

National Gallery of the Cayman Islands COLLECTIONS & ACQUISITIONS MANAGEMENT POLICY

Approved - June 22 2009

INTRODUCTION

The Collections Management Policy Committee received its task or charge from the Board of the National Gallery of the Cayman Islands and has undertaken to establish operating guidelines for the staff and Board of the National Gallery, and as a source of information for the general public.

The Collections Management Policy is intended to direct the organizational purposes, goals, objectives and responsibilities of the National Gallery of the Cayman Islands and to increase and protect the holdings of the National Gallery (i.e., increase knowledge, guarantee title). The Collections Management Policy is intended to be a permanent policy with broad, clear provisions, tailored to meet the requirements of the Board of the National Gallery, the community, donors, as well as relevant laws and professional standards. The Collections Management Policy is intended to provide useful instruction and direction, to avoid procedural minutiae, and to maintain flexibility for prudent ad hoc decisions of the Board of the National Gallery.

*Note: the Director shall be responsible for the Curator's role if and for so long as there is no separate appointment to that position.

1.0 STATEMENT OF PURPOSE:

1.1 It shall be a policy of the governing Board of the National Gallery of the Cayman Islands (hereinafter "Board") to acquire and collect artwork and materials to be held in trust for the preservation, promotion, and development of the arts (exhibitions, research and education) for the public benefit.

1.2 Mission Statement:

The National Gallery of the Cayman Islands promotes and encourages the awareness, appreciation and practice of the visual arts in the three Cayman Islands.

1.3 Functions of the National Gallery of the Cayman Islands:

- To organise and maintain permanent and temporary public works of art;
- To collect and preserve significant works of art for a public collection;
- To facilitate the public exhibition of works of art or collections of works of art loaned by persons or bodies for that purpose;
- To present, or facilitate the presentation by others, of programmes of instruction in the visual arts;
- To lend works of art in the national collection to other art galleries for the purpose of promoting the culture of the Islands abroad;
- To encourage the evolution and enjoyment of the arts in the Islands;
- To promote the appreciation and interpretation of the visual arts as an integral component of education;
- To foster and encourage research in the visual arts;
- To provide facilities for the curation and restoration of works of art; and

- To perform such other functions as may be necessary to direct, manage and control the National Gallery and to fulfill its purpose specified in the National Gallery Law section 4.

1.4 Collection Focus:

The collection focus of the National Gallery shall be towards a growing core of quality Caymanian and culturally relevant artworks. The collections will not have emphasis on decorative arts due to space considerations at this time.

1.5 The bylaws and/or charter of the National Gallery, relevant laws and statutes, and rules governing National Gallery operations (i.e., Collections Manual and Code of Ethics) may also be consulted for collections management purposes.

1.6 The act of collecting will be based upon the National Gallery's ability to preserve and protect the items and collections acquired according to accepted museum standards (ICOM). All items in the collections shall be stored and/or displayed under conditions which ensure the maintenance of their physical integrity and availability for National Gallery use. The objects acquired will remain in the collections as long as they are useful to the purposes of the National Gallery and until they are deaccessioned in accordance with these policies and practices.

Any part of the collections held off-site shall be accompanied by a loan agreement stating that the temporary recipient of the work will comply with all written directions given by the NGCI or on its behalf in relation to the security, maintenance and preservation (inc. humidity and temperature control and lighting etc) of the artwork; and to comply with all requirements for obtaining or continuing insurance cover during the period of the loan.

2.0 DELEGATION OF RESPONSIBILITIES

2.1 The Board may acquire, hold and dispose of personal property (including collections) and real estate in order to further the purposes of the National Gallery.

2.2 The Curator works as Collections Manager, under the direction of the National Gallery Director, and is in charge of the care and use of its collections. The Curator will supply an annual condition report on the state of the collections to the Board. The Director will provide to the Board quarterly inventory reports, including lists of accessions, outstanding loans and deaccessions. The Curator, along with the Director, is responsible for the search for acquisitions. The Board may delegate further collections responsibilities to a Collections Committee.

