

## MASSEY UNIVERSITY VISUAL ARTS COLLECTION PROCEDURE AND GUIDELINES

<b>Section</b>	University Management
<b>Contact</b>	Office of the AVCOI&UR
<b>Last Review</b>	June 2014
<b>Next Review</b>	June 2019
<b>Approval</b>	SLT 15/10/206

### Introduction

The Massey University Visual Arts Collection Policy is supported by the following procedures and guidelines. These guidelines enable the University to acquire, manage and maintain works of art on each of the campuses. Procedures for acquisition through purchase, donation and bequest are outlined as are the circumstances under which artworks can be loaned or de-accessioned.

### Finance

The University currently makes an annual allocation towards the acquisition, maintenance and upkeep of the Massey University Art Collection.

Funding for special purchases may be sourced from relevant grants, sponsorships, or trust funds, or from the budgets of University management, college, schools or departments, in accordance with University policy. These purchases must be made in consultation with the relevant Campus Visual Arts Collection Committee.

All works of art over a certain value (\$5,000) acquired for the Massey University's Art Collection, must be registered on the Fixed Asset Register, in accordance with the University's Fixed Asset Policy.

### Responsibilities

Massey University Visual Arts Collection Committee is responsible for the overarching strategy and policy.

Responsibility for the acquisition of artworks for each campus rests with the respective Campus Visual Arts Collection Committees. The Campus Visual Arts Collection Committee is also responsible for the maintenance of the collections and advocacy for their role and purpose in university life.

The University will appoint, as appropriate, a Visual Arts Collection Curator for each Campus which will be responsible for researching the art collection, supervising its direction and growth, cataloguing, labelling, conserving, installing and relocating art on campus in collaboration with the Office of the Campus Registrar. This person will be an ex officio member of the Campus Visual Arts Committee and in that role take part in the initiation, development, and selection of new works.

The Office of the Campus Registrar will hold the Register of all art collections on campus and new acquisitions or any changes in location of artworks must be updated on this Register by the Campus Visual Arts Collection Curator at the time of change. The Office of the AVCOI&UR will hold a consolidated register of all artworks across the University and this register will be updated by the Campus Registrars' Offices on a regular (at least annual) basis.

Evidence of due diligence is a requirement for the acquisition of all artworks into the collections. Due diligence includes: compliance with acquisition policy; relevance; necessity to collection; quality; condition; conservation requirements; site selection / proposed use and location, where appropriate; fair price and valuation; provenance;

legal title; conditions and limitations associated with acquisition / risk assessment; documentation; copyright; warranties; transport; other (hidden) costs etc.

Any University staff member may make recommendations for acquisition to the relevant Campus Visual Arts Committee for consideration. Recommendations must be in line with the terms laid out in the Massey University Visual Arts Collection Policy. All recommendations must be supported by a fully developed acquisition proposal that documents the rationale for acquiring the artwork; its authenticity and establishes the legal and ethical foundations for the acquisition.

Any staff member or University representative involved in the process of acquiring works of art, or negotiating with donors, for the University, who has a potential, actual or perceived conflict of interest, must declare their interest. A conflict may arise where the individual is a private collector, has financial interest in a commercial gallery or art dealer, or has a relationship with an artist or a donor with whom the University is negotiating. Where decisions about purchase or donations may potentially conflict with the personal interests of a staff member or University representative, the staff member may be asked to withdraw from that process or ask to be withdrawn themselves.

Acquisition may be achieved by purchase, commission, gift, bequest, loan, exchange, field collection, collaboration, or through sponsorship.

### **Acquisition by Purchase**

The Campus Visual Arts Collection Committees will be convened at least twice a year, in order to discuss prospective acquisitions and proposals, and to appropriately spend the allocated art acquisitions budget. The Campus Visual Arts Collection Committee will have appropriate terms of reference and will either have sufficient skills to make decisions or will consult with appropriate professionals to assist with decision making.

Sources of acquisitions may be from any appropriate venue, such as artist studios, exhibitions, dealer galleries, auction houses or private collections.

The University will not normally make purchases directly from members of the staff. Should this circumstance arise, and the artwork fully fits the collection scope, exceptions may be permitted. In this instance the approval of the University Registrar should be sought.

Colleges, Schools and Departments may also purchase works of art from their respective budgets in accordance with University policy. Units are advised to consult with the appropriate Campus Visual Arts Collection Committee, and to seek assistance from the Campus Visual Arts Collection Curator, to ensure the works meet the criteria of the Massey University Visual Arts Collection Policy prior to acquisition. To this end the Campus Visual Arts Collection Committee will assess the works against the Massey University Visual Arts Collection Policy prior to purchase. Artworks acquired will be registered as part of the relevant Art Collection if they meet the criteria for accessioning.

The University may partner with individuals or organisations to enter into joint purchase of artworks. This could occur through a donation of funds that are administered by the Campus Visual Arts Collection Committee to purchase works that are solely held within the Massey University Art Collection with appropriate recognition for the other party. An alternative could be a dual acquisition where resources are contributed by two or more entities. In this case an MoU would provide detail on where the work would be held and how it would be available for exhibition by the other party.

