



## CP 4.7 | Cultural Collections

### Objective

Cultural Collections are acknowledged as contributing to making the City of Perth a Liveable, Sustainable and Prosperous community. The purpose of the Cultural Collections Policy is to define the parameters and priorities for the management and development of the City's Cultural Collections in accordance with relevant industry standards and laws. The Policy supports the facilitation of public access to the collections in order to raise awareness of the Collections and encourage the sharing of knowledge.

### Scope

This Policy applies to items accessioned into the City of Perth Art Collection, the City of Perth Memorabilia Collection, the City of Perth History Centre Collection and the City of Perth Public Art Collection. The Cultural Collections comprise:

- artworks – historical and contemporary
- public art
- objects
- artefacts
- ephemera
- books & publications
- reference materials
- physical and digital images
- recordings and digital media

This policy should be read in conjunction with Council Policy 4.8 Public Art and Council Policy 4.9 Commemorative Works.

### Policy statement

1. The City recognises the importance of its capital city community's unique social and cultural heritage as described by its art, artefacts and reference materials.
2. The City's Collections are valuable and valued cultural assets that document and represent the evolution of the city's social, cultural, civic and economic climate, physical form and artistic practices.
3. The Cultural Collections seek to acknowledge and celebrate Aboriginal culture, storytelling and traditions in consultation with our Aboriginal community.



## MANAGEMENT PRINCIPLES

4. The City of Perth shall resource, preserve and manage the Collections in accordance with accepted standards in the industry regarding conservation, storage, display, handling, movement, research, access, insurance and security. This Policy complies with the *National Standards for Australian Museums and Galleries* (2016) and the *Museums Australia – Code of Ethics* (1999).
5. Management of the Cultural Collections is guided and assisted by the expert advice of professionals who are members of the following panels/groups established by the City:
  - Culture and Arts Advisory Group
  - Elders Advisory Group

## Asset and Risk Management

6. The City's Collections shall be managed and maintained in accordance with relevant industry standards and City of Perth Council Policy 2.12 Asset Management.
7. The Collections shall be audited and appraised on a regular basis in accordance with the City's relevant protocols and policies.

## Collection Management

8. As the custodian of public collections, the City shall manage its Cultural Collections as informed by *The National Standards for Australian Museums and Galleries* and the *Museums Australia – Code of Ethics* (1999).
9. Material acquired for the History Centre Collection shall be catalogued in conformity with accepted bibliographical standards including the Anglo-American Cataloguing Rules (AACR2), Dewey Decimal Classification (DDC), Library of Congress Subject Headings (LCSH) and Resource Description and Access (RDA).

## Records Management

10. The City of Perth shall maintain accurate written information, correspondence, photographic and digital records pertaining to each Collection item including details such as acquisition, disposal, identification, description, creator, publisher, history, provenance, object status, location, condition status, display, movement and appraisal. Related activities such as exhibition, loan, research and publication shall also be recorded where relevant. These records shall be retained by the City in accordance with the *State Records Act 2000*.

## Accessioning

11. All items acquired for the City of Perth's, Art Collection, History Centre Collection and Memorabilia Collection shall be accessioned into the appropriate collection. This process shall be documented and objects registered on the relevant Asset Management and collections databases, with full acquisition, provenance and catalogue information.



## De-Accessioning

12. De-accessioning is the removal and deregistration of items from a Collection. Items may be considered for de-accession based on condition, resource requirements, significance, potential function and relevance. All records of de-accessioned items shall continue to be retained after de-accession and disposal of item.
13. De-accessioned items shall be disposed of in accordance with section 3.58 *Disposing of Property* of the *Local Government Act 1995* and the authority delegated to the Chief Executive Officer.

## ACQUISITION CRITERIA

### Essential Reporting Considerations for Acquisitions

14. In order for an item to be recommended for acquisition into one of the City's Cultural Collections, all of the following factors shall inform the officer's recommendation.
  - (a) Physical integrity, durability, quality of fabrication and maintenance or conservation requirements.
  - (b) Authenticity and ethical provenance.
  - (c) Must be an outright purchase, commission or an unconditional transfer of ownership.\*
  - (d) Enhance at least one of the existing Collections as defined by Collection scope and/or priorities avoiding duplication.
  - (e) Capacity to be placed on display without hindrance to public access or safety, and where relevant, without breaching the creator's moral rights.
  - (f) Immediate and future cost considerations.
15. \*Unconditional transfer may not apply to oral histories and some photographic or digital material which may have restrictions as negotiated between the interviewee, donor (or custodian) and the City of Perth.
16. Recommendations for acquisitions by purchase or commission will be informed by Council Policy 2.2 Purchasing Policy (point 18 (a) Buy Local) where appropriate.

