# Museums Victoria Policy Statement

# Collection Care and Use Policy

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| Responsible Executive | Director, Research and Collections |
| Policy Owner | Head, Strategic Collection Management |
| Review Cycle | Five-yearly |
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## 1 Policy Objective/Intent

The *Museums Act 1983* (Vic) (**Act**) states that it is the function of the Museums Board of Victoria:

1. to develop and maintain the State collections of natural sciences, indigenous culture, social history and science and technology
2. to exhibit material from those collections for the purposes of education and entertainment
3. to promote use of those collections for scientific research
4. to promote the use of the Museum's resources for education in Victoria
5. to research, present and promote issues of public relevance and benefit in the following fields-

(i) the origins, development and diversity of cultures in Australia and adjacent lands

(ii) the natural environment

(iii) science and technology and their applications to the development of society

[Section 23 (b)-(f)]

In accordance with the Act, this policy sets a framework for:

1. caring for and preserving the Collections;
2. providing access to and using the Collections;
3. lending and borrowing Items;
4. sampling and destructive testing of Items, and
5. compliance with relevant legislation, conventions and protocols.

## 2 Policy Statement

Museums Victoria is entrusted with developing, caring for and preserving Victoria’s State collections, and for enabling their public access and use. Local, national and international in focus, the Collections include some of the most significant Australian and Pacific First Peoples’ cultural material in the world, extensive natural science material with a particular strength in south-eastern Australia and surrounding waters, and a unique collection representing Victoria’s historical and technological developments. Developed over more than 165 years, the State collections consist of over 17 million Items.

Museums Victoria provides rigorous and specialised care for the Collections. It facilitates access to and the use of the Collections for public benefit and understanding. It also borrows from and lends Items to other bodies for similar exhibition and research purposes and is committed to evaluating and managing legal and ethical risks for the use of these Items.

## 3 Key Policy Principles

## General Collection Care, Preservation, Access and Use

3.1 Museums Victoria respects and acknowledges its special custodianship role for First Peoples Cultural Property, and its obligations to consult and collaborate with First Peoples Traditional Owners and/or Communities of Origin regarding the care and use of that Property.

3.2 Museums Victoria balances collection care and preservation needs with access and use needs.

3.3 Museums Victoria respects and accounts for the historical, scientific, cultural and exhibition significance of the Collections in their care, preservation, access and use.

3.4 Museums Victoria demonstrates industry leadership with its integration of a wide range of appropriately-skilled Museum expertise and approaches to provide the best care and preservation of, access to, and use of the Collections.

3.5 Museums Victoria is a key, willing partner in a network that shares an internationally-distributed collection and participates fully in national and international scientific and cultural research, exhibition, and lending programs.

3.6 Museums Victoria commits to sustainable approaches to the care and preservation of the Collections and endeavours to minimise any negative impact of its operations on natural and cultural environments.

## Collection Documentation

* + 1. Museums Victoria uses and provides technical support to centralised, fit-for-purpose integrated electronic collection systems, including:
1. a collection content and care management system for all collection-related data and its primary data source system for generation of public digital content (EMu – Axiell ® at the time of Policy approval);
2. a linked digital asset management system to manage the lifecycle of digital assets including digital collection assets (MV Images at the time of Policy approval); and
3. MVWISE as its Item location management and movement system.
	* 1. Museums Victoria electronically registers Items to a minimum data set (including a digital image for selected Items) and applies location control to Items at the point of Acquisition, and as a key priority, resources to the best of its ability the electronic registration of the Legacy collections and an image digitisation program for selected Analogue Items. Museums Victoria is committed to augmenting minimum registration documentation with broader data and interpretive sets at the most appropriate downstream points in time.
		2. Museums Victoria allows exhibition and other public use of electronically-registered Items only. While not preferred, it may allow research use of unregistered Items if the circumstances suggest this is the most practical approach.