The University will not acquire works that have been deliberately or misleadingly identified, or valued to the detriment of the owner or previous owner.

### **Acquisition by Commission**

The University may acquire works of art by commission. Funding of such commissions may be from sources other than the art acquisitions budget, but must none-the-less comply with the criteria laid out in the Massey University Visual Arts Collection Policy.

Commissions must be supervised and processed by the appropriate Campus Visual Arts Collection Committee in accordance with the Massey University Visual Arts Collection Policy.

### **Acquisition by Gift**

Artworks may be acquired by donation where they meet the collecting scope and criteria described above.

Donations may be made unconditionally, or with certain agreed conditions attached, provided they are fully stated on the deed of gift.

All donations must be assessed against the Massey University Visual Arts Collection Policy by the appropriate Campus Visual Arts Collection Committee prior to acceptance for the collection. The Campus Visual Arts Collection Committee may refer to the Campus Visual Arts Collection Curator for assistance. Where donors contact colleges, schools or departments directly, they must be referred to the appropriate Campus Visual Arts Collection Committee who will nominate a member (usually the curator) to liaise with the donor, assess the artworks, and register them as part of the relevant collection if accepted.

All donations must be reported to the Massey University Foundation in accordance with the terms of the Fundraising Activities Policy.

Each donation will be recorded on a Deed of Gift (including a copyright licence), which details the University's formal obligation to care for and protect any work of art gifted to it.

The Deed of Gift must clearly state any terms and conditions on which the donation has been accepted.

Any donated item, unless specifically stated in the conditions of the Deed of Gift, will be treated in the same manner as any other work acquired for the Massey University Art Collection.

The University reserves the right to decline works of art that may be offered. Where a gift of a work of art does not meet the criteria of the Massey University Visual Arts Collection Policy, it may be respectfully declined or referred to a more appropriate repository by agreement.

### **Acquisition by Bequest**

Donation to the Massey University Art Collection may be made by bequest. For assistance with wording of bequests, contact the Massey University Foundation.

It is strongly recommended that donors considering making a bequest discuss their intentions with the University prior to writing their will in order to ensure their intended gift meets with University Visual Arts Collection Policy criteria. (As for gifts above).

Where a bequest of a work of art does not meet the criteria of the Massey University Arts Collection Policy, it may be respectfully declined or referred to a more appropriate repository.

### **Loan Works**

The University will not accept works of art on long-term loan into the collection, unless there are exceptional circumstances. All long-term loans need to be processed by the Campus Visual Arts Collection Committee in keeping with the Massey University Visual Arts Collection Policy and Procedures. Any long-term loan must be approved by the University Registrar for insurance purposes.

The University may accept short term loans for research, teaching and exhibition from other institutions, or from public sources in accordance with the loans policy and procedure set out in the Massey University Visual Arts Collection Policy. All short term loans must have appropriate documentation, including terms of the loan, insurance, condition assessment, transport, installation and de-installation processes.

#### **University Loan**

Works from the Massey University Art Collection may be available for loan, subject to requests being received and considered by the relevant Campus Visual Arts Collection Committee, and to loan requests satisfying criteria including

curatorial rationale, atmospheric conditions, security arrangements, insurance cover, packing and transport arrangements.

The loan will only be signed off by the Campus Registrar if all requirements (as above, including appropriate condition reporting), have been fulfilled. On loan and return the register must be updated by the Campus Registrar's Office.

### **Acquisitions by other means**

Acquisitions by exchange, field collection, collaboration, or through sponsorship must all meet the Massey University Visual Arts Collection Policy criteria if they are to be accessioned into the collection. All accessioned works acquired by these means will be reviewed and, if suitable for accessioning, be recorded in the art collection registers by the Campus Visual Arts Collection Curators at the time of accessioning as above.

### **Moral Rights**

When acquiring works of art, the University will recognise the moral rights of the artists as described in the Copyright Act (2004). Massey University will ensure that copyright and moral and intellectual rights are respected in the documentation, display, interpretation and reproduction of all artworks in the collection.

Copyright, and moral and intellectual rights, will be considered when completing donation agreements, or commissioning works.

### **Illegally Obtained Works**

The University will not acquire any artworks that have been obtained illegally or in contravention of the UNESCO Convention on the Means of Prohibiting and Preventing Illicit Import, Export and Transfer of Ownership of Cultural Property (1970).

### **Standards and Ethics**

In addition to abiding by the mission, standards and policies of the University itself, it will adhere to the following specific standards and ethical guidelines:

- Museums Aotearoa Code of Ethics (2013)
- New Zealand Museums Standards Scheme

## **DE-ACCESSION AND DISPOSAL:**

### **De-accession**

The University regards its Art Collection as a permanent and public collection, and would not normally de-accession artworks. As the mission and objectives for the Massey University Art Collection are reviewed on a regular basis, the University may choose to re-evaluate works in the Art Collection and recommend de-accessioning. De-accessioning is the permanent removal of a work of art from the Massey University Art Collection.

