



POLICY:	Blue Mountains Cultural Centre Collection Policy
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INQUIRIES:	Paul Brinkman

OBJECTIVE

To ensure a suitable and appropriate framework is in place for the collecting activities of the Blue Mountains Cultural Centre.

BACKGROUND

Blue Mountains Cultural Centre is an entity of Blue Mountains City Council and exists and operates in conjunction with its peer industries, other sectors and wider communities. It willingly exchanges activity and information with arts bodies, commercial, tourist and leisure organisations, social welfare and community development organisations, educational institutions and government sectors.

As the largest visual art display space in the Blue Mountains region, the Cultural Centre plays a pivotal role in promoting the work of artists of the region and providing access to arts and cultural services.

Within the Blue Mountains Cultural Centre is located the Blue Mountains City Art Gallery, a recognised professional exhibition space within Australia's gallery and museum industry. The City Art Gallery's ability to meet international standards of preservation, climate control and security, enables major national and international travelling exhibitions to be displayed within the Centre and significant artworks to be housed. The opportunity exists to begin a quality visual art collection referencing the depth of art practice, past and present, to be found in the region. The Blue Mountains Cultural Centre Collection will be an accessible resource for current and future generations, a valuable asset for the city and an important educational tool.

Blue Mountains Cultural Centre actively participates in a global culture, and promotes the sharing of information and ideas locally, nationally and internationally. Through the development of an art collection these activities will be facilitated.

DEFINITIONS

accession	the process of transferring title or ownership from the providing source (fieldwork, purchase, gift, transfer, et cetera) to the museum
acquisition	the act of gaining physical possession of an object, specimen, or sample
appraisal	the assigning of a monetary value to an object
authentication	to determine as genuine or the product of a particular person, region or time
bequest	the bestowal by will of privately owned cultural items to public art galleries, museums and libraries
cataloguing	assigning an object to an established classification system and initiating a record of the nomenclature, provenance, number, and location of that object in the collection storage area
clear title	notes ownership without restrictions or conditions
collection	an identifiable selection of objects having some significant commonality
the Committee	The Committee of the Blue Mountains Cultural Centre endorsed by the Blue Mountains City Council to advise on the ongoing activities of the Blue Mountains Cultural Centre (2011 – The Advisory Committee, 2012 – The Establishment Committee).
conservation	the processes for preserving and protecting objects from loss, decay, damage, or other forms of deterioration
copyright	statutory and automatic legal right to print, publish, perform, film or record material
cultural heritage	a tradition, habit, skill, art form, or institution that is passed from one generation to the next
cultural property	the material manifestation of the concepts, habits, skills, art, or institutions of a specific people in a defined period of time
curator	a museum staff member or consultant who is a specialist in a particular field of study and who provides information, does research, and oversees the maintenance, use, and enhancement of collections

deaccession/disposal	the process of removing objects from a museum's collections
deed of gift	a document with the signature of the donor transferring title of an object to a museum
deed of purchase	a document with the signature of the owner transferring title of an object to a museum
interpretation	the act or process of explaining or clarifying translating, or presenting a personal understanding about an object
inventory	an itemised list of the objects included in a museum's collection
loans	collection objects which have been or are intended to be transferred temporarily to a stated destination outside the Gallery (outward loans), or, alternatively, objects which have been or are intended to be transferred to the Gallery from elsewhere (inward loans). The transfers are undertaken for a stated purpose (for example, a temporary exhibition) and for a stated period of time and do not involve a change of ownership
public museum	a public museum is a non-profit-making, permanent institution in the service of society and of its development, and open to the public which acquires, conserves, researches, communicates and exhibits, for purposes of study, education and enjoyment, material evidence of people and their environment
preventive conservation	collection care to minimise conditions which may cause damage
provenance	derivation or origin of an object
registration	assigning a permanent number to an object entering a museum's collections for the purpose of identification and collection management

POLICY STATEMENT

This document is a statement of policy and a comprehensive set of procedures for the development and management of the Blue Mountains Cultural Centre Collection, (including acquisition of items, de-accessioning, rights and legalities, registration, loans, valuation and conservation).