## Preservation, Conservation and Other Interventive Actions

* 1. Museums Victoria aims to preserve Items for museum-standard lifespans.
	2. Museums Victoria adopts a preventive conservation and whole-of-collections approach to the care and preservation of the State collections, minimising the need for interventive conservation treatment now and in the future.
	3. Museums Victoria undertakes foundational care and preservation actions including investigative actions (e.g. registration marking, cleaning, micro-testing), which may result in non-destructive, undetectable or minor modification of Items.
	4. Museums Victoria undertakes investigative and other interventive actions on Items as required, which may result in obvious and possibly significant transformation or—rarely—full Destructive testing (See Principles 3.49 to 3.51) of Items. These actions will be undertaken:
1. after consultation with relevant stakeholders, including consultation with Traditional Owners and/or Communities of Origin before undertaking any action on First Peoples’ Cultural Property, and
2. on a case-by-case basis that accounts for the significance of the Item.
	1. Museums Victoria Activates certain Items for use in exhibitions and other public programs. To this end, Museums Victoria will:
	2. only Activate those Items where there is deemed to be exhibition, historical, scientific or cultural value in Activation, and where Activation will not cause undue or permanent impacts to them or compromise their significance, and
	3. undertake Activation actions with expert conservation input on methodologies to preserve the integrity of the Items.
	4. Museums Victoria maintains a complete record of any research, analysis, conservation treatment or other interventive work and any published outcomes, as a permanent record of the Item.

## Collection Management

* 1. Museums Victoria maintains five key governance programs as follows:
1. a formal collection auditing program, conducted and updated annually;
2. current licences and permits as required, and compliance with other specific legal requirements;
3. ethical Provenance and Legal title research for acquisitions, deaccessions and inwards and outwards loans;
4. collection emergency plans, updated biennially;
5. electronic documentation of the financial value of Items at the point of Acquisition. Where financial value of Items has not yet been documented (for Collections acquired in earlier periods), Museums Victoria will electronically document the financial value of Items at the most appropriate downstream points in time, including at points of Deaccession or Repatriation if not previously documented. Museums Victoria also participates in annual and five-yearly collection valuation programs (also see Collection Development and Deaccession Policy, Principle 24).
	1. Museums Victoria, as a key priority, seeks to provide sufficient, museum-standard physical storage for the State collections.
	2. Museums Victoria acquires, creates and maintains Digital Items, both as part of and separate to the State collections, and where they are State collection Items or digital preservation formats, applies museum-grade documentation, systems, standards, and digital storage to allow for their preservation, access, and future re-use.
	3. Museums Victoria maintains insurance for the Collections under a Property Insurance Policy and a Fine Art Exhibitions Insurance Policy.

3.20 Museums Victoria regulates, limits, screens, and monitors internal and external access to the Collections.

3.21 Museums Victoria is a signatory to the Victorian State Collections Emergency Response Memorandum of Understanding (renewed biennially).

## Legal and Ethical Title Claims and Inquiries

* 1. Museums Victoria recognises that Items in the State collections could be subject to inquiries and Claims by external parties in relation to ethical Provenance and/or Legal title.
	2. Museums Victoria establishes specific principles for Repatriation Claims for First Peoples Cultural Property in the State collections in its Repatriation of First Peoples Cultural Property Policy.
	3. Museums Victoria addresses any inquiries and Claims on Items in the Collections impartially, ethically and in a timely manner, and will provide the inquirer or claimant with a written overview of the legal and ethical status of the relevant Items, and where satisfied that the inquiry or Claim regarding the Item is reasonable, will submit a Deaccessioning proposal to the Museums Board for decision.
	4. Museums Victoria treats all inquiries and Claims on Items as confidential in accordance with the Information Security Policy.

## Collection Access, Use and Loans

* 1. Museums Victoria consults with Traditional Owners and/or Communities of Origin regarding access to and use of First Peoples Cultural Property or may delegate the responsibility for consultation and collaboration to borrowers of State collection Items.
	2. Museums Victoria grants the type and level of external access according to the significance/and or cultural sensitivity of Items, their preservation status and needs, and whether access is required to the Items themselves or the information they contain, and/or the associated data.
	3. Museums Victoria reserves the right to decline external requests to access or borrow Items where:
1. the Items are unavailable for access or loan;
2. the request contravenes relevant state, national and international legislation and/or conventions;
3. it suspects that the Item was stolen, illegally exported or imported;
4. agreeing to the request will bring Museums Victoria or other rights’ holders into disrepute, or is contrary to the values of Museums Victoria, or their proposed use and interpretation are incorrectly or unfairly represented;
5. cultural and community sensitivities and interests cannot be satisfied;
6. the Items are comprised of human material and/or tissue and/or by-products;
7. the security and preservation of the Items cannot be sufficiently assured;
8. the Items present an unreasonable health and safety risk to those seeking access to or to borrow Items, or to the borrowing entity’s visitors;
9. the request is considered unreasonable (e.g. relating to the scale, timing and/or resourcing requirements of the request);
10. the applicant cannot demonstrate sufficient capacity and/or expertise to undertake the proposed research or other use of the Items;
11. Museums Victoria has insufficient resources to appropriately service the request;
12. the Items or associated data are in any way embargoed, confidential or private.

