

City Art Collection Policy (2003)

Minute Number: 2090/03

That the Manukau City Council Art Collection Policy (Appendix “F1-F5”) be adopted

MANUKAU CITY COUNCIL: ART COLLECTION POLICY

1. Introduction

1.1 Purpose

The purpose of this Art Collection Policy is to assist in the management of the art collection of the Manukau City Council, hereafter called 'the Council' by providing the Council Acquisitions Team with clear guidelines to judge the suitability of articles being offered to the Council, items being purchased by it or to determine what articles should not be in the Council's collection, and how they should be disposed of.

The guiding document for Manukau City, Tomorrow's Manukau – Manukau Apopo, outlines clear goals and targets for the development of "vibrant and strong communities' within its borders.

A key goal is the provision of 'places, spaces and occasion for people for express their culture' and the action plan refers to "provision of places and spaces for cultural and heritage expression in town centres, community buildings, reserves and other public places'.

The purpose of the art collection of the Manukau City Council is to celebrate the visual arts development of the city and the broad diversity of culture represented within it, through the acquisition and care of articles of visual arts, craft and design which, through their excellence, can be said to represent the cultural development of a modern city.

- An art collection policy encourages best use of limited resources.
- It can assist in identifying what is of value for the community, at this time, and for the future.
- It can provide focus within the broad fields of arts and cultural expression
- It allows for fair representation across diverse arts forms.
- It encourages the gathering of arts – related information for the purpose of education and research.
- It creates a structure and standards for ethical collecting.
- It allows for the turning away of inappropriate gifts without causing offence.
- It allows for disposal within an ethical framework.
- It gives clear direction for the Acquisition Team.
- It prevents collection purchases being unduly influenced by whim of individuals or groups.
- It ensures that what is collected can be appropriately displayed as well as cared for.
- It encourages the creation of a resource carefully designed to exhibit the high regard in which Council holds the members of its arts and cultural communities.

1.2 Dissemination

The Council undertakes to ensure that the provisions of this policy are brought to the attention of the staff of the Council, any institutions having collecting or disposal policies which may overlap, as well as the general public.

1.3 Review

The Community Development Committee of Council undertakes to review this policy within five years of its adoption.

2. Collecting Articles for the Council Art Collection

2.1 Active Collection

The Council will pursue a policy of active collection, not rely solely on selection from those things offered to it.

2.2 Methods of Acquisition

The Council will acquire items for its collection by gift, bequest or purchase. Long term loans will not be accepted. Short term loans will only be accepted for the purpose of specific exhibitions and only by special arrangement with Council.

Council will only acquire items by gift, bequest or purchase, where the legal title to that object is transferred to the Council.

Council is to be aware that transfer of title does not necessarily mean transfer of copy right, which may still reside with the artist.

Council will only acquire items in line with legislation in place at the time.

2.3 Selection of Articles

The selection of items for the collection, whether by gift, purchase or bequest, will be made according to the criteria given below (Section 2.5) by an Acquisitions Team appointed by Council for that purpose. The Acquisitions Team's decisions will be binding on the Council.

2.4 Conflicts of Interest in Collecting

On appointment, the Council staff member and other appointees, must declare to the Council the extent of any collection they may possess, the collecting policy of which may conflict with that of the Council Art Collection.

In the event of a conflict of interest arising over an article collected since their appointment, other than by bequest or genuine personal gift, the person must, if requested to do so by the Council, offer the article to the Council at the same price for which they acquired it.

2.5 Collection Criteria

The following criteria will be applied by the Acquisitions Team to articles being offered to the Council for its collection:

2.5.1 Geographical Area

Articles will only be collected which are from, or associated with, the area described as Manukau City.

2.5.2 Time Limits

Articles from the start of Maori settlement to the present may be collected.

2.5.3 Types of Articles

- a) The articles that may be collected include the following categories collectively known as the visual and applied or decorative arts and design:
 - Paintings – drawings – photographs – textiles – fibre work – sculpture – ceramics – glass – wood – moving image – videos – digital art – multi-media – design elements – folk art – jewellery.
- b) It is the intention of the Council to develop a **special collection** of contemporary art, within the broader range of the existing collection.

- c) It is the intention of the Council that its art collection reflect the role of tangata whenua, and the diverse cultures which constitute the population of the City.

