

**QMN POLICY: Acquisition Policy
(Cultures & Histories and Biodiversity &
Geosciences Programs)**

1.0 POLICY STATEMENT

The *QM78 QMN Collection Policy* outlines information in **section 5.8** relating to the acquisition function; the Acquisition Policy links the document and the procedures and forms in the acquisition process.

2.0 DEFINITIONS

Accessioned Items are objects or specimens or specimen lots that have been incorporated into the State Collection through the formal process of registration (numbering), and accessioning (recording locality and other contextual information in an electronic database).

Accessioning - see **Registration**. (Includes the process of undertaking a significance assessment).

Acquiring is the process by which QMN becomes responsible for an Item which may or may not become accessioned.

Act – *The Queensland Museum Act 1970*, as currently in force.

An **Archaeological specimen** is a product of manufacture, alteration or use that may have been modified by or deposited due to human activities. It is primarily of value for its prehistoric, historic, cultural or scientific significance, and discovered on or beneath land or submerged or partially submerged beneath the surface of any water course or permanent body of water. Such objects may derive from indigenous, historical, maritime, prehistoric or classical contexts, including stone, plant, faunal, ceramic, glass, metal, charcoal, sedimentological or other materials.

An **Assessment of Significance** is a prerequisite for the accessioning of objects into the State Collection. State, national and international significance is determined through curatorial assessment of objects and Items against established QMN criteria.

An **Authorised Officer** for the receipt of packages and handling of biological material is the qualified Collection Manager or Curator who has the specific knowledge of the nature and risks of handling particular biological material (to protect both the person and the biological material).

Biological Material includes any living or dead specimens, biologically-derived material such as tissue samples, skeletal elements or parts of specimens, or material which contains biological agents including bacteria, viruses, micro-organisms, genetically modified organisms/micro-organisms which might pose a risk to health and safety of individuals or the environment.

Board is the Board of the QM as established under the *Queensland Museum Act 1970*.

Campus means one of the QMN public facilities – Queensland Museum and Sparklab (QM&S), The Museum of Tropical Queensland (MTQ). The Workshops Rail Museum (TWRM), Cobb+Co Museum, Museum of Lands, Mapping and Surveying, Queensland Museum Research & Loans Centre, Earth Sciences Museum.

CEO is the Chief Executive Officer of QMN.

Collection Checklist is a list specific to each collection area based on the expert knowledge of the related Curator, which highlights any high risk issues relating to the objects or specimens being considered for loan or acquisition, such as the country of origin, the specific lending institution, or the type of item. (As outlined in *QM306: Due Diligence Procedure*.)

A **Collection Item** is an object or specimen and associated data that has been formally acquired by QMN.

Collection Management is the responsibility and function that fosters the preservation, accessibility and utility of the collections and associated data.

The **Collection Management System (CMS)** is the term used in this policy to describe QMN data systems used to manage and report on the collections. It includes both electronic and hard copy Records. (From 2008, all Documentation relating to collection objects has been recorded in the Vernon CMS.)

A **Collection Record** is documentation which relates specifically to the QMN Collection, it is a primary source of information, a working collection, a history and legacy of collectors and researchers and a support tool for collection discovery and research. It can be in electronic or paper based format.

Curation is the process whereby objects or specimens are identified and organised according to discipline-specific recommendations using the most recently available scholarly literature and expertise. A primary objective of this research process is to verify or add to the existing documentation for these objects/specimens, and to add to knowledge about them.

A **Curator** is responsible for use of and access to discipline-specific collections.

Discovery Centre is the reference centre located on Level 4, QM&S

Documentation is supporting evidence, recorded in a permanent manner using a variety of media (paper, photographic, electronic, etc.) of the identification, condition, history, or significance of an object, specimen or collection. This encompasses information that is inherent to the individual object/specimen and its associations in its environment as well as that which reflects processes and transactions affecting the object/specimen (e.g. accessioning, documenting, lending, analysing, treating, etc.). Documentation is an integral aspect of use, management and preservation of an object, specimen or collection. All digital and paper based documentation must be collected, maintained and stored in accordance with *QM318 Collection and Research Record Keeping Policy*.