Those requesting access to or seeking to borrow Items may seek reconsideration of decisions through the Director, Research and Collections.

* 1. Museums Victoria reserves the right to temporarily suspend external access and outwards loans programs due to internal or external circumstances that severely restrict its capability and/or capacity to serve those programs.
	2. Museums Victoria gives priority to Museums Victoria’s planned uses in exhibition and other public programming. It protects the interests of its Staff, students, and associates for priority access to the Collections and associated data, providing users can demonstrate they are part of an active research project/program and can specify public research outputs.
	3. In the case of competing external requests for access to or to borrow the same Items, Museums Victoria resolves precedence of request on a case-by-case basis.
	4. Museums Victoria will not allow access to the Collections for personal use by Staff, Museums Board members or volunteers.
	5. Museums Victoria may place special conditions on and charge fees to access and use the Collections and associated information.
	6. Museums Victoria by agreement with users, may undertake research on the Collections on behalf of users on a fee-for-service basis, where the user is unable to undertake their own research, and where Museums Victoria has the capacity to do so.

## Lending and Borrowing

* 1. Museums Victoria lends Items to legally-constituted entities only and, as both a lender and borrower, enters into a legal agreement for each loan transaction. Museums Victoria will not lend Items to individuals.
	2. As both a borrower and a lender, Museums Victoria undertakes Due Diligence research to verify and assess risk associated with the legal and ethical status and authenticity of Items considered for loan for exhibition purposes. Alternatively, where Museums Victoria is the lender, it may delegate the responsibility for consultation and collaboration to borrowers of State collection Items. The designation of a risk rating is followed by an approval process that accounts for the risk rating, requiring Museums Board approval for loans with a high risk rating.
	3. Museums Victoria documents a financial value for all items borrowed and lent, and matches the approval process for loan contracts (outwards and inwards) against the Museum’s financial delegation hierarchy, based on the financial value of the loan items (as single items and/or as a single lending/borrowing transaction containing multiple items)
	4. Museums Victoria requires formal submission of requests to borrow Items for exhibitions at least six months prior to the date by which the Items are required for despatch, and formal submission of requests to borrow Items for research purposes at least two months prior to the date by which the items are required for despatch.
	5. Museums Victoria lends or borrows Items for specified purposes only and for fixed, specified periods of time. Museums Victoria will not lend or borrow Items for indefinite periods of time or exceptionally extended periods of time (long-term loans) unless an exceptional case for public benefit can be made for their long-term loan and it has fully considered resource and any other implications. Museums Victoria reserves the right to recall Items on loan prior to the expiration of the loan agreement.
	6. Museums Victoria subjects requests for the renewal of loans to the same approval processes as new requests.
	7. Museums Victoria lends Items for exhibition to First Peoples’ cultural organisations and collecting and exhibiting institutions in Victoria free-of-charge. However, where it will incur exceptional costs in administering the loan of Items and their maintenance at borrowing entities, Museums Victoria may seek by agreement to recover costs.
	8. With the exception of borrowers outlined in Principle 3.40 Museums Victoria may seek (on a case-by-case basis) to recover from other borrowers of Items for exhibition any and all cash and any exceptional in-kind costs to be incurred by Museums Victoria in administering the loan of Items and their maintenance at borrowing entities. Where Museums Victoria seeks to recover any or all costs, it will provide early and full advice to borrowers of projected exceptional costs and its intention to seek in-principle agreement to recover any costs and may build recovery of these costs into the loan agreement. If the borrower declines in-principle to pay such costs, Museums Victoria reserves the right not to proceed with the loan. Monies recovered by Museums Victoria for outward loan purposes will be used to fund the administrative costs of its outward loan program.
	9. Museums Victoria borrows Items only if it is satisfied that:
1. the lender is of good repute;
2. the lender has Legal title or has the legal authority to lend the Item;
3. there are no outstanding or current third-party Claims on the Item;
4. all relevant collection and/or export licences and/or permits have been or will be obtained;
5. the Item has not been illegally exported from its country of origin or any intermediary country;
6. there is no suspicion that the Item was obtained through unauthorised or unscientific collecting, including excavation, destruction or defacing of ancient monuments, historic places or buildings, or theft from individual museums or other repositories; and
7. the Item can be borrowed without contravening national or international convention, treaties and laws that control the movement of cultural and natural heritage.
	1. Where requests for Repatriation relate to Items on loan to Museums Victoria, Museums Victoria will facilitate discussions between the relevant Traditional Owners and/or Communities of Origin. In doing so, Museums Victoria will uphold the terms of any agreement with the lender, and any agreement or statutory provision to which the loan is subject.
	2. Museums Victoria manages and disposes of unclaimed loan Items in accordance with Section 25 Disposal of unclaimed property of the Act.