### Acquisition Criteria (Art Collection)

17. New acquisitions will fit within the defined scope of the Collection as identified in this Policy and if applicable, a commissioning brief.
18. In addition to the Essential Reporting Considerations for Acquisitions in section 14 of this Policy, works of art recommended for acquisition are required to meet one or more of the following priorities.
19. The item must:
  - (a) Represent significant periods, occasions and urban initiatives in the evolution of the city, and city life.
  - (b) Build upon the strengths of existing holdings of the Art Collection.
  - (c) Represent and support the artistic practice of emerging and established artists residing in Western Australia who have received acclaim for their work locally, nationally or internationally.



## Acquisition Criteria (Memorabilia and Local History Collections)

20. Considerations made for new acquisitions will be based on an assessment of the suitability as defined within the scope of the respective Collection, as outlined in this Policy. In addition to the Essential Reporting Considerations for Acquisitions in section 14 of this Policy, the recommendation will also address:
- (a) Historical significance
  - (b) Social and cultural significance
  - (c) Representativeness
  - (d) Research potential.

## ACQUISITION METHODS

### Purchase

21. Items may be purchased or commissioned for the Art Collection, the Memorabilia Collection and the Local History Collection through allocated acquisition funds. Direct purchase of works of art, memorabilia, or reference materials shall be, in accordance with the acquisition criteria and may be informed by advice from the Culture and Arts Advisory Group. Approval of acquisitions by purchase or commission shall be undertaken in accordance with Council Policy 2.2 Purchasing Policy.

### Donations, Bequests or Contributed Assets

22. The City is at times offered donations of existing works of art, artefacts, archives and reference materials. Acquisition of donations, bequests or gifts, other than monetary, shall be in accordance with the acquisition criteria and may be informed by advice from the Culture and Arts Advisory Group. Approval of acquisitions by donation, bequest or contribution shall be undertaken in accordance with Council Policy 2.2 Purchasing Policy. Legal documentation must be provided in any transfer arrangements, which gives effect to the transfer of title of the item to the City of Perth and provides all data necessary to be recorded in the City's asset management database.

### Cultural Gifts Donations

23. The City at times receives offers from donors wishing to donate an item through the Federal Government's Cultural Gifts Program. The Program was established in 1978 to encourage Australians to donate items of cultural significance from private collections to public organisations and institutions. Under the program donors are eligible for a number of tax incentives including the market value of the donation as a tax deduction and exemptions from capital gains tax.
24. In compliance with the Program the City has established the Cultural Collections Fund, a gift fund account specifically for the purpose of possible donations. This account can only receive gifts and deductible contributions. This gift fund has a separate bank account and clear accounting procedures.



## Revocation

25. If the fund, authority or City of Perth is wound up or if the endorsement (if any) of the City as a deductible gift recipient for the operation of the fund, authority or City is revoked, any surplus assets of the gift fund remaining after the payment of liabilities attributable to it, shall be transferred to a fund, authority of institution to which income tax-deductible gifts can be made.

## ACCESS AND DISPLAY

26. Providing access to the City of Perth Cultural Collections enables the community to appreciate and enjoy the City's cultural assets, contributes to the Collections' strength and raises their profile. Access to the Collections encourages the sharing of knowledge and enables the innovative interpretation of the Collections.

## Provision for Access

27. Public access may be facilitated in the following ways, according to the management requirements of individual items:
- Display as part of the Council House Foyer Gallery exhibition program;
  - Outgoing loans of physical items;
  - Ongoing display in Council managed buildings including the Perth Town Hall and City of Perth Library;
  - Curated exhibitions;
  - Digital access through an online database and online interpretative resources;
  - Interpretative publications and promotional materials.

## Council House Foyer Gallery

28. A 250 square metre space in the ground floor Foyer of Council House with the primary purpose of providing public access through display and interpretation to the City's temporary exhibition program and Cultural Collections. Council House is open to the public from 9am to 5.30pm, Monday to Friday.

