



National Galleries Scotland

De-accession and Disposal Policy

Version/Date

Senior Management Team: Collections approved this policy: 12th February 2014

Principles

In order to ensure the NGS collections remain manageable and sustainable and retain long-term interest for our public, we actively appraise and review objects to assess whether they reflect our collection policy; whether they are duplicates of another object that we own; whether we can provide adequate long-term care and access; and whether the objects might be better suited to being owned by another accredited museum, public body or group.

In the event of a formal decision to de-accession and dispose of an object, where possible we arrange for the transfer or long-term loan of the object or for its sale, exchange or gift to an accredited and recognised museum, to keep it in the public domain. If nowhere suitable is found we consider other individuals or organisations, or alternative uses within NGS such as technical research. Finally, we consider sale at auction, and follow the formal Museums Association requirement that any sale or auction proceeds are used exclusively for acquisitions.

NGS also reviews objects in our collections or held on our premises for which we do not have clear and legal title, for example unsolicited objects or uncollected loans. We also assess for de-accession or disposal objects that are discovered to have been transferred in contravention of any laws or treaties, and we co-operate fully with any requests received for the restitution or repatriation of an object. NGS is an accredited institution for Immunity from Seizure.

We only dispose of an object by other means, including destruction, if an object has become useless for the purposes of the collections for example because it has irreparably deteriorated or has been partially destroyed or damaged beyond repair; has infestation by destructive organisms; or poses a threat to health and safety.

Definitions

De-accession: The sanction, management and documentation to account for the removal of an object from the NGS collection.

Disposal: The management of the permanent removal of an object from the NGS collection or from its care, whether by transfer or sale to another institution or individual, or by destruction.

Legislation and ethics

De-accession and disposal is an essential component of evidence required for for audit and accountability, and for due diligence records.

Relevant statutory requirements and codes of ethics include:

- National Heritage Act 1980: Section 16 (as amended by the Museums and Galleries Act 1992)
- National Heritage (Scotland) Act 1985



- Immunity from Seizure Tribunals, Courts and Enforcement Bill 2008
- Charities Act, 2006
- Dealing in Cultural Objects (Offences) Act, 2003
- Holocaust (Stolen Art) Restitution Act, 2009
- UNESCO 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, ratified in the UK 2002
- EU Directive 2001/84EC on Artists' Resale Rights
- Arts Council England Cultural Property Advice
- Return of Cultural Objects Regulations, 1994
- Museums Association: Code of Ethics for Museums 2008
- Museums Association Ethical Guidelines: No 1 Acquisition, Second edition, 2004
- Code of Practice on Archives for Museums and Galleries, Third edition 2002
- ICOM Code of Ethics for Museums 2013

Standards

This policy is part of the Collections Management set of policies that form a requirement of PAS197 and Spectrum as part of the UK Museum Accreditation Scheme.

Control measures

Only NGS Trustees can formally authorise the decision for the de-accession and disposal of an object, whether by exchange, gift, destruction or sale, taking into consideration the justification and the advice of a range of suitably qualified expert staff. Decisions about disposal are not motivated principally by financial reasons. If an object is being considered for de-accession or disposal, we take into account any terms and conditions relating to that object, including funding conditions.

We ensure that all de-accessioning and disposal activity is transparent, and that it is also communicated on the NGS website.

We ensure that every disposal complies with all statutory, legal and ethical standards, the Museum Association's guidelines, and internationally recognised best practice. Wherever possible we ensure the object will remain in the public domain.

We keep full records of decisions about de-accession and disposal on our industry standard database (MIMSY), including its final date of de-accession. Only authorised persons can maintain de-accession and disposal records. When an object is transferred to another accredited museum, organisation or individual, we arrange to preserve and/or transfer all information about the object that we have on record.

Related policies

The following are related NGS policies:

- Object Entry and Pre-Entry Policy
- Inventory Control Policy
- Cataloguing Policy



- Location and Movement Control Policy
- Conservation and Care Policy
- Rights and Reproduction Management Policy
- Insurance and Indemnity Management Policy
- Physical Audit Policy
- Record Audit Policy