

Museums and Collections Department

Deaccession Protocols



1. Principle Statement

The University of Melbourne Museums and Collections Department (M&C Department) are custodians of significant cultural collections. It is the responsibility of the University of Melbourne to develop and manage its Collections according to international best practice in collection management. The M&C Department recognises that Deaccession and Disposal of material from Collections is an essential aspect of intentional and sustainable collection development and management to ensure the Collections are maintained to an optimum level. Deaccession and Disposal occurs within an accepted framework to ensure compliance with legal, ethical and cultural considerations. The Director, M&C Department acknowledges their obligations under the UoM [Collections Policy](#) to develop, maintain, and manage the Collections.

2. Application

This Protocol applies to the Deaccession of accessioned items from the UoM Collections stewarded by the M&C Department (hereafter the Collections). Once an item has been deaccessioned, it may then be disposed of. The Disposal of items from the Collections is outlined in the Disposal Protocol.

3. Deaccession

- 3.1 The M&C Department will observe any legal and ethical obligations in considering the Deaccession of any item. It will observe national and international regulations/conventions (e.g. the *Convention on International Trade in Endangered Species* and the *Protection of Movable Cultural Heritage Act 1986* (Cwlth)), and cultural and customary considerations pertaining to any item.
- 3.2 Any decision to Deaccession an item from the Collections should be undertaken with great care and consideration. The same careful assessment must be applied to the decision to Deaccession items as to the decision to acquire items.
- 3.3 This Protocol provides a framework for the removal of an item from the Collections by outlining the criteria for Deaccession.

4. Types of Objects

- 4.1 Only items that have been accessioned into the Collections can be deaccessioned.
- 4.2 The following types of items and materials are not Collection items and are not covered by this Protocol:
 - a. Unaccessioned items
 - b. Unsolicited or uncollected items deposited with the University and the M&C Department
 - c. Documentation of Collection items
 - d. Department records, including archives, video and audio records not accessioned into the Collections
 - e. Equipment, furniture and consumables not accessioned into the Collections

- f. Gifts received and not accessioned into the Collections.

5. Criteria for Deaccession

Items proposed for Deaccession will be assessed on the basis of the following criteria and in general should meet at least two of the criteria, although in rare cases the strength of a single criterion may be sufficient to justify Deaccession.

5.1 *Statutory Obligations*

- 5.1.1 The item is confirmed to be an Aboriginal Ancestral Remains as defined in the Aboriginal Heritage Act 2006 (Vic) and the UoM [Aboriginal and Torres Strait Islander Cultural Heritage Policy](#) definitions.
- 5.1.2 The item is confirmed to be a Secret or Sacred Object as defined in the Aboriginal Heritage Act 2006 (Vic) and the UoM [Aboriginal and Torres Strait Islander Cultural Heritage Policy](#) definitions.
- 5.1.3 The item is otherwise confirmed to fulfil criteria for any other statutory obligation which precludes holding the item in the Collection.

5.2 *Relevance of the Object*

- 5.2.1 The item does not conform to or is not consistent with the objects of the University of Melbourne, as defined in the University of Melbourne Act 2019 (Vic), and the aims and objectives, vision and mission of the M&C Department as defined in the Department Charter.
- 5.2.2 The item conforms to the mission and functions of another collection, museum or gallery, and is more relevant to the collecting policy, protocols and scope of that collection or institution.

5.3 *Significance of the Object*

- 5.3.1 The item so lacks historical; artistic or aesthetic; scientific or research potential; or social or cultural attributes that its contribution to the Collections is minimal.
- 5.3.2 The item lacks any supporting documentation to enable its proper identification or to establish its relevance to the Collections.
- 5.3.3 The item is found to have been falsely documented, described or attributed, or to be a forgery and of limited historic; artistic or aesthetic; scientific or research potential; or social or cultural merit.
- 5.3.4 Unless in exceptional circumstances, items identified in a significance assessment as of high or very high significance will not be approved for Deaccession.
- 5.3.5 Unless in exceptional circumstances, items considered to be of major significance will be subject to independent/third party review and/or appraisal before being approved for Deaccession.

5.4 *Conservation requirements*

- 5.4.1 The item requires extensive conservation treatment to enable its retention and/or extensive restoration to be of use and the expense of this in staff time/financial resources is disproportionate to its significance.

5.5 *Storage requirements*

- 5.5.1 The item is so costly to house and store that the expense of its long-term retention is not justified by its significance.

5.6 *Duplication*

- 5.6.1 The item duplicates another in the Collection. If the duplicate is not required for changeover,

teaching or demonstration, or other legitimate purpose, then it may be deemed excess to requirements.