There will be a strong professional caution against the disposal of works of art from the Art Collection, and de-accessioning will only be undertaken with great care, in line with the Massey University Visual Arts Collection policy.

Procedures for the recommendation and approval of a work of art for de-accessioning must be clearly stated in the Massey University Visual Arts Collection Policy. All de-accessions must be clearly recorded in the Visual Arts Collection Database (both local campus and University collection database), and documentation retained in the De-accessions File. Records and images must be retained of the de-accessioned artworks.

**Note:** De-accessioning of closed collections will not normally be considered. Any decision to do so would only be with the permission of the University Council or Council's nominee.

### **Disposal**

Disposal should be in accordance with Massey University's Visual Arts Collection Policy.

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Works may be disposed of in the following ways, listed in order of preference:

- Returned to the original donor, or the donor's family;
- Gifted or exchanged with another appropriate institution;
- Offered for public sale;
- Destroyed (for works in an extensively damaged or deteriorated condition).

Works acquired by donation may not usually be disposed of by public sale, unless specifically agreed with the donor.

Works being disposed of may not be gifted to, or exchanged with, any person connected to the University, including staff members, board members, trustees or their families or agents.

Works being sold for disposal may not be purchased by any person connected to the University, including staff members, board members, trustees or their families or agents.

Procedures for the disposal of a work of art must be clearly stated in the Massey University Visual Arts Collection Policy. All disposals must be clearly recorded in the Visual Arts Collection Database, and documentation retained in the De-accessions file.

### **Recordkeeping**

Appropriate records of the Art Collection management must be created and maintained to meet the recordkeeping requirements of Massey University. Disposal of Art Collection records must be undertaken in accordance with the General Disposal Authority (GDA) of the University. See the [Records Management website](#) for details.



**MASSEY UNIVERSITY  
VISUAL ARTS COLLECTIONS DEED OF GIFT  
AND LICENCE OF COPYRIGHT**

Donor Number: ..... Acc Number: .....  
(Office use only) (Office use only)

**DONOR DETAILS**

Name: .....

Address: .....

.....

Phone Number: ..... E-mail: .....

Estate of: .....

Contact: .....

Deliverer: .....

**DESCRIPTION OF MATERIAL:**

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.....  
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Number of items: ..... Number of boxes: .....

**PROVENANCE / ADDITIONAL INFORMATION**

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.....  
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*The Donor has read and understood the conditions overleaf:*

Signature of Donor: ..... Date: .....

Signature of Witnesses: ..... Date: .....

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## DONATION AND ACQUISITIONS CONDITIONS

### THE DONOR AGREES TO:

1. Declare that they are the legal owner for the items being offered for donation.
2. Gift legal ownership of the items being offered for donation to Massey University.
3. Transfer ownership at the date of the transaction.
4. Allow personal information collected as part of the donation process to be used by the University for the purposes of display, publicity, education or research.
5. Allow the University to approach them for further information in relation to this donation in the future.
6. Advise the University of any change of address so that the University may acknowledge this donation, or inform the donor of a change in the status of the items donated.
7. Understand that this material is to be assessed for its suitability for inclusion in the University's collections. If deemed unsuitable, the material is to be retrieved by the donor at an agreed time, unless prior arrangements have been made.
8. Allow the publication of the cataloguing information for this donation on the Massey University Visual Arts Database and website.

### THE UNIVERSITY AGREES TO:

1. Retain all donated items in accordance with University Policy, and to collect artworks in accordance with the Massey University Visual Arts Collection Policy, or other relevant University policy.
2. Accept only items that are able to be cared for, stored and displayed in a professional manner.
3. Give preference to items that are donated unconditionally.
4. Assess all items for acceptance in to the collections according to the Massey University Visual Arts Collection Policy, and to advise donors as the outcome of this process.
5. Return all unaccepted items to the donor, unless prior disposal arrangements have been made.
6. Document, care for, study, exhibit, loan and make available for research donated items in accordance with University policies and procedures.
7. Allow donors to access information collected in relation to the items they have donated.
8. Enable donors to have access to items they have donated by appointment during normal opening hours.

### COPYRIGHT

Where the donor is the copyright holder for the donated item/s, the donor hereby grants Massey University the rights to:

1. Present the artwork/s at public exhibitions, organised by Massey University, or to authorise others to present the works at public exhibitions.
2. To photograph and reproduce the work/s for any purpose related to Massey University such as exhibition, promotion, advertisement, registration or other purpose.
3. To photograph and reproduce the work/s for internal records and catalogues, research by staff, security, insurance, conservation or other internal purposes.
4. To photograph and reproduce the work/s in digital format for placing on the University's repositories and sites (web site, intranet, databases, online catalogues, etc).

**Note:** *This document references the University of Canterbury Arts Collection Policy (for which permission has been granted).*