



Procedure Title:

Art Collection Procedures

University Classification & Policy Number:

A-005-19

Approval Body:

Administration

Responsible Designate:

The Provost and Vice-President Academic is responsible for the development, administration, and review of these Procedures.

Established:

2019

Revised:

Not applicable

Editorial Revisions:

Not applicable

Scheduled Review:

2024

1.0 Procedure Elements

1.01 Care of Permanent Art Collection

1.01.01 The University shall endeavour to care for the Permanent Art Collection by:

- a) protecting Artwork against theft, vandalism, fire, flood, pests, and other disasters;
- b) locating Artwork in an environment that maintains the appropriate temperature, relative humidity, intensity and quality of lighting, and airborne contaminants; and
- c) employing methods of handling and storing Artwork that will indefinitely preserve Artwork.

1.01.02 The standards outlined in section 1.01.01 shall, to the extent reasonably possible, be observed in:

- a) display of and access to Artwork;
- b) installation and de-installation of Artwork in exhibitions;
- c) exhibition lighting;
- d) transportation of Artwork on or off campus; and
- e) storage of Artwork.

1.01.03 Artwork shall be insured in accordance with the Asset Management Policy.

1.02 Access

1.02.01 The University shall promote reasonable public access to the Permanent Art Collection through a combination of museum practice (including display and loan) and collaboration with internal and external researchers, organizations and institutions.

1.02.02 Whenever practical or possible the art curator shall make Artwork accessible, including any associated documentation, and support loans or publication of research related to any Artwork.

1.02.03 The safety of the Artwork as determined by the art curator shall take priority over access when it is not reasonable within the resources and facilities of the University to provide access.

1.03 Off Campus Loans

1.03.01 Loans for Artwork outside of the University shall only be made to public art galleries, museums or archives. Official requests for Artwork loans shall be made in writing to the art curator. The art curator shall consider the borrower's ability to meet the standards set out in section 1.01.01 of these Procedures in determining whether to approve the request.

1.03.02 The art curator shall ensure that all Artwork selected for loan is in sound condition, fully documented and able to withstand requisite transportation.

1.03.03 Borrowers shall sign a loan agreement prepared by the art curator which outlines obligations related to loans including, but not limited to, packing, shipping, insurance, and conservation.

1.04 On Campus Loans

1.04.01 Before loans are approved for campus locations, the art curator shall assess:

- a) whether the location meets the standards set out in section 1.01.01 of the Procedures; and
- b) the level of public access that is appropriate for the Artwork.

1.04.02 All borrowers shall sign an on-campus loan agreement and adhere to its terms and conditions. Any failure to abide by the terms and conditions shall result in the Artwork being returned to the care of the art curator and may result in discipline/sanction under the terms of any applicable policy employment contract, or collective agreement.

1.05 Borrowing of Artwork

1.05.01 The borrowing of Artwork from outside collections may be considered if the Artwork is determined by the art curator to be useful for University exhibitions, display or research.

1.05.02 Any conditions of borrowing e.g. loan period, display, storage shall be acknowledged through an agreement signed by the art curator prior to receiving the Artwork.

1.06 Acquisitions

1.06.01 All proposed Acquisitions shall be presented to the Committee for approval at the recommendation of the art curator.

1.06.02 The Committee shall consider the following in determining whether to approve an Acquisition:

- a) whether the Artwork is relevant to the Permanent Art Collection, present and future, and to its role of supporting and enhancing the University's academic mission, mandate and strategic objectives through use in research, teaching and community outreach;
- b) whether the Artwork is in a condition suitable for exhibition relative to its age;
- c) whether the Artwork has artistic merit;
- d) whether the Artwork meets a standard of quality, measured in terms of the total production of the artist within the pertinent area and the substance of the particular Artwork;
- e) whether the University has adequate resources for the Acquisition, maintenance, conservation, storage and access for research and display of the Artwork; and
- f) whether the Artwork is accompanied by a sufficient record of provenance and will have been authenticated, thereby assuring the University that any Artwork acquired, whether by donation, exchange, transfer, purchase or commission, has not been collected under circumstances considered to be exploitative, unethical, or illegal.

