

Theatre Museum Canada

Acquisition Policy and Procedures

Statement Of Intent

Guided by its Vision, Mandate and Principles, Theatre Museum Canada (“the Museum”) collects artefacts which illustrate and make known significant developments in theatre in Canada, for the purpose of preservation, interpretation, exhibition and research.

The Museum is committed to the acquisition of a Collection that is unique, and a direct reflection of its interests.

The Collection of the Museum is formed through a considered and deliberate identification of artefacts, objects, media, ephemera and in some cases archival material that best reflect the history and innovations of theatre in Canada. The Collection’s strengths and weaknesses must be evaluated by the Museum on a regular basis to ensure that growth is proceeding within the defined parameters, and that the Museum is deriving the maximum benefit from the resources at its disposal.

Responsibility for the Collection encompasses a commitment to pursuing curatorial and interpretative programming related to the Collection, as well as ensuring that all conservation standards and collection management requirements are met and maintained.

Goal of the Acquisition Policy

This document sets out the policies and procedures related to one of the core responsibilities of the Museum, namely the Collection.

Approved in the first instance by the Board of Directors of the Museum, the Acquisition Policy provides direction to the Museum’s Acquisition Committee and to the Director/Curator, all of whom act on behalf of the Museum in executing the responsibilities delegated to them by the Board of Directors.

PART 1 - ACQUISITIONS

Acquisition Standards Generally

1. All matters relating to acquisitions for the Collection shall be reviewed by the Acquisition Committee, a Standing Committee of the Board of Directors, for ratification by the Board. The Terms of Reference for the Acquisition Committee shall be approved by the Board of Directors.
2. In the absence of the Director/Curator, the responsibilities of that position are to be fulfilled by the Chair of the Acquisition Committee.
3. The Museum's primary interest for acquisitions for the Collection may include, but is not limited to, set and costume designs, prints, playbills and photographs, scripts,

scenery flats, costumes and masks, theatre maquettes, criticism and audiovisuals that record stage productions and interviews (collectively referred to as ‘artefacts’).

4. Each artefact to be considered for acquisition by the Museum is to be evaluated by both the Director/Curator and the Acquisition Committee, based on the following criteria:

- the quality of the artefact(s);
- the historical importance of the artefact(s);
- consistency with the Vision, Mandate and Principles of the Museum;
- relevance to the existing Collection;
- authenticity and provenance;
- the physical condition of the artefact;
- cost;
- compatibility with the Museum's ability to provide proper care and conservation, including the environmental conditions required.

5. The Director/Curator or the Acquisition Committee may seek the advice of a professional conservator concerning the physical condition of an artefact or its proper care and conservation.

6. When considering an acquisition, the Acquisition Committee must ensure that legal title can be conveyed in written form and establish that the authenticity, source and provenance of the artefact is fully documented and ethically acceptable. Most particularly, the Acquisition Committee must guard against any direct or indirect participation in the illicit traffic in cultural objects, which may include artefacts that are stolen or illegally imported or exported from another state. When there is reason to suspect illegal activities, the Director/Curator must notify the appropriate authorities without delay, and co-operate in the return of artefact to its rightful owner.

7. If material is acquired directly from an artist, (or donor if applicable) the Museum must ensure that royalty, reproduction, exhibition and moral rights, as well as installation plans, are negotiated and documented.

8. When objects are acquired from other organizations, the Acquisition Committee must confirm that the disposal is in accordance with the policies of that organization.

9. Acquisitions should be made with a view to permanency, and not for the purpose of eventual disposal.

10. The Museum has a special responsibility when dealing with donors who may be unaware of the importance, value, title of proposed gifts.
11. The legal and ultimate responsibility for furnishing evaluations to the appropriate government agencies rests with the donor, who shall be so advised. In addition, the responsibility for ensuring that the donation meets the criteria to qualify for a tax credit rests with the donor and the Canada Customs and Revenue Agency. The Museum shall not knowingly advance incorrect or inappropriate documentation concerning value, provenance or source for the purposes of securing tax benefits for donors.
12. The Museum will undertake to repatriate items of value to Canada's theatre heritage, with the assistance of public grants if and when available.