A **Donation** is the result of the process by which the owner of an item voluntarily transfers the title and possession from themselves to the QMN, without any consideration or encumbrance for potential inclusion in the State, Research or Reserve Collection.

A **Deposit** is a specimen 'collected in the field' either by a QM employee, an external researcher or a member of the public which may become part of the State, Research or Reserve Collection.

Due diligence involves all reasonable endeavours to establish the facts of a case before deciding a course of action, particularly in identifying the source and history of an item offered for acquisition, inward or outward loan.

An **Item** is an interchangeable term used for an object, record, specimen or specimen lot.

Legal Title is the legal right to ownership of property.

A **Letter of comfort** is a communication from one party to another party that indicates a willingness to enter into a contractual obligation absent of the elements of a legally enforceable contract. The objective is to create a morally binding but not legally binding assurance. (Despite their nonbinding statuses, letters of comfort nonetheless provide risk mitigation because the initiating party is putting its own reputation in jeopardy.)

Lot is the term used to define a group of specimens or objects recovered from the same location at the same time, which are registered, accessioned, stored and documented together for efficiency reasons based on manageable quantities of objects

An **Object** is a human-made Item, often manufactured or created from naturally-occurring materials and made for use in a cultural context. This term differentiates human-made collection items from those acquired in nature (specimens).

An **Object file** (in relation to the Cultures and Histories Collection) is a file created with information that may be relevant to a registered object or group of objects (e.g. newspaper clippings, photocopies, etc.).

PCOL the *Protection of Cultural Objects on Loan Act 2013*; supports the future of international cultural exhibitions in Australia by providing a scheme (governed by the *Protection of Cultural Objects on Loan Regulation 2014*) to protect Australian and foreign cultural objects on loan from overseas for temporary public exhibition.

Program means the collections and curatorial Programs of QMN.

Program Head means the role responsible for a Program of the QMN.

Provenance is an object's or specimen's full history from the time of its discovery or creation to the present day, through which authenticity and ownership are determined.

Queensland Museum when referring to the legal entity of the Museum, the Board or in regard to the Act the term **Queensland Museum (QM)** will be used, when referring to the Museum in terms of the combination of campuses the term **QMN** will be used.

A **Record** is the corresponding data related to an Item.

Registration is the process of assigning a unique number or identifier. This number refers to a register or record where data associated with the Item is entered against the matching registration number during the accessioning process.

Research Collection consists of objects or specimens for research or loan generally intended to be kept indefinitely, but not individually registered and without a significance assessment (see Lot). Specimens retained for destructive analysis are managed as part of the Research Collection.

Reserve Collection items held by various Programs and campuses of QMN specifically for the purpose of public display, teaching, public education and/or interpretation, non-scientific loans, etc. These items do not meet QMN criteria for state significance, are not accessioned into the State Collection, nor intended to be held in perpetuity.

The **Senior Decision Maker** is the person who makes a final decision and accepts responsibility for that decision in relation to collection management processes including acquisitions, loans, international exhibitions, deaccessioning etc. It could be the relevant Program Head, Director or CEO, and will differ depending on the specific circumstances of the situation. (In some cases this role may be performed by a **Project Board**.)

A site is a discrete geographical location from which a group of artefacts has been collected using a rigorous methodology enabling the context of the artefacts to be reconstructed and researched.

Specimen means any animal or plant, or any part, product, egg, seed, or root of any animal or plant or geological sample.

State Collection is the official collection of Items registered by QMN through acquisition or transfer. It is the sum total of all accessioned items of scientific or historical significance vested in the Board of the QM.

A **Type Specimen** is a zoological, paleontological or mineral Item that serves as the basis for the name of the taxon (i.e. for identification of unnamed material through comparison with the type). Primary Types (holotype, neotype, lectotype, etc.) and Secondary Types (paratype, paralectotypes, etc.) underpin the concept of biological species and its variability in nature. QMN Type Specimens are irreplaceable Items of vital national and international significance for scientific research and identification verification.

A **Voucher Specimen** is an Item lodged at QMN to represent (or vouch for) a larger number of putatively identical Items collected for various non-taxonomic purposes, such as published ecological surveys, or 'bio discovery' entities, or a specimen that is material evidence of the occurrence of a species in a particular locality or belongs to particularly important taxonomic group.