1.06.03 If the Committee recommends the purchase of an Artwork, such purchase shall be compliant with the Purchasing Policy. If the funds for an Acquisition come from the Disposal (see section 1.09) of a donation, and if it is appropriate, the name of the donor shall be acknowledged when the Artwork is displayed or reproduced.

1.07 Gifts and Bequests

1.07.01 Prior to accepting any gift or bequest of Artwork, the University shall be satisfied that the donor has clear legal title. All donations shall be accompanied by a signed Deed of Gift which indicates the irreversible transfer of ownership to the University. Except in exceptional cases, donations of Artwork shall be free and clear of conditions and restrictions imposed by the donor regarding the University's use of the Artwork.

1.07.02 In most cases, expenses associated with a donor's gift including, but not limited to, appraisals and shipping, shall be paid by the donor.

1.07.03 When offered a donation, the art curator shall notify the University of Winnipeg Foundation to determine if there is an existing relationship with the donor and if the Foundation should be involved to manage the donor relationship.

1.08 Deaccessioning

1.08.01 All proposed Deaccessions shall be presented to the Committee for approval at the recommendation of the art curator.

1.08.02 Artworks shall be considered for Deaccessioning from the Permanent Art Collection based on one or more of the following criteria:

- a) irrelevance to the Permanent Art Collection;
- b) duplication;
- c) inferior quality;
- d) poor condition;
- e) public safety concerns;

- f) inability of the University to meet standards of care or storage requirements;
- g) questionable authenticity, attribution, or provenance; or
- h) legal concerns.

1.08.03 Proposals for Deaccession shall contain:

- a) a justification based on section 1.08.02;
- b) a demonstration of consultation with stakeholders such as donors;
- c) a suggestion for the means of Disposal;
- d) a confirmation that there are no restrictions against Disposal of the Artwork and that Disposal will not contravene Canadian Cultural Property Export Review Board regulations.

1.08.04 In cases where an Artwork has been accidentally destroyed or permanently lost, the Artwork shall be Deaccessioned from the Permanent Art Collection. Any funds derived from this loss, such as payment from insurance, will be credited for purchase of Artwork for the Permanent Art Collection or for use for care of Artwork in the Permanent Art Collection.

1.08.05 If the Committee determines any Artwork shall be Deaccessioned, a photograph of the Artwork shall then be taken and included with all records related to the Artwork. These records shall be maintained in accordance with the University Records Policy.

1.08.06 If the Committee determines it will not Deaccession an Artwork, a record of that decision shall be kept by the art curator and included for consideration in any future Deaccession request of that Artwork to the Committee.

1.09 Disposal of Deaccessioned Artworks

1.09.01 In the event that the Committee approves the Deaccessioning of an Artwork other than in circumstances of accidental destruction or loss, the Committee shall determine the means of Disposal based on the following criteria:

- a) the manner of Disposal shall be in the best interest of the University, the community it serves, and the public trust placed within;
- b) where Artworks are in suitable condition, effort should be made to ensure that the Artwork remains in the public domain.
- c) Sale at Fair Market Value, or transfer to another public institution shall be the preferred methods of Disposal.
- d) The University shall make all reasonable efforts to ensure that Deaccessioned Artwork which is significant to Canadian cultural heritage is retained in Canada; and
- e) where Disposal is by sale, sale by public auction is preferable unless selling to another public institution.

1.09.02 All proceeds realized from Disposal shall be credited to the University for purchase of Artwork or use for conservation of Artwork in the Permanent Art Collection.

1.09.03 Artwork may be intentionally destroyed if it is determined:

- a) to be inauthentic, such as a forgery or reproduction, and of no archival or documentary value; or
- b) to substantially lack physical integrity to the point that it cannot be reasonably preserved.

1.09.04 When an Artwork has been Disposed, the art curator shall ensure that relevant documents are sent to the University's Financial Services Office to ensure the Disposal is recorded in the financial records of the University.

2.0 Relevant Legislation

- The Copyright Act
- The Cultural Property Export and Import Act
- The Income Tax Act

3.0 Related Policies, Procedures and Institutional Documents

- Art Collection Policy
- Asset Management Policy
- Copyright Policy & Procedures
- Permanent Art Collection Committee Terms of Reference
- Purchasing Policy & Procedures
- Privacy Policy & Procedures
- University Records Policy & Procedures