## Scientific Research Lending and Use

* 1. Museums Victoria may assume responsibility for costs associated with preparing and issuing research loans, on the basis that Museums Victoria is a key partner in national and international research networks, and specimens are customarily lent on a *quid pro quo* basis and with the condition that the borrower returns new collection data to Museums Victoria. Museums Victoria may also seek (on a case-by-case basis) to recover from borrowers of Items for research purposes any and all cash and any exceptional in-kind costs to be incurred by Museums Victoria in administering the loan of Items and their maintenance at borrowing entities. Where Museums Victoria seeks to recover any or all costs, it will provide early and full advice to borrowers of projected exceptional costs and its intention to seek in-principle agreement to recover any costs and may build recovery of these costs into the loan agreement. If the borrower declines in-principle to pay such costs, Museums Victoria reserves the right not to proceed with the loan. Monies recovered by Museums Victoria for outward loan purposes will be used to fund the costs of administering its outward loan program.
	2. Museums Victoria will not lend biological specimens collected after 12 October 2014 under permit from Nagoya Protocol on Access and Benefit-Sharing[[1]](#footnote-2) signatory and/or source nations to a third party without a benefit-sharing agreement between the signatory and/or source nation and the third party.
	3. Museums Victoria borrows biological specimens collected after 12 October 2014 only where it is satisfied they have been acquired under appropriate permits and conditions from a relevant government authority as designated through the Nagoya Protocol on Access and Benefit-Sharing.
	4. Museums Victoria reserves the right to embargo external access and loan of specimens where those specimens have been acquired in the first instance for contemporaneous, specified Museums Victoria research projects. Unless otherwise stipulated in collecting permits, specimens can be embargoed for a period of seven years from their time of Acquisition, after which Museums Victoria will decline external access and loan requests only where it can provide clear evidence that staff and/or other interested researchers are continuing active research on these specimens.
	5. Museums Victoria only permits Sampling and possible Destructive testing of collection specimens for research purposes, where:
1. the specimens in question or parts thereof are appropriate for Sampling;
2. the nature of the requirement is specified, and it is satisfied that Sampling is the most appropriate method of meeting the requirement;
3. it is satisfied that the applicant is a *Bona Fide* Researcher and has the appropriate expertise and methodologies to undertake the Sampling and will make available resulting data with the appropriate recording body (e.g. non-human DNA sequences with GenBank); and
4. it is satisfied that the Sampling meets cultural and community sensitivities and interests and legislative requirements.
	1. Museums Victoria permits Sampling of scientific Holotype specimens only in exceptional circumstances, and only where it will not significantly compromise the integrity of the specimen. Museums Victoria may allow sampling of other (non-Holotype) scientific Type specimens after consideration of the research value of the action and only when it is satisfied that all other avenues of obtaining alternative material have been exhausted. Museums Victoria will not permit full Destructive testing of any Type specimens.
	2. Where full Destructive testing of an Item is proposed, Museums Victoria will first gain approval from the Museums Board for Deaccessioning the Item (See Collection Development and Deaccession Policy).