3.0 SCOPE

This policy assists staff in both the Cultures & Histories and Biodiversity & Geosciences Programs, and outlines the processes involved in the acquisition of material into their respective collections.

4.0 PRINCIPLES

The *QM78 QMN Collection Policy* outlines the underlying legislation and general requirements relevant to the application and interpretation of this policy. However, staff should be aware of the Museums obligations outlined in the following conventions: *ICOM Code of Ethics for Museums, 2004*; *Protection of Cultural Objects on Loan Act 2013*; the *Protection of Movable Cultural Heritage Act, 1986*; the *UNESCO Convention on the Means of Prohibiting and Preventing Illicit Import, Export and Transfer of Ownership of Cultural Property, 1970*; the *2013 Environmental Protection and Biodiversity Conservation Act, 1999*; *UN Convention on Biological Diversity, 1992*; *CITES Convention, 1975* and the *Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization, 2010*.

Specifically staff must undertake **due diligence** in order to ensure the Museum only acquires material where the vendor or donor has legal title, the item is authentic and is not identified as having been looted or illegally obtained or exported. This applies to material acquired through purchase, gift (including via the Australian Government's Cultural Gifts Program), bequest or exchange. Staff are required to make professional judgements on the extent of **due diligence** required on a case by case basis based on the specific situation and the objects or specimens in question; assessing the potential risks and balancing the resources required in each situation to mitigate those risks; in accordance with the parameters of *QM 305 Due Diligence Policy* and *QM 306 Due Diligence Procedure*.

(If the material proposed for acquisition contains material of a specific cultural or sensitive nature, then staff must also complete a *QM322 Cultural and Sensitive Material Checklist*; which has been developed to guide staff through the process of identifying whether or not material may pose additional risks for the Museum. When doing so staff must adhere to the protocols outlined in *QM321 Protocols for Community Consultation*; this process will ensure that the Museum has consulted with relevant stakeholders in the community to whom the cultural material proposed for acquisition relates.)

5.0 ELEMENTS

5.1 Donation

A donation is defined as the legal transfer of ownership – the item must be transferred voluntarily, not as a result of a contractual obligation and must provide no advantage of a material kind to the donor. A donation or bequest may be accepted from any source, and in accordance with the *QM78 QMN Collection Policy* and the *QM45 Procedure for Acquisition*

(Cultures & Histories Program) and QM199 Procedure for Acquisition (Biodiversity & Geosciences Program).

All donations which have a value over \$50,000 must be reported to the CEO and Board individually rather than as part of the general monthly Key Performance Indicators.

(The Museum may accept custody and control of material without legal title. This may occur when items are transferred to the Museum as a result of statutory requirements such as through state heritage legislation; in relation to shipwrecks or archaeological material or Voucher Specimens of animal material used for biodiscovery purposes. Also material may be deposited at the Museum by request of Traditional Owners, such as Secret/Sacred objects or human remains. In these cases staff must be aware that the relevant legal and QM procedures in relation to this type of material will override the procedures as outlined here.)

5.1.1 Cultures & Histories Collection

In general, all items donated to QMN, **prior** to their acceptance, are assessed against a number of criteria. These assessments require the discretion of Curators who are familiar with existing gaps in their collection and also the specific *Strategic Themes*. Curators are required to complete an *Acquisition Proposal* in the Vernon *Acquisition Proposal module* which includes a Significance Assessment based on the Queensland Museum *Definitions of Significance Criteria* and basic object information. The proposal then requires assessment by Conservation and Collection Management staff, also within the Vernon *Acquisition Proposal module*. Finally the relevant Program Head should undertake an assessment of the proposed donation in relation to specific collection priorities and Program resources, and long term storage implications, and is responsible for ultimate approval of the acquisition. (QMN will not acquire items as outlined in the specific situations in *section 5.5* of the *QM78 QMN Collection Policy*.)

Donations are accepted without encumbrance or conditions imposed by the donor as to their use in display, research, education, accessibility by the general and scientific communities, or even as to their potential disposal, unless expressly directed otherwise by the CEO. Specific details of donors are not to be released under the Privacy Act unless specific waivers agreeing to do so are signed by donors upon receipt of donation.