The development of the permanent Collection reflects the intent of the Cultural Centre's vision and mission statements:

Our Vision

We are valued and respected by our community and acknowledged nationally and internationally as the pre-eminent arts and cultural institution of the Blue Mountains region.

Our Mission

We are committed to promoting our contemporary culture, World Heritage environment and history within an Australian and international context by supporting and showcasing regional artistic and cultural activity. In doing so, we will stimulate the social, economic and cultural vitality of the region.

Through delivering a dynamic, educational and inspiring program of activities, we will achieve recognition as a unique, vibrant cultural facility and destination for the local community and visitors.

Therefore:

- the policy's thematic parameters emphasise the contrasts and complexities of the Blue Mountains region. The Collection aims to be representative of all visual art forms by regional artists and other artists who have been influenced or inspired by this region;
- the policy's procedural guidelines adhere to professional and ethical standards for museum collecting and emphasise the efficient management of limited resources in the development and maintenance of the Collection.

Although the curating, presentation and interpretation of exhibitions is one of the Cultural Centre's core activities, the development and retention of a quality collection of artworks is the key to the Centre's longevity and an invaluable tool to strengthen the Centre's links with the community. The Cultural Centre also has a vital role to play in the protection, preservation and presentation of artistic material of the Blue Mountains region, for current and future generations.

It is intended that the Blue Mountains Cultural Centre Art Collection will provide the basis for future research, exhibition and educational programs and the overall cultural enrichment of the various communities of the region.

KEY POLICY PRINCIPLES

- 1.1 the Blue Mountains Cultural Centre Art Collection is primarily constructed around ideas and concepts relevant to the historical, environmental and cultural concerns of the people of the Greater Blue Mountains region.
- 1.2 the Collection will be a balance between historical and contemporary cultural material in recognition of both the rich heritage of the region and the particular vitality of current art production in the Greater Blue Mountains.
- 1.3 care is made not to duplicate or encroach on the collecting focus of other public visual art collections in the Greater Blue Mountains region or neighbouring shires.
- 1.4 the Collection will be developed through the rigorous curatorial judgement of the professional staff of the Blue Mountains Cultural Centre. Collected works will be of a high quality, relevant to the intent of the Collection and have sound provenance.
- 1.5 prior to proposing acquisition of indigenous or other culturally distinct material, the professional staff of the Blue Mountains Cultural Centre will consult with the recognised custodians of this material.
- 1.6 due to the limited financial and physical resources of the Blue Mountains City Art Gallery, works will only be acquired if they are able to be adequately cared for and effectively utilised.
- 1.7 no item in the Collection will be subject to disposal unless the Blue Mountains Cultural Centre Committee formally identifies major and sufficient reasons for doing so.
- 1.8 the Blue Mountains Cultural Centre Committee ratifies all decisions relating to the acquisition and management of items in the Blue Mountains Cultural Centre Art Collection.
- 1.9 the Blue Mountains Cultural Centre Art Collection will be stored, housed and catalogued in the Blue Mountains Cultural Centre, Parke Street Katoomba NSW.
- 1.10 this Policy is a public document and is freely available to any individual or group who wishes to peruse it.
- 1.11 the Policy will be subject to review every five years.

The Policy

- 2.1 Blue Mountains Cultural Centre will primarily collect works of art in all conventional and experimental media and from any time period, by artists from the Greater Blue Mountains region and other artists influenced or inspired by the region.
- 2.2 The region is defined as the Greater Blue Mountains Area as referred to by the Australian Government Department of Sustainability, Environment, Water, Population and communities. The Greater Blue Mountains consists of 10,000 km² of

mostly forested landscape on a sandstone plateau extending 60 to 180 kilometres inland from central Sydney, New South Wales.

- 2.3 As a secondary consideration, the Blue Mountains Cultural Centre will also collect art from outside the region by artists of state, national and international significance. This additional collecting focus will ensure the community has access to a high quality reference art collection.