Standards relating to the purchase of artefacts

1. No acquisition funds from any and all sources may be used to purchase artefacts which are inconsistent with the Vision, Mandate and Principles of the Museum and the criteria set out in this Policy.

Procedures relating to the purchase of artefacts

1. The Director/Curator is responsible for the search and identification of artefacts that are to be recommended to the Acquisition Committee for purchase.
2. The agenda listing the artefacts for consideration by the Acquisition Committee, plus any relevant information, is prepared by the Director/Curator, who will present the artefact to the Acquisition Committee, and outline the rationale for the proposed acquisition addressing all of the criteria as determined in this Policy.
3. Where reasonable, members of the Acquisition Committee should be able to view the actual artefact being considered before making a decision. If this is not possible, a photograph or other appropriate documentation must be made available to them.
4. A decision to acquire an artefact is based on a majority vote of the full Acquisition Committee; its decisions are then presented to the Board for ratification.
5. Where possible, the Museum will consider acquisition of artefact(s) from significant exhibitions that have been curated by the Museum as a priority.

Standards relating to Donations, Gifts and Bequests

1. Donations, gifts and bequests to the Collection of the Museum are most welcome and, indeed, will be actively sought. While the primary interest relates to those things set out in this Policy, gifts and purchases that fall outside these interests will be afforded serious consideration based on their relationship to the Collection's overall concerns.
2. All donations, gifts and bequests must be of a clear and unrestricted nature. No artefact can be accepted with an attribution or agreement to exhibit it in perpetuity.

Procedures relating to Donations, Gifts and Bequests

1. Donors will be required to sign a Deed of Gift and Donation Agreement indicating unconditional exchange of ownership and copyright, if the latter is held by the donor. If the copyright rests with another person, the laws of copyright will apply.
2. Regardless of the acceptance of the artefact(s) by the Committee, the donor is responsible for the following potential costs, and shall be so advised:
 - a) transportation of the artefact
 - b) evaluation
 - c) photographs for the Acquisition Committee's review
 - d) conservation treatment, if and as required.

Notwithstanding the above, in exceptional circumstances the Museum may cover these costs upon the recommendation of the Director/Curator and the approval of the Board.

3. The Museum will encourage prospective vendors to consider the advantages of tax deductions for donations as an alternative to sale, but will maintain an acquisition fund when possible in order to be able to purchase items for the collection from auctions, dealers or private sales.

Standards relating to Loans

1. The Museum will make outgoing loans, or accept incoming loans in order to facilitate special exhibitions by the Museum, at other museums, or in association with theatres.
2. Loans of artefacts to or from the Museum's Collection are primarily the responsibility of the Director/Curator and generally do not require approval by the Board of Directors or the Acquisitions Committee. However, the Director/Curator must inform the Acquisition Committee of the loan of artefacts from the Collection of a substantial value. Loans of artefacts to the Collection which are long-term (more than a year) and/or which the Director/Curator has reason to believe might be presented in the future as a donation must be discussed with the Acquisitions Committee prior to the acceptance of such loans.
3. All outgoing and incoming loans must be fully documented and insured.
4. The Museum must provide the level of care for incoming loans that is specified by the lending institution, organization or individual. Loans from private individuals are a special responsibility because members of the public generally look to the borrowing institution for guidance and expertise. In any event, the standard of care must be no less than that provided for artefacts in the Museum's permanent collection.
5. For outgoing loans, the Museum must ensure that the artefact is provided with at least the same standard of care it receives in the Museum's permanent collection.

6. The Museum must ensure that appropriate valuations of loan material for insurance purposes are provided to borrowers, and received from lenders.

7. The Museum will not accept permanent loans. Renewable or long-term loans will be accepted with the approval of the Board of Directors upon the recommendation of the Director/Curator and the Acquisition Committee if such a loan fulfils all of the criteria set out for purchase of the artefact.

PART 2 - DE-ACCESSIONING AND DISPOSAL

There are circumstances when de-accessioning and disposal can strengthen and refine the quality of the collection. However, there is a strong presumption against the disposal of accessioned collections to which the Museum has acquired legal title.