## Borrowing Items from Overseas for Temporary Public Exhibition

* 1. Museums Victoria maintains registration under the Federal Government’s Protection of Cultural Objects on Loan Scheme,[[2]](#footnote-3) and may choose in some instances, and with the lender’s written consent, to Opt out of the statutory protections in some situations where it and the lender agree that the risk of legal action in respect of the Item is low, in particular where Museums Victoria is borrowing an Item directly from its maker.
	2. Where the Item proposed for loan from overseas for exhibition purposes is, or incorporates, First Peoples Cultural Property, Museums Victoria consults with Traditional Owners and/or Communities of Origin.
	3. Museums Victoria assesses whether an Item proposed for loan from overseas for exhibition purposes relates to a particular Australian individual, group or community, considering the following factors:
1. the Item is of historical significance to a particular person, group, event, place or activity, for example it is associated with an important historical event or the ownership changed hands during a time of conflict;
2. there are specific family associations with the Item;
3. the Item has social or spiritual significance to specific communities in Australia and there is a demonstrated contemporary attachment between the Item and the community;
4. the Item embodies beliefs, ideas, customs, traditions, practices or stories that are important for a particular community in Australia.

Museums Victoria will, where it establishes a relationship, consult with relevant Australian individuals, family groups or communities and/or state or territory archives.

* 1. Where Museums Victoria undertakes consultation for an Item proposed for loan from overseas for exhibition purposes, it will:
1. ensure that it is respectful of and meaningful to the individual, group or body being consulted, that there is a common understanding of the issues and appropriate opportunities for input and the reflection of community views, and will appropriately investigate and respond to concerns raised during consultation;
2. ensure that adequate notice and time is provided to the individual, group or body being consulted for information-gathering, comment and follow up during the consultation process;
3. where appropriate, incorporate sitting fees and related consultation expenses into project budgets; and
4. provide appropriate acknowledgement and recognition to the information provided in the community consultation process in exhibition material such as catalogues and in media coverage.
	1. Museums Victoria may consult with relevant experts to determine whether the proposed loan of the Item from overseas for exhibition purposes should proceed, if the origin of an Item or the relevant community for an Item is unknown.
	2. Museums Victoria acknowledges that in some situations regarding the proposed loan of Items from overseas for exhibition purposes it may be difficult or impossible to identify or contact appropriate or active community groups, despite best and repeated efforts, and it will consider whether to proceed with the loan in accordance with its Risk Management Policy.
	3. Where relevant, Museums Victoria consults with national, state and territory archives or government record offices on the proposed loans of Items that may be relevant to those archives and which have left the custody of the state, Museums Victoria ensure relevant information is considered as part of the decision process for proceeding with a loan.
	4. Museums Victoria investigates any inquiry or Claim about an Item after it has been borrowed from overseas for exhibition or lent overseas for exhibition in accordance with Principles 3.53 to 3.55 above.
	5. Museums Victoria treats all inquiries and Claims as confidential in accordance with its Information Security Policy.

## Exclusion of Human Material from Exhibition

* 1. Museums Victoria recognises that people have different attitudes to death, First Peoples Ancestral Remains and Items containing human material, and that these change over time.
	2. Museums Victoria will not display:
1. First Peoples Ancestral Remains, images, or replicas of First Peoples Ancestral Remains;
2. First Peoples Cultural Property of Secret-Sacred significance without consultation with Traditional Owners and/or Communities of Origin;
3. First Peoples Cultural Property that includes human material without consultation with the maker, Traditional Owners and/or Communities of Origin, and endorsement from the Aboriginal Cultural Heritage Advisory Committee; or
4. other Items containing human hair, without consultation with the maker and/or relevant communities, individuals and groups on cultural sensitivities and appropriateness of display.
	1. Museums Victoria responds respectfully and sensitively to requests from originating communities for removal from exhibition of Items containing human material or other Items of sacred significance.

## Health and Safety

3.65 Museums Victoria uses its integrated electronic collection content and care management system (EMu – Axiell ® at the time of Policy approval) as its formally-regulated register for hazardous substances in Items (e.g. as its register of asbestos-bearing Items in the Collections).

3.66 Museums Victoria complies with relevant regulatory requirements in the care of the Collections and the Health and Safety Policy to mitigate risks to peoples’ health and safety.

3.67 Museums Victoria will not permit access to or use of Items where people’s health and safety is subject to undue risk.