3. Procedures and Ethical Considerations for Acquisition of Works

- 3.1 Blue Mountains Cultural Centre is empowered to acquire works for the Collection through purchase, gift and commission. All acquisitions will be outright and unconditional and all donations irrevocable upon formal and physical transfer to the Cultural Centre.
- 3.2 the procedure for proposing acquisitions is in accordance with accepted museums practice. All proposed acquisitions must be submitted to the Blue Mountains Cultural Centre Committee by the Blue Mountains Cultural Centre Director and must be supported by a written proposal before being considered. The proposal will include artist's details, details of the proposed acquisition, source of acquisition, provenance, exhibition history, condition, price and additional costs, proposed method of acquisition, credit, source and legal restrictions. The report will also include a price comparison, a description of the significance of the work in the artist's oeuvre and assessment of the value of the work to the Collection, considering the Policy priorities.
- 3.3 the Committee will not consider any potential acquisition, which has not been formally proposed by the Cultural Centre Director.
- 3.4 prior to proposing acquisition of indigenous or other culturally distinct material, the professional staff of the Cultural Centre will consult with and consider the recommendations of the recognised custodians of this material.
- 3.5 any work proposed for acquisition should, ideally, be present at the meeting of the Committee at which it is being considered. This will not always be possible and works may have to be considered on the evidence of a photograph or written description. This will be done at the discretion of the Committee. The Blue Mountains Cultural Centre may commission a second appraisal of the object's value from a recognised and unbiased authority. This appraisal will be undertaken at the Cultural Centre's expense.
- 3.6 Full details of all acquisition will be recorded in the minutes of the relevant Committee meeting. The acquisition of the work will be subject to a formal motion being carried.

- 3.7 once the acquisition is formalised, the Blue Mountains Cultural Centre will obtain immediate physical possession of the object and shall ensure that a valid “Deed of Purchase” (for purchased objects) and “Deed of Gift” (for donated objects) is executed.
- 3.8 if there are exceptions to the standard ratification procedures, these will be recorded fully and accurately in the relevant Committee meeting minutes.
- 3.9 the budget for purchases of artwork for the Collection will be held in a dedicated acquisitions ledger line. The Cultural Centre Director and Administration Officer will monitor this budget on a monthly basis.
- 3.10 all donated public funds for artwork acquisitions will be recorded and held within the dedicated acquisitions ledger line.
- 3.11 no acquisition will be made which compromises or jeopardises the financial viability of the Blue Mountains Cultural Centre within the Blue Mountains City Council. However, the Blue Mountains Cultural Centre may negotiate with the vendor a system of periodical payments to obtain the maximum benefit for the Centre for purchases that are unable to be made in one lump sum.
- 3.12 the Blue Mountains Cultural Centre will respect matters of confidentiality or specific trust and will not normally disclose prices paid for works.
- 3.13 the Blue Mountains Cultural Centre will maintain complete and current records of all activities that affect objects in the Collection and all activities relating to other items left in the Centre’s care.
- 3.14 the Blue Mountains Cultural Centre will ensure, to the best of its ability, that living artists are aware of the purchase and inclusion of their work in the Collection so that they can accurately maintain their biographical details.
- 3.15 gifts, bequests and loans to the Blue Mountains Cultural Centre do not warrant automatic inclusion into the Collection. Gifts and bequests will be accepted if they meet the guidelines of the Policy. In considering donations to the Collection, the Committee should be informed of, or may advise on, alternative locations for such items.
- 3.16 artworks offered for donation may be declined on the basis of such considerations as relevance, conservation and storage when appraised in the light of the resources available to the Gallery.
- 3.17 long-term or permanent loans are to be executed only after careful consideration and a full discussion between the Cultural Centre Director and the Committee of the perceived advantages and disadvantages of accepting the loan. Particular attention should be paid to the motivation for the loan, (e.g. security of free storage and care of a lender’s personal collection), and the Gallery’s need for the particular work or body of work to augment or enhance the Collection. Long term loans will be accepted for one year renewable only if the need of the institution warrants such

renewal and upon terms acceptable to the Gallery. Loans are subject to signing by both parties of a comprehensive Loan Agreement.