2.3 A Collections Committee shall be designated by the Board to oversee collections management activities. The Collections Committee will be comprised in half by Board members, will include the Director and the Curator and other lay people and professionals. The Collections Committee will propose and recommend to the Board the addition of acquisitions to and deaccessions from the collections. The Collections Committee will advise the Board on loan agreements and requests for restrictions on donations.

2.4 All staff and Board members of the National Gallery are expected to follow the standards of professional performance, such as those established by the Code of Ethics of the American Association of Museums (AAM) and/or ICOM, as described in the Collections Manual.

3.0 ACQUISITIONS

3.1 The National Gallery may receive items into the collections by gift, bequest, purchase, exchange and/or other transactions giving the National Gallery complete legal title. The Board reserves the right to decline any gift or bequest offered. The gift shop and reference library of the National Gallery shall not be considered as part of the National Gallery's collections.

3.2 Criteria for Considering Acquisition:

An item may be added to the collections after application of the following criteria by the Collections Committee, on the advice of the Director and Curator, and upon notification of the Board:

- item is consistent with the collection goals of the National Gallery; and
- proper care can be given to the item; and
- if offered for purchase, only after financing has been secured, and if a comparable specimen cannot be obtained by gift, bequest or long-term loan; and
- item is reasonably free & clear as to title.

3.3 If at any time the National Gallery is considering a purchase of art work, it should only be considered in consultation with other established cultural organisations in the Cayman Islands (such as the National Museum, Cultural Foundation, National Trust).

3.4 An item will not be acquired if it is:

- encumbered with unreasonable conditions imposed by the donor; or
- prohibited by relevant laws governing import, export or transfer of ownership; or
- restricted by intellectual property rights; or
- likely to be disposed of in less than 3 years; or
- considered by the Board to be obscene, defamatory, an invasion of privacy, or is physically hazardous.

3.5 Procedures for Recommending Acquisition:

The Director and Curator shall make proposals and recommendations to the Collections Committee regarding potential acquisitions. The following information shall be included whenever appropriate:

- offer price and assignment of dollar value (purchase or appraisal value);
- steps required to effect transfers or other conveyance of title;
- request for authorization to expend funds for purchase;
- recommendation for acceptance or refusal of donations and for disposition of rejected items as necessary.

3.6 Acquisitions will be governed by the National Gallery's ability to manage and care for them according to professional museum policies and standards. Items will be acquired, accessioned and catalogued in accordance with accepted museum procedures.

3.7 Documentation proving the non-profit charitable status of the National Gallery will be provided to donors and prospective donors upon request. It shall be the donor's legal and ultimate responsibility to furnish appraisals of value to government tax agencies.

4.0 DEACCESSIONING:

4.1 The National Gallery may deaccession and dispose of items from its collections upon Board approval by sale (public auction or private sale), donation, exchange and/or destruction. Abandoned property may be deaccessioned after seeking proper advice of legal counsel.

4.2 Criteria for Considering Deaccession:

An item may be removed from the collections after application of the following criteria by the Collections Committee.

- item is no longer relevant or useful to the purposes of the National Gallery; or
- item is duplicative or superfluous within the National Gallery's collections; or
- the National Gallery does not have the capability to care for the item properly; or
- item is deteriorated beyond repair and/or usefulness; or
- item is hazardous; or
- there is a stated and agreed need to strengthen other collections for the goals of the National Gallery.

4.3 Procedures for Deaccessioning:

Written and photographic documentation of the entire deaccessioning process shall be required, setting forth the conditions and circumstances surrounding the decision to deaccession. The following information shall be reported to the Board for the sanctioning of all deaccessions from the collections:

- assignment of dollar value (purchase or appraisal value); and
- proposal for disposal of deaccessioned item; and
- request for authorization to negotiate sale as necessary; and
- preparation of transfers or other conveyance of title as appropriate.

4.4 Methods of Disposal:

An item from the National Gallery collections may be disposed of upon Board approval according to any of the following methods:

- return to donor if possible (any tax deduction taken must be considered) or notification of intent to deaccession); or
- by sale, gift or trade to, in this order of preference: a museum, cultural organization, educational institution, private individual (not Board or staff member) or commercial entity; or
- by sale at public auction; or
- if deteriorated, for educational 'hands-on' use at a museum or educational organization; or
- destroyed, only if deteriorated beyond repair and usefulness.

