

Outgoing Loans Policy

1. Purpose

The purpose of this policy is to set out the Tasmanian Museum and Art Gallery (TMAG) principles and guidelines for the management outgoing loans and to:

- ensure that quality objects, specimens and art works are available for exhibitions or research
- ensure that the outcomes of public programs are achieved
- improve research outcomes
- ensure that any items on loan are held within a safe, secure environment and without undue risk of damage

The objectives of the Loans Policy are to:

- balance the risks and costs associated with loans
- regulate inward loans to TMAG
- regulate outward loans from TMAG
- provide guidelines for unclaimed inward loans

2. Scope

This policy applies to the temporary outward movement of material from TMAG's collections, and the inward movement of material from other institutions or private lenders to TMAG for the purpose of public exhibition or research. The loans are referred to as 'outward loans' and 'inward loans' respectively.

3. Rationale

The main objectives of TMAG are set out in Section 5 of the *Tasmanian Museum and Art Gallery Act 2017* ("the Act"). These include:

- 5(c) exhibit, promote, disseminate and otherwise make available the TMAG collections, and from time to time, material loaned to TMAG by other institutions; and
- 5(d) exhibit, promote, disseminate and otherwise make available information relating to the work of TMAG

Section 9 of the Act sets out the powers of the Board of Trustees of the Tasmanian Museum and Art Gallery ("the Board") including:

- 9(1)(c) enter into cooperative arrangements with other museums, galleries and institutions, whether in Australia or elsewhere, including arrangements for the loan of exhibits or collections; and

- 9(1)(d) control access to and the uses to be made of TMAG premises and the TMAG collections

The outward loans program is an important component of supporting TMAG's objectives.

Loans provide an opportunity to enhance knowledge for exhibition and research purposes, which in turn improves and enhances the value of experiences and research presented by the institution. TMAG is committed to reciprocating loans to other institutions as a service to the ongoing creation of knowledge for future generations.

4. Authorities / Legal Framework

Tasmanian Museum and Art Gallery Act 2017 (the Act).

Protection of Cultural Objects on Loan Act 2013

Crimes Act 1914

Customs Act 1901

Personal Properties Securities Act 2009

Proceeds of Crime Act 2002

Protection of Cultural Objects on Loan Act 2013

Protection of Cultural Objects on Loan Regulation 2014

Protection of Movable Cultural Heritage Act 1986

Protection of Movable Cultural Heritage Regulation 2018

Biosecurity Act 2015

Environmental Protection and Biodiversity Conservation Act 1999

5. Glossary / Definitions

Delegate(s)

Delegates can exercise their authorisations to approve inward and outward loans.

Outward loan

A loan of material from TMAG's collection to another institution for the purpose of public exhibition or research.

6. Responsibilities

The Board

The Board as steward of the collections has the power to enter into arrangements for the loan of exhibits or collections. The Board may delegate this power to the Director.

Director

The Director is responsible for ensuring the Loans policy is enforced, and that any delegated authorisations are regularly reviewed.

Heads of Herbarium and Zoology

Delegated authority to approve and sign loan agreements for inward and outward loans for the purposes of research only to an amount not exceeding 800 sample/lots

Registrar

The Registrar will make an assessment of all loans to confirm that the loan is compliant with the Loan Policy and that resources are available to facilitate the loan. The exception to this is for incoming loans approved by the Head of herbarium and the Senior Curator (Zoology) for the purpose of research.

Conservation

The conservators will make an assessment of all outgoing loans for the purposes of exhibition or display to confirm that the items requested are suitable for loan.

Curators

The relevant curator will make an assessment of all outgoing loans to confirm that the items requested meet the relevant criteria outlined in this policy.

Project Budget Managers

Budget managers must approve the request for loans associated with exhibitions or projects for which they have financial delegations prior to loan documentation being submitted for approval by the Board or Director.

7 Guidelines for Outward Loans

7.1 Approvals

- Loans will only be made in accordance with this policy.

7.2 Loan Assessment Criteria

- Outward loans will be considered as per the following:
 - for collection items that are registered, or are intended to be registered
 - for items deemed to be in a condition fit for transportation and for the intended display conditions and loan period
 - requested by borrowers that have demonstrated adequate facilities for securing and maintaining the item
 - are not required by TMAG to support its own exhibition or research programs
 - being loaned to a borrower which have a vision, role and statement of purpose which is consistent with TMAG's institutional objectives

- if overseas, comply without contravening national or international legislation which controls the importation and exportation of items, or protects cultural or natural heritage assets
- TMAG will not lend to private individuals.
- TMAG will not lend objects unless the borrower can provide evidence of adequate security, environmental conditions, insurance / indemnity cover and professional standards of care for the loan items.