5.7 *Provenance*

- 5.7.1 The item is the subject of a substantiated claim of ownership by another party, or has been the subject of prior illicit trade such that the University does not have legal title.
- 5.7.2 The University will be informed by the UoM Aboriginal and Torres Strait Islander Cultural Heritage Policy, the UoM Collections Policy and the UoM Human Remains and Burial Artefacts Policy in relation to the Deaccession of objects arising from Provenance, or title claims from Traditional Owners, Rightful Custodians or Owners.
- 5.7.3 Items donated to the University under the Cultural Gifts Program will not be deaccessioned unless the Committee on Taxation Incentives for the Arts has been advised of the plan to Deaccession the items, prior to their Disposal. Gifts made under the Cultural Gifts Program will not be returned to the donor as the donor has already received the benefit of a tax deduction for the gift.

5.8 *Hazardous Material*

- 5.8.1 The object contains a material that poses an immediate or imminent threat to health and safety or poses a significant risk to other items in the Collection. The significance of the item must be weighed against the potential risk to safety.

5.9 *Other Considerations*

- 5.9.1 The terms of the Deed of Gift or other acquisition contract, including but not limited to Acquisitive Commission Agreements, determine specific considerations for deaccessioning.
- 5.9.2 An item may be the subject of Deaccession, regardless of the method of acquisition. However, no object acquired with a restriction as to its retention by the University will be deaccessioned while that restriction remains in force.
- 5.9.3 The M&C Department will make reasonable efforts to notify living donors, or the immediate heirs or trustees of the Estate of deceased donors, or trustees of corporate donors of the intention to Deaccession objects donated by them by means of gift or bequest.
- 5.9.4 In the event that a work by a living artist is considered for Deaccession, special considerations may apply, and every reasonable effort will be made to inform the artist prior to the deaccession.
- 5.9.5 Where the M&C Department has made reasonable endeavours and is unable to locate the artist, donor, trustee, executor or personal representative, the object may be Deaccessioned.

6. Responsibilities for Deaccession

6.1 *Approval*

- 6.1.1 All Deaccessions are to be formally proposed by the curator responsible with reference to the above criteria.
- 6.1.2 All Deaccession proposals are to be endorsed by the Collection Development Advisory Group and the Director.
- 6.1.3 Unless the Director Collections, the relevant Director Art Museums, Indigenous Collections or Science and Academic Engagement, the Collection Development Advisory Group and the Director approve a waiver of this requirement, a setting aside period of two years will apply from the date of approval outlined in 6.1.2.
- 6.1.4 Following the completion of the setting aside period, or its waiver, final approval for Deaccession of Collection items is the responsibility of the Director, Museums and Collections, informed by the

Collections Development Advisory Group, in accordance with the University of Melbourne Collections Policy (MPF1309).

- 6.1.5 with an insurance value above the Director's delegation will be approved by Deputy-Vice Chancellor Global, Culture and Engagement, on the basis of the recommendations of the Collections Development Advisory Group and Director, Museums and Collections.
- 6.1.6 Deaccessions are noted by the Museums and Collections Steering Committee.
- 6.1.7 Proposed deaccessions through the Miegunyah Art Acquisition Fund will be considered by the Director, Museums and Collections, and the Directors Art Museums, and Collections. Once a recommendation to proceed has been received, proposed deaccessions will be presented to the Miegunyah Art Acquisition Sub-Committee (a sub-committee of the Russell and Mab Grimwade 'Miegunyah' Trust Committee) for approval. Following approval by the Miegunyah Art Acquisition Sub-Committee, proposed deaccessions will proceed through approval procedures outlined at 6.1.1 to 6.1.6.
- 6.1.8 Proposed deaccessions from the Michael Buxton Collection will be considered by the Director, Museums and Collections, and the Directors Art Museums, and Collections. Once a recommendation to proceed has been received, proposed deaccessions will be presented to the Buxton Contemporary Board for endorsement. Following endorsement by the Buxton Contemporary Board, proposed deaccessions will proceed through approval procedures outlined at 6.1.1 to 6.1.6.
- 6.1.9 Following the completion of the setting aside period, or its waiver, final approval for Deaccession of Collection items with an insurance or market value above the Director's delegation will be approved by Deputy-Vice Chancellor Global, Culture and Engagement, based on the recommendations of the Collections Development Advisory Group and Director, Museums and Collections.
- 6.1.10 Notice of deaccessions will be provided to relevant University leadership as determined by the Deputy-Vice Chancellor Global, Culture and Engagement on a case by case basis.
- 6.1.11 In accordance with the Disposal Protocols, suitable methods of Disposal will be identified in the Deaccession proposal and approved by the delegated authority.
- 6.1.12 An item is formally deaccessioned from the Collection on the date of approval of the Recommendation to Deaccession by the delegated authority.