## Information and Records Management for the Collections

3.68 As at the date of this Policy, Museums Victoria uses MV Records as its secondary system for the management of collection-related documentation that functionally fits outside or is not best served by its management in EMu – Axiell ®.

3.69 Museums Victoria treats personal information in accordance with its Privacy Policy.

3.70 Museums Victoria documents and retains all requests, research, administrative transactions and decisions about the Collections and their care, preservation, access, use and loan in accordance with its Information, Records and Archives Management Policy.

## Compliance with Policy

3.71 Museums Victoria may implement disciplinary action for failure of any staff member to comply with relevant policies and procedures in accordance with the Unsatisfactory Work Performance Policy.

## 4. Definitions

‘Aboriginal Cultural Heritage Advisory Committee’ or ‘ACHAC’ is a sub-committee of the Museums Board of Victoria and provides advice and advocacy for the protection and continuation of cultural heritage material and knowledge, and on matters referred to it by the Board.

‘Acquisition’ is to formally acquire an Item and its Legal title (with the exception of Digital Items) into the State collections. It refers to the approval process and associated documentation trail by which Items are obtained. Acquisition may be by donation, bequest, purchase, field collecting, exchange, or transfer of assets from other agencies.

‘Activate’ is to mechanically and/or technically enable an Item to be made active, operable or working, as it was practically used in its life prior to being Acquired into the State collections (e.g. enabling a tractor to operate).

‘Analogue’ Items are things that have a material presence, as opposed to an electronic presence only.

‘Bona fide researcher’ is a researcher who can provide evidence of their formal research endeavours under the auspices of a recognised and legally-constituted research body.

‘Claim’ is a formal statement by or request from a third party for return of ownership of Items on the basis that the third party has Legal title and/or an ethical right to the Item.

‘Collection Item’ – see Item.

‘Collections’ – see State collections.

‘Deaccession’ is to formally, conceptually remove an Item from the State collections at the point of the Museums Board of Victoria’s approval to do so.

‘Destructive testing’ is any analysis that results in whole or part destruction of the Item (e.g. tissue samples used in DNA studies) or in which the specimen is permanently altered, for example, sectioning of a tooth or rock.

‘Digital Items’ are objects that have an electronic presence only, as opposed to a material presence.

‘Due diligence’ describes the steps involved in conducting a comprehensive assessment of an Item in order to verify and document its Legal title and ethical Provenance, including identification of any gaps and uncertainties. Due diligence steps are undertaken before deciding on a course of action—for example the decision to acquire, deaccession or lend an Item.

‘First Peoples Ancestral Remains’ are the whole or part of the bodily remains identified as First Peoples. Cultural Property made from human hair or from any other bodily material that is not readily recognisable as being bodily material, does not fall within this definition.

‘First Peoples Cultural Property’ includes national and international Cultural Property, images, archives, traditional knowledge, language and forms of cultural expression in the cultural and scientific collections that form part of the State collections or that may be on loan to Museums Victoria.

‘Holotype specimen’ is a single, original and unique Item of an organism, known to have been used when the species (or lower-ranked taxon) was formally described.

‘Item’ or ‘Items’ is any object (or usage rights for an object) officially lodged in the State collections, including specimens and voucher specimens, three-dimensional items, images, sound, documents, and digital formats, or similar things that the Museum may borrow or otherwise take into its custody.

‘Legacy collection’ is all Items acquired into the State collections prior to 30 June 2004. It has predominantly operational rather than formal or legal meaning, and is a short-hand way to distinguish the bulk of collection Items that have significant legacy issues of electronic reregistration and other data management associated with them, and for which Museums Victoria develops specific programs and seeks specific funding to address.

‘Legal title’ is the right to ownership of property in the country concerned.

‘Loan’ is the temporary physical transfer of an Item to (inwards) or from (outwards) under a legal contract to or from Museums Victoria for research, exhibition or identification purposes. There is no transfer of ownership or Legal title.

‘Opt out’ is to seek formal exclusion from the legal protections afforded under the Federal Government’s Protection of Cultural Objects on Loan Scheme for the Loan of a particular Item or an entire exhibition.

‘Provenance’ is the full history and chain of ownership of an Item from the time of its creation or discovery through to the present day, from which Legal title, the ethical status of its acquisition and chain of ownership and its authenticity is determined.