7.2 Insurance

- A recent and realistic value for the item will be provided to the borrower.
- The borrower must agree to indemnify loans against all risks with “wall to wall” insurance with a company approved by the Trustees. Government Indemnity will be accepted as an alternative to commercial insurance. A copy of a current insurance certificate of currency must be provided.

7.3 Security

- The borrower is responsible for providing adequate security for loan items during transportation to and from TMAG, and at the borrower’s premises.

7.4 Transport and Touring

- Method of transport will not predispose the objects to increased risk of damage.
- Any transport must be undertaken by a fine art or museum specialist with secure transportation and experienced personnel.
- TMAG reserves the right to insist on a courier to accompany items during transport, and/or to oversee installation/de-installation.
- Packing and transport must be agreed in advance between TMAG and the borrower.
- Items requested for travelling exhibitions will generally only be considered for a maximum of three venues.
- Borrowers are only permitted to lend items to a third party under the terms of a touring exhibition, or with the express written consent of TMAG.

7.5 Environmental Conditions

- TMAG will advise on the environmental conditions required for the safety of the item whilst on loan.
- The borrower must be able to provide details of the conditions in the intended display space for the duration of the loan.

7.6 Loan period

- Loans will be for a specified period of time. TMAG does not accept requests for “permanent loans”. For items where the intention is for TMAG to lend an item for an extended period of time, 12 monthly renewals of documentation are required.

7.7 Costs

- The borrower is responsible for covering all costs of the loan, including but not restricted to, cleaning, conservation, preparation, mounting/framing, packing, transport, insurance, installation / de-installation and security.
- Borrowers will be invoiced for all agreed reasonable costs associated with fulfilling a loan request.

7.8 Procedure

- Loan requests should be made in writing to the Director, with at least 12 months’ notice prior to the proposed date of commencement of the loan.
- The purpose of the loan must always be specified in the loan request.
- The loan will be administered by the Registration unit.
- Any intellectual property rights in the object held by TMAG remain the property of TMAG unless variations are specifically negotiated with the borrower.
- Any requests for photographs or copyright enquiries should be addressed to TMAG’s Image and Copyright Service.
- No modifications, alterations, or conservation / preservation work of any kind may be undertaken on any item by the borrower without the express written permission of the Director.
- For outward loan requests that support a travelling exhibition program, all venues must provide a Standard Facility Report and demonstrate the ability to meet the required minimum standards for security and care and that the proposed method of transport will not expose the objects to damage before the loan request will be approved.

7.9 Material not available for loan

- TMAG does not lend the following classes of material without the approval of the Director:
 - objects of great fragility
 - secret/sacred material
 - human skeletal material
 - firearms
 - type specimens
 - original audio/visual material
 - objects that are required for display at TMAG over the period of the proposed loan

7.10 Display and Care

- A condition report must be undertaken by the borrower on arrival of the item, and prior to leaving.

- Items on loan should be provided with suitable display furniture such as plinths or secure wall fixings. The borrower may be asked to provide a barrier.
- Items must be handled with care by suitably trained personnel.
- Items must not be unframed, cleaned or treated in any way.
- The item must be repacked in the same way as it arrived

7.11 Acknowledgement

All items that are borrowed from TMAG must be acknowledged as follows:

Collection: Tasmanian Museum and Art Gallery

8 Exclusions

This policy does not cover loans to Ministerial Officers or Government Agencies

National and international guidelines, procedures and associated documents

- *Australian best practice guide to collecting cultural material*, 2015
- *Protection of cultural objects on loan: scheme guidelines*, 2014
- *Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)*, 1973, as amended 1979 and 1983
- ICOM, *Code of Ethics for Museums*, 2017
- ICOM, *International Observatory on Illicit Traffic in Cultural Goods*
- ICOM, *Red Lists of cultural objects at risk*
- Museums Australia, *Continuing cultures, ongoing responsibilities*, 2005
- Pacific Islands Museums Association, *Code of Ethics for Pacific Museums and Cultural Centres*, 2006
- Unidroit, *Convention on Stolen or Illegally Exported Cultural Objects*, 1995
- UNESCO, *Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property*, 1970
- UNESCO, *Database of National Cultural Heritage Laws*
- UNESCO, *The Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict*, 1954, *First Protocol*, 1954 and *Second Protocol*, 1999

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