6.2 *Conflict of Interest*

- 6.2.1 All consideration for approval of the Deaccession of items from the M&C Department staff or their immediate family, or members of the Collections Development Advisory Group and related parties must be disclosed and documented at all stages of the process of recommendation and approval.
- 6.2.2 Collection Development Advisory Group members and attendees must exclude themselves from any discussion, recommendation or decision making regarding Deaccessions by the Collections Development Advisory Group in which they or related parties are involved; further the Director, and staff of the M&C Department must exclude themselves from any decision making in relation to the Deaccession in which they or related parties are involved. The declared conflict and exclusion from decision making will be minuted by the Collection Development Advisory Group.
- 6.2.3 University staff involved in the deaccession of works are bound by all relevant University Policy, including but not limited to the Managing Conflict of Interest Policy (MPF1366).
- 6.2.4 In the event the delegated approver has a conflict of interest, the delegation will escalate in accordance with the University's Regulatory Framework.

7. Record Keeping

In accordance with the [UoM Records Management Policy \(MPF1106\)](#), and established protocols and procedures, the Museums and Collections Department will maintain records for each Deaccession, including proposed Deaccessions that are not approved. These records will include photographs, information on approval processes, key decisions, consultations, transactions, negotiations, Provenance, Due Diligence undertaken including copies of all research and documentation compiled, and any other agreements or undertakings in relation to the relevant Deaccession. All records will be kept securely and permanently by the University.

8. Compliance

Museums and Collections Department staff involved with Deaccessions will be informed of all relevant University policies, protocols and procedures and conform to those at all times.

9. Roles and Responsibilities

Director, Museums and Collections: Approves Deaccessions in accordance with the UoM Collections Policy (MPF1309) within established financial delegation, informed by the recommendations of the Collection Development Advisory Group.

Collections Development Advisory Group: Advises on and recommends endorsement of Deaccessions.

Museums and Collections Steering Committee: Notes Deaccessions approved by the Director, Museums and Collections. The Deputy-Vice Chancellor Global, Culture and Engagement approves new Deaccessions in accordance with the UoM Collections Policy (MPF1309) which exceed the financial delegation of the Director, Museums and Collections.

Director, Collections: Has overall responsibility for ensuring that Deaccession is undertaken in accordance with this Protocol and related plans, strategies, policies and procedures, and provides endorsement for Deaccession proposals.

Director, Art Museums, and Director, Science and Academic Engagement: Have overall responsibility for ensuring that the M&C Department deaccessions items from its Collections according to the collecting criteria and collecting priorities in the relevant Collection Strategy(ies), ensuring research and Due Diligence is undertaken for proposed Deaccessions and provides endorsement for Deaccession proposals.

Director Indigenous Collections: Oversees sustainable development and management of Indigenous Collections to ensure the Indigenous Collections are maintained and developed to an optimum level and that processes of Deaccession are undertaken in accordance with this Protocol, related policies, plans and procedures.

Head of Collections Management: Oversees sustainable Collection management to ensure the Collections are managed and maintained to an optimum level and that processes of Deaccession and Disposal are undertaken in accordance with this Protocol and related policies, plans and procedures.

Relevant Head Curator: Oversees sustainable collection development and management to ensure that the whole Collection is maintained and developed to an optimum level and that processes of Deaccession and Disposal are undertaken in accordance with this Protocol, related policies, plans and procedures.

Curators: Review and assess Collection material for significance and condition within the Collections and in accordance with Collection Strategies, and make recommendations for Deaccession or Disposal.

Collections Managers: Ensure all documentation of Deaccession and Disposal processes are completed for permanent retention in accordance with this Protocol and related policies, plans and procedures.

10. Definitions

Aboriginal and Torres Strait Islander ancestral remains means the whole or part of the bodily remains of an Aboriginal or Torres Strait Islander person but does not include:

- a. a body, or the remains of a body, buried in a public cemetery that is still used for the internment of human remains;
- b. an object made from bodily hair or from any other bodily material that is not readily recognisable as being bodily material, or
- c. any human tissue:
 - i. dealt with or to be dealt with in accordance with the *Human Tissue Act 1982* (Vic) or any other law of a State, a Territory or the Commonwealth relating to medical treatment or the use of human tissue; or
 - ii. otherwise lawfully removed from an *Aboriginal and Torres Strait Islander person*

Deaccession: The process of permanently removing an item from the Collections.

Disposal: The process by which the M&C Department effects the permanent removal of an item that is not part of the Collections from the University's care and custody (see Disposal Protocol).

Rightful Owners: Person or people entitled by heredity, custom, tradition or legal transfer of title to determine appropriate control and management of an item or cultural property.

Sacred means sacred according to *Aboriginal and Torres Strait Islander tradition*.