‘Publication’ or ‘Publish’ is the publication of descriptive and provenance information to enable items to be identified in a freely accessible location on Museums Victoria’s website.

‘Repatriation’ is the unconditional return of First Peoples Cultural Property to Traditional Owners, Communities of Origin or Cultural Authority. ‘Sampling’ is the removal of a portion of an Item for analytical purposes that results in minor modification of the collection Item.

‘‘Secret–Sacred Objects’ refers to restricted First Peoples Cultural Property significant to First Peoples’ groups, communities or individuals and that were not made for the purpose of exchange/sale. ‘Staff’ are people whose place of work is Museums Victoria, whether directly employed by the Museum itself, other public agencies or the private sector. For the purposes of this policy, this term also applies to Museums Victoria’s volunteers, Honorary Associates, Research Associates, Curators Emeritus, Fellows and the members of the Museums Board of Victoria.

‘Specimen’ – See ‘Holotype specimen’, ‘Type specimen’ and ‘Voucher specimen’

‘State collections’ are Items formally acquired by Legal title (or usage rights for Items) under the *Museums Act 1983* (Vic.) Section 26 (1), including specimens, voucher specimens, three-dimensional Items, images, moving images, sound, documents, and digital formats, along with their associated data. The State collections include the Legacy collections, and registered and unregistered Items.

‘Traditional Owners, Communities of Origin and/or Cultural Authority’ are the identified owners connected through family, Country, language, knowledge and cultural practice.

‘Type specimen’ is a zoological, geological or palaeontological specimen used as the basis for the scientific description of a new taxon, to which the scientific name of a particular that organism is formally attached.

‘Voucher specimen’ is any specimen that serves as a basis of study and is retained as a reference as part of a collection.

## 5. Related Policies

Collection Development and Deaccession Policy

Content Policy

Environmental Sustainability Policy

Firearms Policy

Fraud and Corruption Control Policy

Health and Safety Policy

Information Security Policy

Intellectual Property Policy

Privacy Policy

Records and Archives Management Policy

Repatriation of First Peoples Cultural Property Policy

Research Policy

Risk Management Policy

Service Quality Policy

Unsatisfactory Work Performance Policy

## Associated Documents, Guidelines and Procedures

6.1 Museums Victoria Documents

Code for the Responsible Conduct of Research 2010

Collection Digitisation Plan 2020–2025

Collection Documentation Plan March 2021

Collection Repatriation Procedure 2016

Digital Life Strategy (One Digital Life) 2018–2025

First Peoples Strategy 2020–2028

Inward and outward loan agreement templates

Inward and Outward Loans Procedure 2016

Managing Access to Collection Stores Procedure 2016

Museums Board of Victoria Financial and Delegations Instrument, 2021

Overview for Working Safely with Collections Containing Hazardous Substances (and relevant Safe Handling Procedures) 2021

Procedures and Protocols for Managing and Providing Research Access to the State Collections

Provenance Risk Checklist, 2017

Provenance Investigation Form, 2017

Regional Engagement Plan 2019–2022

Research and Collections Strategy 2019 –2025

Strategic Plan 2017–2025

Sustainable Collection Storage Strategy 2020–2040

6.2 Relevant External Documents

Australia Council for the Arts, Protocols for Using First Nations Cultural and Intellectual Property in the Arts (2019)

Australian Accounting Standards Board 13, Fair Value Measurement (August 2015)

Australian Government, Australian Best Practice Guide to Collecting Cultural Material (2014)

Australian Government, Financial Reporting Direction 103H Non-Financial Physical Assets (June 2018)

Australian Government, Indigenous Australian Art Charter of Principles for Publicly Funded Collecting Institutions (2011)

Australian Government, Indigenous Repatriation Policy (2016)

Australia ICOMOS Incorporated International Council on Monuments and Sites, The Burra Charter: The Australian ICOMOS Charter for Places of Cultural Significance (2013)

Australian Institute for the Conservation of Cultural Materials (AICCM), Code of Ethics (2002)

Australian Institute for the Conservation of Cultural Materials (AICCM), Environmental Guidelines for Australian Cultural Heritage Collections (2018)

Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS), Code of Ethics for Aboriginal and Torres Strait Islander Research (2020)

Australian Library and Information Association, The Aboriginal and Torres Strait Islander Protocols for Libraries, Archives and Information Services (1995)