- 3.18 the Blue Mountains Cultural Centre will not borrow any object which is physically unstable and in need of conservation. For the period of the loan, the Centre is fully responsible for maintaining the object. No conservation or modification shall be carried out without the complete and written consent of the owner.
- 3.19 the Blue Mountains Cultural Centre will be attentive to the regulations and procedures of the Commonwealth Government's Cultural Gifts and Cultural Bequests Program when considering any gift proposed through this scheme.
- 3.20 the Blue Mountains Cultural Centre will not acquire any object, whether by purchase, gift, bequest or exchange unless the Gallery is satisfied that a valid title can be acquired for that object. In particular, it should establish that the object has not been acquired in, or exported from, any country in which it is legally owned in violation of that country's laws. Where the validity of ownership is in question, the Cultural Centre may act as custodian pending resolution.
- 3.21 if the Blue Mountains Cultural Centre discovers in its possession an object that has been exported or otherwise transferred in violation of the principles of the UNESCO Convention* and the country of origin seeks its return and demonstrates that it is part of that country's cultural heritage, the Centre will, if legally free to do so, take reasonable steps to co-operate in the return of the object on a fair and equitable basis.
- 3.22 the Blue Mountains Cultural Centre will be mindful of the religious sanctions attached to certain objects in Australian Aboriginal and Torres Strait Islander or other indigenous people's cultures, and will not acquire or exhibit an object in breach of these sanctions.
- 3.23 the Blue Mountains Cultural Centre will not acquire or exhibit objects if the Cultural Centre Director has reasonable cause to believe that the circumstances in which they were originally collected involved the unscientific or intentional destruction or damage of Australian Aboriginal and Torres Strait Islander or other indigenous people's ritual places or other known archaeological sites, or a failure to disclose the finds to the owner or occupier of the land.
- 3.24 in connection to the above points, the Cultural Centre will be attentive to the regulations under the Australian Heritage Act and to the various State and Commonwealth Acts regarding the powers of museums and other bodies in the protection of the natural and cultural heritage.
- 3.25 the Blue Mountains Cultural Centre recognises the need for co-operation and consultation between museums with similar or overlapping interests and collection policies, and will seek to consult with such other institutions in defining areas of specialisation.
- 3.26 in acquiring and exhibiting works, the interests of the Blue Mountains Cultural Centre will be the sole consideration. At all times, the Committee and staff shall ensure that they do not place themselves in a situation involving conflict of interest with the

Centre. Committee members and staff are to declare any conflict of interest prior to deliberations on the acquisition of a work.

- 3.27 the Blue Mountains Cultural Centre will not purchase or accept donations from current full-time staff of the Blue Mountains Cultural Centre or Blue Mountains City Council or Committee members, past or present whether or not they are the author of the work without first obtaining an independent valuation of the work and a resolution of acquisition from the Committee.
- 3.28 Blue Mountains Cultural Centre staff or Committee members purchasing work for their own private collections must ensure their interests do not conflict with the interests of the Blue Mountains Cultural Centre in the process of acquisition.
- 3.29 the Blue Mountains Cultural Centre may commission a new work for inclusion in the Collection. In this event the Blue Mountains Cultural Centre will ensure a detailed brief is developed and a comprehensive commission contract is signed by both the Centre's Director and creator/s prior to the commission being undertaken.
- 3.30 no work in the Collection will be subject to de-accession or disposal except in cases where it falls outside the Cultural Centre's collecting policy; is a duplicate of another object in the Collection; is badly damaged or deteriorated, cannot be suitably stored; should be returned to an Aboriginal, Torres Strait or other community group as part of a national or international convention on the restitution of cultural property; is subject to legislation which prevents the Cultural Centre having title to it.
- 3.31 written recommendations to the Committee to de-accession an artwork will include the object's identification number and description; advice on the legal status of the work; reasons for de-accessioning; any written advice from experts and others consulted about the worth of the work to the Collection; and a recommended method of disposal.
- 3.32 the Committee will consider the disposal of any work with extreme caution and will incorporate delay and review mechanisms in the disposal procedures. The right to dispose of works is seen by the Committee as a necessary part of developing the Collection to its fullest potential.
- 3.33 the Committee will dispose of a work in a manner considered most appropriate to the Collection and to the future of the work. This may include sale, exchange, gift or destruction. Only public or non-profit institutions may receive the gift of a de-accessioned work. Destruction of a work will be considered only if it is dangerous or has deteriorated beyond repair.
- 3.34 any proceeds gained from the disposal of a work will be utilised solely for acquisition and the ongoing care and management of the Collection.
- 3.35 all records of de-accessioned works will be marked clearly and kept on file for future reference and their accession number not reused.