2.5.4 *Ability to Provide Care*

The Council will only collect those items which it can properly house and to which it can give adequate care. The Council will not make its collection available for loan except to reputable art establishments for temporary exhibitions and by registered agreement.

2.5.5 *Rights of Use and Disposal*

The Council will only collect items to which it has obtained the legal right to use and dispose of as it sees fit.

2.5.6 *Source of Articles*

The Council will, before taking any article into the collection, assure itself that the article is being offered by a person legally entitled to do so, and that the article has been obtained by that person in a reputable manner consistent with appropriate New Zealand legislation and international conventions governing the acquisition of works of art and antiquities.

2.5.7 *Preferred Articles*

Within the limits imposed by Clauses 2.5.1 to 2.5.6 (as above) the Council will give preference to the collation of articles:

- a) of a type not already represented in the collection
- b) for which a definite use can be seen
- c) accompanied by information, which can be readily verified, or if absent, readily discovered on, as appropriate, their origin, identification, composition, use, previous ownership and general history.
- d) whose physical character enables the observer to visualise more clearly some custom, activity, process or phenomenon.
- e) that are complete
- f) that are in good condition
- g) that are in un-modified condition, unless the modifications form a significant part of the history of the articles
- h) that if conserved or restored, the conservation or restoration has been well-researched, carefully carried out, and fully documented
- i) that are associated with a significant event that has occurred in the area defined in 2.5.1 or in the time period defined in 2.5.2.
- j) that are associated with people who have made a significant contribution to the area as defined in 2.5.1 and during the period defined in 2.5.2, whether or not they have been publicly recognised.

3. Disposal of Articles

3.1 Selection of articles for removal

3.1.1 Recommendations for articles to be disposed of from the art collection of Council will be made by the Acquisitions Team.

3.1.2 Articles recommended for disposal must comply with at least one of the following criteria:

- a) The article falls outside the requirements of the Councils art collecting criteria (see Section 2).

- b) The article can no longer be properly cared for by the Council and its survival would be better served by transfer to another public collection.
- c) The article has deteriorated to the point where it can reasonably be said to be beyond conservation treatment and can no longer be used for display or as a reference piece.
- d) The article is a duplicate of a similar item in the collection and is inferior, superfluous, or lacking information about its origin and subsequent history.
- e) The article is a copy which is no longer considered useful.
- f) The article has been proven to be a forgery.
- g) The article has been subsequently provide to have a background that is fraudulent, unethical or illegal.

3.2 Conditions governing the disposal of articles from the collection

- 3.2.1 The Council will ensure it has legal title to the article being disposed of.
- 3.2.2 The final decision as to the disposal of an article will be made by the full Council.
- 3.2.3 Where the article is a gift and the donor has not signed a declaration giving Council the right of disposal, the Council will make reasonable efforts to obtain the donors consent to disposal by sending a registered letter to the donors last known address requesting their consent. If no reply has been received within three months, the donors consent will be assumed.
- 3.2.4 The Council will ensure the agreement to the disposal of the article has been obtained from those charges with the immediate care of the article.
- 3.2.5 The Council will ensure that any legislation governing the disposal of the article has been adhered to.
- 3.2.6 The Council will ensure that before disposal, groups or organisations having a reasonable concern for care of the particular type of article have been consulted.
- 3.2.7 The Council will ensure that disposal of articles in the collection is fully documented in the registers and collection management system, showing the manner of disposal and the date of the Council resolution to dispose of the article.

3.3 Methods of disposal of articles

- 3.3.1 Articles selected for disposal from the art collection of the Council may be disposed of by the Council after the conditions set out in Section 3.1 and 3.2 above have been met by:
 - a) transfer, gift to or exchange with, another public collection
 - b) return to the former owners, or their descendents,
 - c) public sale
 - d) such other means as may be required by law.
- 3.3.2 If the item is to be disposed of is to be offered for sale, the Council will ensure this is done publicly. Only if this is unsuccessful may a sale be made by private arrangement and then not to anyone connected with the management or governance of the Council.
- 3.3.3 The Council will ensure that after the deduction of reasonable expenses associated with the sale, the proceeds of the sale of a disposed item will be placed in the Collection Development Fund, which is to be used only for either the purchase of new acquisition or the improved care of the existing collection.