Australian Museums and Galleries Association (AMaGA), Continuing Cultures Ongoing Responsibilities: Principles and guidelines for Australian museums working with Aboriginal and Torres Strait Islander cultural heritage (2005)

Australian Museums and Galleries Association (AMaGA; formerly Museums Australia), Code of Ethics for Art, History and Science Museums (1999) (currently in review 2021)

Australian Museums and Galleries Association (AMaGA), First Peoples: A Roadmap for Enhancing Indigenous Engagement in Museums and Galleries (2019)

Australian Museums and Galleries Association (AMaGA; formerly Museums Australia), Museums and Sustainability: Guidelines for policy and practice in museums and galleries, Museum Australia (2003)

Australian Museums and Galleries Association (AMaGA), National Standards for Australian Museums and Galleries (2016)

Berne Convention for the Protection of Literary and Artistic Works (Amendment) (1979)

Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) (Amendment) (1979)

Heritage Collections Council, **Guidelines for Environmental Control of Cultural Institutions (2002)**

International Commission on Zoological Nomenclature, International Code of Zoological Nomenclature, Fifth Edition (2012)

International Council of Museums (ICOM) Code of Ethics for Museums (2017) (currently in review)

International Council of Museums (ICOM) Code of Ethics for Natural History Museums (2013)

Janke, Terri, First Peoples: A Roadmap for Enhancing Indigenous Engagement in Museums and Galleries, Australian Museums and Galleries Association (2018)

*Joint ICOMOS – TICCIH statement. Principles for the Conservation of Industrial Heritage Sites, Structures, Areas and Landscapes* "The Dublin Principles" (2011)

Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization (ABS) to the Convention on Biological Diversity (2014)

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## Legislation

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*Antarctic Marine Living Resources Conservation Act 1981* (Cth)

*Arts Institutions (Amendments) Act 1996* (Vic)

*Australian Postal Corporation Act 1989* (Cth)

*Charter of Human Rights and Responsibilities Act 2006* (Vic)

*Copyright Act 1968* (Cth)

*Customs Act 1901* (Cth)

*Dangerous Goods (Amendment) Act 2000* (ACT)

*Drugs, Poisons and Controlled Substances Act 1981* (Vic)

*Environmental Protection and Biodiversity Conservation Act 1999* (Cth)

*Excise Act 1901* (Cth)

*Firearms Act 1996* (Vic)

*Fisheries (Amendment) Act 2000* (Vic)

*Flora and Fauna Guarantee Act 1988* (Vic)

*Forests Act 1958* (Vic)

*Freedom of Information Act 1982* (Vic)

*Gambling Regulation Act 2003* (Vic)

*Heritage Act 2017* (Vic)

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*Human Tissue Act 1982* (Vic)

*Income Tax Assessment Act 1997* (Cth)

*Museums Act 1983* (Vic)

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*Native Title Act 1993* (Cth)

*Northern Territory Meteorites Act 1988* (NT)

*Occupational Health and Safety Act 2004* (Vic)

*Occupational Health and Safety Regulations 2017* (Vic)

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*Prevention of Cruelty to Animals Act 1986* (Vic)

*Privacy Act 1988* (Cth)

*Privacy and Data Protection Act 2014* (Vic)

*Protection of Cultural Objects on Loan Act 2013* (Cth)

*Protection of Cultural Objects on Loan Regulation 2014* (Cth)

*Protection of Movable Cultural Heritage Act 1986* (Cth)

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*Public Records Act 1973* (Vic)

*Quarantine Act 1908* (Cth)

*Reference Areas Act 1978* (Vic)

South Australia Museum Act 1976 (Meteorites - Amendment) 1980 (SA)

*Traditional Owner Settlement Act 2010* (Vic)

*Underwater Cultural Heritage Act 2018* (Cth)

*Western Australian Museum Act 1969* (WA) (Meteorites)

*Wildlife Protection (Regulation of Exports and Imports) Act 1982* (Cth)

1. *Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization (ABS) to the Convention on Biological Diversity 2014* [↑](#footnote-ref-2)
2. As at the date of this Policy Museums Victoria is an approved borrowing institute under the *Protection of Cultural Objects on Loan Act* 2013 (Cth). [↑](#footnote-ref-3)