## Perth Town Hall

29. The Perth Town Hall is managed by the City of Perth and includes spaces for the ongoing display of the City's Cultural Collections and opportunities for temporary exhibitions. The Perth Town Hall is open to the public from 10am to 4pm, Monday to Saturday.

## City of Perth Library

30. The City of Perth Library is managed by the City of Perth and includes spaces for the ongoing display of the City's Cultural Collections and opportunities for temporary displays. The City of Perth Library is open to the public from 8am to 6pm, Monday to Friday, 10am to 4pm Saturday and 12pm to 4pm Sunday.



## DE-ACCESSIONING

31. De-accession and disposal of works of art and artefacts shall be done in a manner that complies with the *Copyright Amendment (Moral Rights) Act 1968* (Commonwealth) and the *Museums Australia Code of Ethics 1999*.

### Criteria for Consideration to De-Accession

32. A recommendation to de-accession a Collection item will be in accordance with the de-accession criteria and may be informed by advice from the Culture and Arts Advisory Group. Approval to de-accession will be provided by the Chief Executive Officer.
33. Works of art, artefacts or reference materials meeting one or more of the disposal criteria below may be considered for de-accession:
- The item no longer meets with the requirements of this Policy and / or the City's strategic planning for the Collections;
  - The item is a duplicate or reproduction that serves no specific function;
  - The item is of insufficient artistic, cultural, social, or historical merit for the sustainable allocation of resources to ensure its conservation;
  - The City can no longer adequately care and maintain the item commensurate with the item's current value and care requirements;
  - The item has no provenance, cannot be displayed, and is not suitable for research;
  - The City has been ordered to return the item to its rightful owner by a court of law or the City recognizes that it is not the rightful owner and has identified the rightful owner.

## DISPOSAL METHODS

34. The disposal of Collection items approved for de-accession shall be in accordance with section 3.58 *Disposing of Property* of the *Local Government Act 1995* in conjunction with the following order of options, as appropriate.
35. The item may be:
- Returned to the rightful owner, creator or donor by contribution or donation as applicable and appropriate.
  - Offered to a suitable collecting institution.
  - Sold on the public market by tender or auction.
  - Dismantled or destroyed as appropriate, only in the event of no other options being suitable.
  - Other suitable method as resolved by Council as appropriate.
36. Unless there are extenuating circumstances, the City will hold an item approved for de-accession for a twelve-month "cooling off" period. Collection items approved for disposal, which are no longer serviceable will be dismantled and disposed of in a responsible, ethical and sustainable manner.



37. In accordance with *Museums Australia Code of Ethics* (1999); section 6.6 *Disposal of Collections* all monies received by the City from the disposal of a collected item shall be applied solely to the upgrading of the Collection either by purchase of works or for the conservation of existing items held in the Collection.
38. In accordance with clause 8.3 of this Policy (Moral Rights), artists will be kept informed at all stages of the de-accessioning process. In the event that the artist cannot be contacted, the City must demonstrate that reasonable steps have been taken to locate and inform the artist or the Estate of the artist. A record, including a visual record and documentation of all items de-accessioned, and their method of disposal, must be made in the permanent records in accordance with record keeping requirements.

## ETHICAL AND LEGAL RESPONSIBILITIES

### Appraisals

39. City of Perth employees shall not provide valuations for collections and materials outside of the City of Perth Collections for taxation, insurance, sale or any other purposes. The City's Cultural Collections officers may provide catalogue information about objects and materials to professional appraisers for the purposes of appraising the City's Collections.

### Illicit Materials, Contraband, Endangered Species

40. The City shall not knowingly acquire any materials that contravene any national or international customs or criminal laws and treaties and conventions governing threatened and endangered species.

### Moral Rights

41. The moral rights of creators represented in the Collections shall be preserved. In all representations, Collection items will be credited with the following information as a minimum requirement: creator's name, title of item or reference material, date of the item and a description of the medium. The City may make additional commitments in agreements with creators, donors or copyright holders over and above legislated obligations as determined by the *Copyright Amendment (Moral Rights) Act 2000* (Commonwealth).

### Ownership

42. The City shall acquire only those items from sellers and donors who can prove clear and valid title to the items, where provenance can be verified and traced and not in breach of any national or international laws, treaties or conventions.