No deaccessioned item may be sold through the National Gallery gift shop.

4.5 Funds realized from deaccession sales may be used only for the acquisition and/or management of items in the National Gallery collections. Deaccessioning shall not be undertaken to generate emergency or operating funds for the National Gallery. No deaccessioned item may

go directly or indirectly to any National Gallery staff, Board or immediate family member, except if purchased at public auction.

4.6 In case of dissolution of the National Gallery, the disposal of items and/or collections of the National Gallery, upon consultation with the Board and legal professionals, shall be either held in trust by the Board pending re-emergence of a viable alternative organization, or the entire collections and records shall be gifted to a nominated local authority or museum(s).

5.0 LOANS and ITEMS IN NATIONAL GALLERY CUSTODY

5.1 The Collections Committee shall, on the advice of the Director and Curator, recommend and propose loans to and from the National Gallery collections, subject to execution of an acceptable loan agreement. The Board will be promptly informed of all loan activities.

5.2 Out-going Loans:

As applicable, the borrower of any item from the National Gallery collections shall be required to:

- be accredited by recognized museum associations, such as the American Association of Museums (AAM), Arts Federation of America (AFA) or other professional organizations; and
 - be financially and physically responsible for items from the National Gallery collections; and
 - insure all items (purchase or appraisal value) in transit and on location; and
 - detail the physical controls for the safety of the items while on loan (i.e., facilities report).
- Borrower may not clean, repair, alter or treat any item on loan from the National Gallery without the express written consent of the National Gallery.

5.3 In-coming Loans and Items Left In Custody:

Lender of any item to the National Gallery must provide to the National Gallery the following information for each item placed on loan to the National Gallery:

- legal title or owner's authorization to loan; and
- an acceptable executed loan agreement; and
- photograph of works at time of packing; and
- insurance values for each item.

On receipt, all incoming works will be fully documented photography during unpacking.

5.4 The Director has authority to accept or release items to or from the custody of the National Gallery. The Director may delegate such receipt or release to appropriate responsible staff members of the National Gallery. Items on loan and left in National Gallery custody must be cared for at the appropriate level of professional care.

5.5 Items left in National Gallery custody for attribution, identification or study shall be recorded or registered, but not catalogued or accessioned. Items given for sale or trade will be recorded and the donor will be informed that such items will not be part of the collections.

6.0 *INSURANCE*

6.1 The Board shall make provisions to appropriately insure all items in the collections and custody of the National Gallery. Any changes or deviations in insurance coverage must be approved by the Board.

7.0 *RECORDS and DOCUMENTATION*

7.1 A Collections Manual shall be created, maintained and followed by the staff and Board of the National Gallery. The Collections Manual shall include lists and descriptions of essential documents and information for the management and control of the collections and other property of the National Gallery. Records for the accession and deaccession processes will be compiled promptly and completely and kept in permanent files, and a copy will be kept in a separate, safe and secure location.

8.0 *ACCESS TO COLLECTIONS and RECORDS*

8.1 The National Gallery will allow public access to the collections under controlled conditions. Public access to the National Gallery collections not on exhibit will be by appointment only, upon approval by the Director or Curator of the collections. The National Gallery reserves the right to deny access to any of its collections.

8.2 Public disclosure of items accessioned and/or deaccessioned to or from the collections will be made in annual reports, newsletters and other appropriate publications. Some information, such as donor's name and monetary value of items and/or collections, shall be treated as confidential and only disclosed upon receipt of permission from the donor, lender or owner.

8.3 Photographs by the public of any item and/or collections of the National Gallery may be disallowed or subject to restrictions. Photographs shall not be allowed of any works on loan but may be provided by the NGCI. Where item(s) are subject to copyright restriction, photographs, if allowed, shall not be published without written permission and appropriate acknowledgment..

8.4 In order to promote opportunities for public participation in the work of the National Gallery, the National Gallery will allow public access to its records relating to exhibition catalogs, publications, lectures and audio-visual presentations. The Collections Management Policy and Collections Manual may be published and distributed to potential donors, the press and other members of the public upon request.