertaken in an arm's-length relationship with the parties involved.
- 18.00 All donations of Artwork to Legacy are irrevocable upon formal transfer of title to the University determined by the date of countersigning on the deed of gift.
- 19.00 Deaccessioning is undertaken at Legacy to refine and improve the quality and appropriateness of the Permanent Collection.
- 19.01 Deaccessioning shall be approached with caution on a case-by-case basis, following a rigorous process for Deaccessioning and disposal, and will not be governed by current fashion or individual taste of Legacy staff members.
- 20.00 At no time shall a University employee, member of the Board of Governors, or anyone connected with the University in any formal way, including membership on a committee or under contract, be permitted to acquire a Deaccessioned Artwork directly from the University.
- 21.00 Deaccessioning shall not serve as a means for generating operating funds.

Loans

- 22.00 Decisions for loans of Artwork either from the Legacy Permanent Collection or to the Legacy from other collections or institutions are made in accordance with the standards outlined in [Procedures for Art Collections](#) and in consultation with the Advisory Committee (described in section 11.00 of the [Museum Policy \(BP3315\)](#)).
- 22.01 A select number of Artworks from Legacy's Permanent Collection will be 4

AUTHORITIES AND OFFICERS

- i) Approving Authority: Board of Governors
- ii) Designated Executive Officer: Vice-President External Relations
- iii) Procedural Authority: Vice-President External Relations
- iv) Procedural Officer: Director, Legacy

RELEVANT LEGISLATION

[Income Tax Act](#)

RELEVANT POLICIES AND DOCUMENTS

- [University of Victoria Strategic Plan](#)
- [Fundraising and Gift Acceptance Policy \(ER4105\)](#)
- [Records Management Policy \(IM7700\)](#)
- [Protection of Privacy Policy \(GV0235\)](#)
- [Canadian Museum Association Ethical Guidelines](#)
- [ICOM Code of Professional Ethics](#)
- [Cultural Property Export and Import Act, 1985](#)
- [Convention for the Protection of Cultural Property in the Event of Armed Conflict \(Hague Convention, 1954\)](#)
- [UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, 1970](#)
- [Copyright Act \(R.S.C., 1985, c. C-42\)](#)

13.00 The director is responsible for determining whether a gift has appropriate qualifications to be eligible for application to Canadian Cultural Property Export

- f) Inability for Legacy to meet standards of care or storage requirements;
- g) Questionable authenticity, attribution, or provenance;
- h) Political and legal concerns.

22.00 Prior to Deaccessioning, the Artwork shall be researched thoroughly, documented, and photographed, and the process of Deaccessioning thoroughly documented including the justification. The records related to the deaccessioned Artwork shall be maintained by Legacy on a permanent basis.

23.00 Prior to the Committee meeting Legacy staff shall ascertain that there are no legal, time-related or other restrictions against disposal of the Artwork and that the disposal will not contravene CCPERB regulations or other legislation.

24.00 Legacy will work with the relevant University development officer to make every reasonable effort to advise donors or their immediate family or any other appropriate interested parties about plans for Deaccessioning.

25.00 In the case of an Artwork by a living Canadian artist, the director or curator shall contact the artist prior to making any recommendations.

26.00 In cases when an Artwork has been accidentally destroyed or permanently lost, the Artwork will be deaccessioned from the Permanent Collection. Any funds derived from this loss, such as payment from insurance, will be credited to Legacy for purchase of Artwork for the Permanent Collection or for use for conservation or care of Artwork in the Permanent Collection.

Disposal of Deaccessioned artworks

27.00 The director shall recommend the means of disposal of deaccessioned artworks. 08-10-2013 13:30:00 - 13:30:00 (p. 6 of 17)

deaccessioned Artwork which is significant to Canadian cultural heritage is retained in Canada.

32.00 If disposal is by outright sale, sale by public auction is preferable.

33.00 Artwork can be intentionally destroyed if it is determined:

- a) To be inauthentic, such as a forgery or reproduction, and of no archival or documentary value; or
- b) To substantially lack physical integrity to the point that it cannot reasonably be preserved.

34.00

- 40.00 It is the responsibility of the director to ensure that professional standards are met in the methods and conditions under which the following activities occur:
- a) Display and providing study access to Artwork;
 - b) Installation and de-installation of Artwork in exhibitions;
 - c) Exhibition lighting;
 - d) Matting and framing of Artwork;
 - e) Transportation of Artwork on or off campus;
 - f) Storage of Artwork.
- 41.00 Artwork on loan to Legacy will be subject to the same standard of care as Artwork in Legacy's Permanent Collection.
- 42.00 Artwork certified as Cultural Property through CCPERB shall only be stored or displayed in facilities granted Category A status through the CCPERB designation process.
- 43.00 All permanent members of Legacy staff will have the appropriate level of training for handling Artwork and any temporary employees involved with handling Artwork will be trained by Legacy staff to the appropriate level for the safe handling of Artwork.
- 44.00 The director is responsible for initiating any conservation action on an Artwork. Such work will not be undertaken without consultation with a member of Legacy staff.
- 45.00 The director will work with the office of the VP Finance and Operations to ensure that the Artwork is appropriately insured.

Loans: Temporary Loans (Out)

- 46.00 Official requests for loans must be made in writing to the director whose final authority it is to approve or deny the loan based on borrower's ability to meet standards of care.
- 47.00 Borrowers must sign a loan agreement prepared by Legacy staff and assume all costs related to loans including packing, crating, shipping, insurance, customs fees, conservation and other necessary costs as agreed to between the borrower and Legacy.
- 48.00 Loans of Artwork outside of the University will only be made to public institutions that can insure that professional standards of care will be met.
- 49.00 Only institutions designated as Category A by the Movable Cultural Property Program through the Department of Canadian Heritage shall borrow Artwork certified by CCPERB as cultural property from the Legacy's Permanent Collection.
- 50.00 Legacy staff will ensure that all Artwork selected for loan is in sound condition, fully documented, and capable of the required transport.

Long-term Loans: (In)

APPENDIX A

Terms of Reference for Art Collections Committee

1.00 The Committee shall:

a) Make decisions for Acquisitions and Deaccessioning for the University of Victoria Legacy Art Galleries Permanent Collection according to the [Policy](#) and [Procedures for Art Collections](#).

b) Make recommendations for updates to [Policy](#) and [Procedures for Art Collections](#).

Procedures of the Committee

2.00 Meetings will be held as necessary and shall be called by the director. Normally the director will call a minimum of two meetings per year.

3.00 The director and/or curator are responsible for the search, identification, and recommendation of Artwork for Acquisition and Deaccessioning that are brought

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Composition

14.00 The Committee shall be composed of the following members:

- Vice-