Secret means secret according to *Aboriginal and Torres Strait Islander tradition*.

Secret or sacred object includes an *Aboriginal and Torres Strait Islander object* directly associated with a traditional Aboriginal burial.

Title: The legal right to ownership of property.

Traditional Owner: A person is a traditional owner of an area if:

- a. the person is an Aboriginal and Torres Strait Islander person with particular knowledge about traditions, observances, customs or beliefs associated with the area; and
- b. the person:
 - i. has responsibility under Aboriginal and Torres Strait Islander tradition for significant Aboriginal and Torres Strait Islander places located in, or significant Aboriginal and Torres Strait Islander

- objects originating from, the area; or
- ii. is a member of a family or clan group that is recognised as having responsibility under Aboriginal and Torres Strait Islander tradition for significant Aboriginal and Torres Strait Islander places located in, or significant Aboriginal and Torres Strait Islander objects originating from, the area.

Traditional Owner, for Aboriginal and Torres Strait Islander Ancestral Remains: A person is a traditional owner of *Aboriginal and Torres Strait Islander ancestral remains* if the person is *Aboriginal and Torres Strait Islander person* who:

- a. has responsibility under Aboriginal and Torres Strait Islander tradition for the Aboriginal and Torres Strait Islander ancestral remains; and
- b. is a member of a family or clan group that is recognised as having responsibility under Aboriginal and Torres Strait Islander tradition for the Aboriginal and Torres Strait Islander ancestral remains.

Traditional Owner, for Aboriginal and Torres Strait Islander sacred or secret objects: A person is a *traditional owner* of an *Aboriginal and Torres Strait Islander secret or sacred object* if the person is an *Aboriginal and Torres Strait Islander person* who:

- a. has responsibility under Aboriginal and Torres Strait Islander tradition for the object, and
- b. is a member of a family or clan group that is recognised as having responsibility under Aboriginal and Torres Strait Islander tradition for the objects.

11. Related context

11.1 Relevant legislation and external context

This Protocol should be read in conjunction with the following:

- *Aboriginal Heritage Act 2006* (Vic)
- Australian Government, Attorney General's Department, Ministry for the Arts, *Australian Best Practice Guide to Collecting Cultural Material* 2014
- Collections Council of Australia – *Significance 2.0: A Guide to Assessing the Significance of Collections* 2009
- *Convention on International Trade in Endangered Species of Wild Fauna and Flora* (CITES) 1979
- *Income Tax Assessment Act 1997* (Cth)
- International Council of Museums (ICOM) – *Code of Ethics* 2006
- [International Council of Museums \(ICOM\), Guidelines on Deaccessioning of the International Council of Museums \(ETHCOM, 2019\)](#)
- [Museums Australia – Code of Ethics 1999](#)
- UNESCO – *Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property* 1970
- UNIDROIT – *Convention on Stolen or Illegally Exported Cultural Objects* 1995
- *University of Melbourne Act 2009* (Vic)
- *Workplace Health and Safety Act 2011* (Cth)

11.2 UoM

This Protocol should be read in conjunction with the following UoM documents:

- [University of Melbourne Collection Policy \(MPF1309\)](#)
- [University of Melbourne Aboriginal and Torres Strait Islander Cultural Heritage Policy \(MPF1289\)](#)
- [University of Melbourne Human Remains and Burial Artefacts Policy \(MPF1226\)](#)
- [University of Melbourne Managing Conflict of Interest Policy \(MPF1366\)](#)
- [University of Melbourne Ancestral Remains and Secret or Sacred Objects Repatriation Protocols](#)
- Museums and Collections [Department Charter](#)
- Museums and Collections Department [Acquisition and Accession Protocols](#)
- Museums and Collections Department Disposal Protocols
- [University Art Collection Strategy](#)
- [Grainger Collection Strategy](#)
- [Grimwade Art Collection Strategy](#)
- Indigenous Collections Strategy

All contextual documents, including legislation, regulations, protocols and guidelines referred to in these documents should be taken as context for these Protocols.

11.3 Other Supporting Documents:

- Collection Development Advisory Group Terms of Reference
- Deaccession Proposal
- Deaccession and Disposal Procedures

The latest version of any University Policy, Museums and Collections Department Protocols and strategies, legislation, regulations or external context referred to will apply.

12. Amendment history

Version	Date issued	Notes	By
1	23 February 2023		Collection Development Advisory Group Director, Museums and Collections
2	31 August 2023	Clause 5.7.3 revised re: Cultural Gift Program. Clause 6.2 revised re: Conflict of Interest. Staff titles updated. Managing Conflict of Interest Policy (MPF1366) added to Section 11.	Collection Development Advisory Group Director, Museums and Collections