The de-accessioning of an artefact is the process of discharging the artefact from the Collection; disposal is the method by which the Museum responsibly executes the removal procedure.

Standards for De-accessioning and Disposal

1. The de-accessioning of an artefact should only take place following careful study and review by all responsible parties (Director/Curator, Acquisition Committee and Board of Directors) and in accordance with this Policy.
2. Upon recommendation of the Director/Curator, the Acquisitions Committee must be unanimous in its decision to de-accession an artefact in the Museum's Collection. Notice of the meeting of the Acquisitions Committee must be appropriately delivered so all members are apprised of the anticipated action.
3. If the Acquisition Committee determines to proceed with the de-accessioning and disposal of an artefact, the reasons for this action must be provided by the Committee and recorded in the Minutes of its meeting. No such action may take place without the express approval of the Board of Directors, similarly documented.
4. When considering the de-accessioning of an artefact, the Director/Curator must ensure that the museum is legally free to act, that it has clear title to the objects proposed for disposal and/or in the case of undocumented material, that it has made a serious, diligent and documented effort to locate owners and that there are no restrictions associated with the material when it was acquired.
5. If financial assistance for an acquisition has been received from a public or private source outside the museum, the disposal of that material requires the consent of all parties to the original transaction.
6. Objects for which a request for return, restitution or repatriation could reasonably be expected to arise in the future are not be considered for disposal by other means.
7. De-accessioning must not be used as a method to meet the financial obligations of the Museum.
8. De-accessioning must not stem from arbitrary changes in taste, or individual preferences.

9. The following may be considerations for the de-accessioning of a artefact:
- an artefact of poor quality;
 - an artefact which is beyond restoration;
 - duplication with another artefact in the Collection;
 - copies, forgeries etc. or reproductions of no documentary/archival value (intentional discard);
 - irrelevance to the Collection;
 - the possibility of up-grading through exchange; or
 - accidental loss (disappearance or theft).
10. When the Museum accepts a bequest with the intention of disposal, it must inform the executors of the will at the time of the bequest.
11. The manner of disposition shall be in the best interest of the Museum, the public it serves and the public trust placed in it. It is preferable that material disposed from the Museum remain in the public domain, and every effort must be made to transfer the artefact to another public Museum or educational institution for fair market value, or in exchange for an artefact or artefacts of comparable value. Failing this, if an artefact cannot be maintained in the public domain, it may be sold, put at auction, or exchanged for other artefacts as payment in whole or in part.
12. The Museum may properly endeavour to maximize financial returns and, if necessary, consider publicly advertised auction sales, before turning to reputable and established dealers. Disposal by sale to a private individual is the least satisfactory option.
13. All proceeds from the sale or auction of artefacts shall be used exclusively for the purchase of artefacts for the Collection, and may be placed in a capital fund, suitably protected against inflation, which generates income for the museum to be used exclusively for the purchase of artefacts for the collection.
14. It is unethical for employees, members of the Board of Directors, their relatives and associates, or any individuals or organizations associated with funding the museum, to acquire or to benefit in any way from disposals from the Museum Collection.

Procedures for De-accessioning and Disposal

1. The Director/Curator must ensure that the donors (including next of kin) are informed of any proposed action. Museums may not dispose of collections by returning them to the original donors as a gift, (whether or not the donor received any tax benefit at the time of the donation); however, museums may allow the original donor to purchase the material at current fair market value. As a courtesy, museums should allow living artists the first right of refusal to re-acquire their earlier works.
2. Occasionally, the Museum may need to discard an object that is in such poor physical condition that conservation or restoration is not feasible, and that is no longer

useful for study or teaching purposes. Such material should be permanently and completely destroyed before witnesses, or disposed of in a fashion which ensures it cannot be reconstructed in any way.

3. The Museum should make public the intention to dispose of objects from the Collection at least three months in advance, using the appropriate media.

REVIEW OF THE ACQUISITION POLICY

The Acquisition Policy shall be reviewed a minimum of every two years by the Acquisition Committee, for approval by the Board.

ACQUISITION POLICY #1
APPROVED BY THE BOARD OF DIRECTORS
REVIEW DATE