

OMA Learning Lab Summer Series

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Presented by:

OMAAAMO
ONTARIO MUSEUM ASSOCIATION
ASSOCIATION DES MUSÉES DE L'ONTARIO



Webinar 1: Deaccessioning

Webinar Agenda

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- **Introduction**
 - Mary Collier, PD Program Manager, OMA
- **Presentation and Q&A (55 min)**
 - Richard Gerrard, City of Toronto
- **Q&A with Ministry of Tourism, Culture and Sport (15 min)**
 - Museum & Heritage Advisor Cathy Blackbourn
 - Questions about the Ministry of Tourism Culture and Sport Collections standard

An Introduction to the Deaccession and Disposal of Collections



RICHARD GERRARD

MAY 30, 2013

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Introduction



- High level overview
- No one right way, lot's of wrong ways
- Every case is unique and needs to be judged on its merits and the available evidence
- Most common questions submitted
- I am not a lawyer

Definitions



- **Deaccession**
 - Formal process of removing an artifact from the accessioned collection
- **Disposal**
 - Formal and permanent physical and legal transfer of an object to another person/institution

The Long View of Collections



- **Goal: to maximize the beneficial relationship between the collection, the museum and the public**
- **Requirement 1: A long-term view**
 - Do not collect with a view to disposal*
- **Requirement 2: Nothing is forever**
 - Collection mandates change
 - Object deteriorate
 - Mistakes are/were made
 - Resources are finite**

Due Diligence



- The totality of activities undertaken to ensure an open and transparent process and minimize risk to the institution
 - Policy
 - Procedures
 - Documentation

Governance



- **Founding legislation**
- **Who can legally decide?**
 - Delegated authority
- **Separation of roles**
 - Recommending and implementing actions (staff)
 - Approving actions (board/management)

Guidelines



- **Representativeness and completeness** of the artifact;
- **Relevance** to the institutions collecting mandate or national importance;
- Completeness of **documentation and provenance**;
- **Condition** of the artifact;
- **Effective use** in current and future exhibitions, research, interpretation and public use;
- **Ethical issues** related to ethnographic collections and human remains;
- **Restrictions on legal title**;
- **Lack of legal title**;
- Correcting **old accessioning mistakes**;

Methods of Disposal



- **Keep it**
 - Transfer to an education/exhibition collection
- **Return to Owner**
 - Institutional lack of title
 - Ethical return/repatriation
- **Gift**
 - Without benefit in return
- **Long-term loan**
 - Leading to gift
- **Trade/exchange**
- **Sale**
 - Arms-length, open and reputable public auction
- **Destruction**
 - Official witness
- **No return to donor, ever.**

Procedure and Documentation (I)



- **Ensure valid legal title**
 - Proof of title (gift agreement, invoice)
 - Quiet possession (staff affidavit, inventories)
- **Fully document the object**
 - Catalogue, photograph, condition report
- **Fair market value**
 - Arms-length valuation
 - In-house valuation

Procedure and Documentation (II)



- **Method of disposal**
 - Criteria for selection
- **Recipient**
 - Correspondence
 - Criteria for selection
- **Authority to dispose**
 - Board/management minute
 - Document with approver's signature
- **Physical and legal transfer**
 - Gift agreement; deed of sale; receipt of delivery
- **Receipt of funds**
 - Annual financial statement (CICA rules)

Use of Proceeds



- **General rule:**
 - New acquisitions or direct collection care
 - Not to pay capital or other operating expenses
- **Separate account from other operating funds**
 - Named account supporting specific collection
 - Purchases out of general operating funds

Special Cases



- **Firearms**
- **Explosives and ammunition**
- **Hazardous and toxic materials**
- **Endangered/Extinct Species**
- **Human remains**
- **Archaeological specimens**
- **Repatriation**

Questions



- **Problems with legal title?**
 - No title/Found in collection
 - Old/Permanent loans
- **What to do about donors?**
 - Informing them
 - Giving stuff back
- **Money**
 - Auctions, Dealers, Garage sales
 - Tax receipted/Certified artifacts
- **What about the stuff no one wants?**

Questions for your Museum and Heritage Advisor?

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Read the Standards for Community Museums in Ontario at
http://www.mtc.gov.on.ca/en/museums/museums_standards.shtml

Download the Standards Questionnaires at
http://www.mtc.gov.on.ca/en/museums/museums_reporting.shtml

What's Next?

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- The document that this presentation is based on “An Introduction to the Deaccession and Disposal of Collections” by Richard Gerrard (updated in 2013) is posted on the CMOG Standards Resources page of the OMA website.
- The link to the recording of this webinar will be available on the OMA website shortly
- You will receive a link to a short webinar feedback form
- Thank you for your participation!

OMA Learning Lab Winter Series

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Upcoming PD Opportunities

- Registration is now open for five more webinars on:
 - Conservation 2.0
 - Climate Control
 - Outcomes-Based Planning & Evaluation for Programs
 - Outcomes-Based Planning & Evaluation for Exhibits
 - Emergency & Disaster Plans and Maintenance Manuals

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