Due Diligence when assessing the suitability of donations into the State Collection includes:

- relevance to the legislative mandate of QMN and to its objectives and priorities;
- significance, such as association with an event, person, historical period or geographic area; or underpinning a biotechnological product;
- provenance, or the history of the object's ownership, export from country of origin and import into Australia;
- results of primary research in Queensland, such as Voucher Specimens and samples;

- availability of human and financial resources to acquire, document, preserve, store, interpret and or display the Object or Specimen;
- opportunities for use, exhibition, research and other program requirements;
- physical condition;
- cultural sensitivity including outcomes of community consultation;
- adequate oral or written documentation or contextual/scientific data to support ownership, authenticity, study and use;
- full title must accompany all items;
- absence of unmanageable threats or risks to users or to other elements of the collection;
- there are no encumbrances attached to the Item(s) (notwithstanding privacy provisions contained within the *Privacy Act*, and confidentiality provisions specified in the *Biodiscovery Bill 2004*); that the *Personal Property Securities Register* has been consulted and
- compliance with applicable legislation and regulations as referred to in the **QM78 QMN Collection Policy**.

All documentation must be scanned and attached to the relevant record in Vernon (where one exists) and hard copies must be kept in the appropriate file located in the collections and research records area (whether that is the designated Research Resource Centre (RRC) located in the QM&S Library or a campus / Collection specific repository) in accordance with **QM319 Collections and Research Record Keeping Procedure**.)

5.2 Field collecting – Biodiversity & Geoscience Collections

Specimens or Objects may be collected by QMN staff, or by others acting on behalf of QMN, directly from the field. Animals will be collected according to the highest principles of humane, scientific and ethical conduct. QMN will hold authorised collection permits from appropriate regional, state and commonwealth authorities relative to its current collecting activities; QMN is also bound by a number of Codes of Practice in all its collection activities (see the **QM78 QMN Collection Policy; section 4.1**)

5.3 Specimens used for Biodiscovery

Biodiscovery (or bio prospecting) refers to the analysis of molecular, biochemical or genetic information about biological material for the purposes of commercialising the material or intellectual property obtained from the material. Under the *Queensland Government Biodiscovery Act 2004* QMN is the authorised 'receiving entity' for the State to accept and maintain Voucher Specimens of animal material used for biodiscovery purposes by another party (a 'collection authority'), refer to the **QM78 QMN Collection Policy, section 5.7**.

QMN has the right to refuse material if the following conditions are not met:

- (a) the specimens are **not** of a sufficient size and quality to enable scientific classification of the material; and
- (b) the specimens are **not** fixed and preserved in a way approved by QMN; and
- (c) the specimens are **not** labelled in an appropriate way, including, for example, by bar coding, stating
 - (i) the number, or other identification, of the authority under which the material was taken; and
 - (ii) the date on which it was taken; and
 - (iii) if the holder is reasonably able to classify the material by using current scientific nomenclature - its classification to the lowest taxonomic level reasonably possible; and
 - (iv) the geographic location from which the material was taken, including, for example, by reference to geographic coordinates.

If the sample is **not** labelled as required, QMN may:

- (a) classify the material to the lowest possible taxonomic level; and
- (b) recover from the holder, as a debt, the costs reasonably incurred by QMN in carrying out the classification.

5.4 Purchase

Objects or Specimens may be purchased from any legitimate source with the prior approval of the Program Head. However a purchase from a member of the Board, staff honoraries or family or friends require the approval of the CEO. In such cases QMN will establish a purchase price that reflects fair market value, with adherence to ethical guidelines.

5.5 Exchange

The exchange of objects or Specimens between institutions is an established and useful means of developing and improving a collection. Exchanges may be made by the Head of the relevant Program; provided that

- Both parties are in full agreement with the terms and conditions
- Both the acquisition and the disposal of objects are documented for the permanent records
- The removal of the Object or Specimen would not impair the collection in any functional way
- The removal will be approved through the deaccessioning process (see *QM57 Policy for Deaccessioning*)

5.6 Commonwealth Cultural Gifts Program

www.arts.gov.au/tax_incentives/cgp

The Commonwealth's Cultural Gifts Program encourages gifts of significant cultural items to public art galleries, museums and libraries by offering donors a tax deduction for the market value of their gifts. Gifts made under the program are exempt from capital gains tax and the tax deduction may be spread over a period of up to five years.