### Personal Collecting and Dealing

43. Any interest in personal collecting by Cultural Collections officers shall be made known to the unit manager and recorded by the staff member as a Conflict of Interest and Disclosure Declaration. The City's Cultural Collections officers shall declare any intention to accession, de-accession, purchase or sell any items that may influence the value of any personal collections.



## Copyright

44. The City shall ensure that creators' copyright is protected, where reasonably practicable. The use and reproduction of any Collection items for display, exhibition, broadcast, screening, recording and publication shall be in accordance with all relevant laws governing copyright and intellectual property. Reproduction of Collection items is subject to the approval of Cultural Collections officers as applicable to ensure the use of Collection items in the aforementioned ways shall not conflict with any commitments made by the City in agreements with creators or copyright holders in respect to the *Copyright Act 1968* (Cth).

## Reproduction of images or other intellectual property of Collection Items

45. Where appropriate the City shall seek non-exclusive license to copy or reproduce an image of works of art or reference materials for curatorial, educational and other non-commercial uses associated with a City of Perth Cultural Collection; or to transmit or otherwise communicate the work to the public by any means, including but not limited to making it available on-line or electronically transmitting the work.
46. The City warrants that it will reproduce Collection items to the highest possible quality and in such a manner as to enhance the creator's reputation. The City shall not manipulate the work in any way without expressed permission of the copyright holder.
47. The City shall provide to the licensor a complimentary copy of any publication in which the work is reproduced.
48. Reproduction for any other purpose shall be subject to the written permission of the copyright holder.

## Reproduction of images or other intellectual property of Collection Items by Third Parties

49. Unless permission has been granted in writing by a copyright holder as a part of an agreement, the City is not authorised to grant permission to a third party to reproduce Collection items or their images that is not covered by Fair Dealing as defined by the Australian Copyright Council.
50. The City undertakes that any person who requests access to the work for any commercial purpose will be required to provide written evidence that the licensor has granted permission for such use.

## LOANS

51. The City makes available items in the Collections for loan to appropriate organisations subject to negotiated loan agreements. The City may also accept a loan of an item that shall enhance the interpretation of the existing Collections. Cultural Collections officers will make a recommendation to establish a loan agreement specifying the terms of the agreement or shall decline the loan request.

## Outgoing Loan

52. Collection items may be made available for temporary loan to approved cultural institutions and community organisations for the purpose of display in a temporary exhibition. The borrower shall be equipped and qualified to interpret, safely display, store, handle and protect Collection items. The





conditions of loan, including associated costs, logistics, period of loan and display location shall be documented and governed according to the terms stated in the Outgoing Loan Agreement.

## Incoming Loan

53. Items from other public and private collections may be requested for temporary loan by the City as incoming loans for the purpose of enhancing the interpretation and understanding of the City of Perth's Cultural Collections. The terms and conditions governing the loaned items including, but not limited to, associated costs, logistics, period of loan and display location shall be stipulated in the City of Perth Incoming Loan Agreement or an agreement furnished to the City of Perth by the lender. The Incoming Loan Agreement shall be fully executed by all parties to the Agreement prior to the dispatch of the loan(s) to the City. In addition to upholding all of the lender's stated conditions, all incoming loans to the City shall be afforded at least the same care and handling as items in its own collections.



## Document control

### Policy context

<b>Legislation, standards &amp; external guidelines</b>	<i>City of Perth Act 2016</i> <i>Copyright Act 1968 (Cth)</i> <i>Copyright Amendment (Moral Rights) Act 2000</i> <i>State Records Act 2000</i> <i>Local Government Act 1995</i>
<b>Policies and procedures</b>	CP 4.8 Public Art CP 4.9 Commemorative Works CP 2.2 Purchasing Policy CP 2.12 Asset Management
<b>Strategies, plans and frameworks</b>	Temporary Memorial Plan 2019

### Document custodian

<b>Alliance</b>	Community Development	<b>Service unit</b>	City Culture
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### Review management

<b>Next review due</b>	August 2026	<b>Document management ref.</b>	EDRMS-1336483316-824
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### Document management

Version	Adopted by	Adoption date	Synopsis of changes
1.0	Ordinary Council Meeting	27 July 2021	Council Policy number change from 18.2 to 4.7
2.0	Ordinary Council Meeting	29 August 2023	Council adopted amended policy to include provisions to qualify for Deductable Gift Recipient Status for Cultural Gifts