4. Care and Use of the Collection

- 4.1 the Blue Mountains Cultural Centre will designate specific funds in its annual budget for the care and conservation of works in the Blue Mountains Cultural Centre Collection.
- 4.2 conservation will be carried out only by qualified professional conservators. In the case of conservation of public art works, where possible the artist will be consulted if the conservation will result in discernible alterations to the work.
- 4.3 works from the Collection will be displayed in the Blue Mountains City Art Gallery, public areas of Blue Mountains Cultural Centre or in the Cultural Centre's office spaces. Works may also be hung and installed in other significant public buildings in the Blue Mountains region.
- 4.4 Blue Mountains Cultural Centre staff, Blue Mountains City Council staff, Blue Mountains City Council Councillors and Blue Mountains Cultural Centre Committee members are not permitted to appropriate in any way items from the Collection, even temporarily, to any personal collection or for any kind of personal use.
- 4.5 all works displayed will be accompanied by a label denoting ownership of the work by Blue Mountains Cultural Centre and appropriate catalogue details. Where an object on display is not the original, it will be appropriately identified.
- 4.6 the Blue Mountains Cultural Centre will actively devise and implement programs to allow maximum public access to and use of the Collection. In devising its annual exhibitions program, the Blue Mountains City Art Gallery will ensure that consideration is given to showing works from the Collection.
- 4.7 the Blue Mountains Cultural Centre will seek means of utilising multi-media and new technologies to promote access to the Collection.
- 4.8 the Cultural Centre will not display an object if, in the opinion of the appropriate curator, conservator or other relevant professional, the condition of that object would be seriously impaired.
- 4.9 where appropriate, the Cultural Centre will maintain records of artists' instructions for the presentation of their work. Where practical and reasonable, any such instructions will be respected when installing work from the Collection. However, the Cultural Centre may refuse to accept any work which bears any unreasonable and inappropriate restrictions on either its display or storage.
- 4.10 the Cultural Centre will make works from the Collection available for loan to public and private organisations and will maintain a detailed and comprehensive register of works on loan. The Cultural Centre's obligation to care for the Collection will be taken into account when evaluating proposals to lend works. Any loans of work must be approved by the Cultural Centre Director and details reported to the Committee.
- 4.11 at the time of acquiring a work, the Blue Mountains Cultural Centre will reserve the right to negotiate an assignment of total or joint/conditional copyright. Should copyright not be assigned, the Centre will seek copyright clearance when

reproducing the work from the creator, copyright owner or exclusive licensee or agent.

- 4.12 the Blue Mountains Cultural Centre will actively undertake research activities on the Collection including the documentation and interpretation of the various aspects of the Collection and its management. Research done by staff on the Collection including copyright of any published material is the property of the Blue Mountains Cultural Centre unless contracted otherwise. The Cultural Centre will give full acknowledgment of authorship to all research carried out on its behalf.
- 4.13 the preceding Collection Policy and procedures outlined will be implemented by the professional staff of Blue Mountains Cultural Centre.

RELEVANT LEGISLATION / GUIDELINES / REFERENCES

Australian Government Department of Sustainability, Environment, Water, Population and Communities, Greater Blue Mountains. (online) Available at: <http://www.environment.gov.au/heritage/places/world/blue-mountains/information.html> (Accessed 2 January 2013).

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*UNESCO Convention - Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, 1970 (online) Available at: <http://dosfan.lib.uic.edu/usia/E-USIA/education/culprop/unesco01.html> (Accessed 4 January 2013).