The Ministry for the Arts (Department of Communications and the Arts) administers the program with advice from the Committee on Taxation Incentives for the Arts. The committee advises the Secretary to the Department on the approval of valuers to participate in the program and examines donations to make sure they conform to the program's requirements.

Gifts of property that can be made under the program include:

- arts of Aboriginal People and Torres Strait Islanders
- cultural objects
- natural and scientific materials
- film and social history pieces
- paintings
- manuscripts
- books
- antiques, and
- jewellery.

Property gifted may take any form other than an estate or interest in land or in a building or part of a building. The property must be accepted by QMN for inclusion in a collection it is maintaining or establishing. Intending donors should contact QMN, then they or QMN should seek further information from Minister for the Arts (Department of Communication and the Arts).

All items acquired via the Cultural Gifts Program must be reported to the CEO and Board.

QMN does not undertake paid or unpaid third-party valuations. Museum staff will not recommend to the public a specific dealer, valuer or auctioneer, but may provide a list of such people with the understanding that this does not constitute an endorsement.

5.7 Reserve Collections

Reserve Collections are held by various programs and campuses of QMN specifically for the purpose of public display, teaching, public education and or interpretation, non-scientific loans, etc.

All Items should be assessed for significance and research value before being accepted into the Reserve Collection. If an Item is considered valuable by the relevant Program Head or

Curator then that Item will be accessioned into the State Collection and will no longer be available for use within the Reserve Collection.

As the Reserve Collection is acquired predominately for hands-on use, all Items must be assessed in terms of condition, fragility, size, weight and cost of preparation and maintenance. Items within the Reserve Collection that are not being used or have deteriorated to the extent that cost-effective repairs cannot be undertaken will be removed from the Reserve Collection.

5.8 Intellectual property

Whenever QMN acquires Objects and Specimens other than through field collection, curators will use their best endeavours to record all available information for all rights owners of the Object including but not limited to donor, creator, and/or moral rights holder(s).

Curators will ascertain whether or not the donor owns copyright and will undertake necessary research to locate the rights owned. In addition, research may be required to ascertain other necessary information e.g. birth/death dates of creator to predict expiry date of copyright, and to document any limitations for use of the object.

All possible intended uses of the object will be considered (i.e. research, exhibition, publication, website, loan to other museums) and best endeavours will be used to ensure that rights are documented in Agreements/licences.

Uses that do not require permission/rights include:

- photographing material for administrative purposes only
- exhibition [with attribution]
- preservation copies of an original artistic work, film or sound recording.

Uses that probably require permission include:

- reproducing images in publications
- providing access to material online
- reproducing material on commercial products

6.0 DOCUMENT HISTORY

VERSION	DATE	AMENDMENT
1.0	12 October 2007	Original content taken from Collection Development Policy 2007 draft v0.4
1.1	17 October 2007	Draft Guidelines for comment
1.2	08 November 2007	Draft Guidelines – after comment from CM
1.3	15 June 2009	Final draft after updated changes due to sign-off of final Collection Policy
1.4	18 February 2010	Draft amended in light of changes to procedure due to process being managed in Vernon

1.5	29 th March 2011	Reviewed and updated
1.6	16 th August 2013	Updated to include new branding information
1.7	Aug 2014	Biannual review and update
1.8	Sept 2015	Document updated to include Due Diligence requirements
1.9	March 2016	Document updated to include suggested changes by Ministry for the Arts
1.10	June 2016	Document updated to include further suggested changes by Ministry for the Arts
1.11	August 2019	Updates made following discussions with Policy and Procedure Working Group.

7.0 MORE INFORMATION

Policy owner/creator:	Head, Collection Services
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8.0 AUTHORISATION

Approved by:	Dr Jim Thompson
Title:	CEO, QMN
Approval date:	Feb 2020
Signature	

9.0 REVIEW PROCESS

This Policy will be reviewed every 5 years and at other times, if any significant new information, legislative or organisational change warrants a change to this document.

Once printed this document is no longer a controlled document.