

Council Policy

ART ACQUISITION AND COLLECTION POLICY	Date Adopted:	12 May 2026
	Adopted By:	Council
	Review Due:	12 May 2030
	Responsible Officer:	Gallery Director
	Directorate:	Chief Executive Office
	EDRMS No:	

PURPOSE

The purpose of this policy is to provide a framework for the management, including the acquisition, or donation, of works of art offered and contained in Southern Grampians Shire Council's permanent collection, managed by Hamilton Gallery.

DEFINITIONS

Council	means Southern Grampians Shire Council
Work of art / art work	Diverse range of human activities, creations, and methods of expression that may include objects of cultural and historic heritage.
Accession	process undertaken that formally acknowledges an artwork or archive to be part of the collection.
Acquisition	taking legal possession and ownership of a work of art through purchase, bequest or gift.
Art Collection	Group of artworks acquired, cared for, and preserved for by a gallery for public benefit and cultural heritage.
Bequest	Funds or property to advance the collection.
Cultural Gifts Program	the Australian Government's program of tax incentives for culturally significant gifts to Australia's public collections. Eligibility is restricted to institutions registered as DGR's.
De-accessioning	The process by which a work of art is legally and formally removed from the permanent collection.
Deductible Gift Recipient (DGR)	funds, authorities or institutions endorsed by the Australian Tax Office. Collections recognised as DGR's are eligible for registrations with Australian Government's Cultural Gift Program.

Disposal	the physical removal of a work of art or public art from the collection, following de-accessioning.
Loans	Process by which items in a collection may be temporarily exchanged between approved institutions or organisations. Outward loans refer to items lent from a collection; inward loans refer to items brought into an institution or organisation
Works of Art Committee	Advisory committee, established to keep the cultural and aesthetic standards of the permanent collection at a level of excellence. The Works of Art Committee comprises of: <ul style="list-style-type: none"> • Hamilton Gallery Director • Hamilton Gallery Operations Manager • Hamilton Gallery Curator

APPLICATION AND SCOPE

This policy applies to the acquisition and de-accession of works of art in relation to the permanent collection, including but not limited to donations, purchases, gifts or bequests.

This policy does not apply to public art and/or other objects, artistic or heritage, owned by Southern Grampians Shire Council but not accessioned within the permanent collection of Hamilton Gallery.

GENERAL PROVISIONS

GENERAL PRINCIPLES

Commitment to the following principles apply:

- a) collecting is always in the pursuit of developing a high-quality cultural asset;
- b) economic growth of the asset is not the key focus of collecting;
- c) transparency in acquiring and de-accessioning of works of art, to and from the permanent collection;
- d) the policy framework is to provide process in relation to accessioning and de-accessioning practices;
- e) collecting is in the interest of enhancing the community's understanding and appreciation of art.

ACQUISITION

CRITERIA

A work of art will be acquired for the permanent collection if:

- a) that work of art adheres to the general principles of the policy
- b) the work is acquired unencumbered to allow the unconditional right to retain custody and control in perpetuity. Council will not accept works which bear any restrictions or conditions.
- c) Council, via Hamilton Gallery, can care for and store the work of art appropriately. Practicalities regarding the storage and movement of works of art or cultural material include – but are not limited to – long-term storage concerns and workplace health and safety issues, and associated costs in managing these factors

- d) the work of art is in a good state of preservation. Hamilton Gallery has limited capacity or funding to store or undertake conservation of art or cultural material in poor condition.
- e) the work of art is not a duplicate of a work already in the collection
- f) that the work of art is suitable for public display
- g) the title can be legally transferred unencumbered to Council
- h) the work of art either enhances the strengths of the existing collection, addresses key gaps in the current holdings, or develops a considered representation of the art of our time. The focus is placed on outstanding works of art that are also informed by principles of equity, diversity, and inclusion.

PROCESS

If a work of art is deemed appropriate for the permanent collection, an Acquisition Request will be completed by the Curator. This will detail relevant information about the artist and artwork, outline the provenance and purchase type. The Director will also recommend the work based on the Collection Area and how it fulfills the acquisitions criteria specified above and include information on the work of art's significance. This will include works of art offered via donation, gift, bequest or via Council allocated funds. Due diligence will be performed by the Curator to highlight any potential risks or issues with the proposed acquisition.

Purchases utilising Hamilton Gallery Trust funds, either partially or in full, will be presented by the Hamilton Gallery Director to the Trust for approval and will adhere to both the Works of Art Committee and Hamilton Gallery Trust governance guidelines and deed of transparency, accountability, and ethical acquisition practices.

Acquisitions to the permanent collection from time to time will fall outside of the Council's Procurement Policy.

MANAGEMENT OF THE COLLECTION

Access to the Collection

It is intended that the Hamilton Gallery Collection be accessible to the community through exhibition and display to promote an understanding, appreciation and engagement of works in the collection and art and culture more broadly.

The Curator will ensure works from the collection are on display wherever possible, however it should be noted that some works may not be appropriate for public display due to preservation concerns, for instance lack of climate control.

Collection records and images are accessible for research purposes by appointment or through general enquiry. Due to excessive demands currently placed on storage areas, easy and safe access to works of art or cultural material in these areas is limited. All access is at the discretion of staff and must be facilitated by a staff member. A genuine effort to facilitate access where possible will be made.

Collection Care

Hamilton Gallery Collection will be managed, documented, and catalogued by appropriately qualified staff with industry-specific experience and to museum standards. Research information will be made available to the public if requested.

Hamilton Gallery is committed to the preventative conservation of the Collection according to recognised museum standards. The Gallery only engages qualified and accredited conservator and approved contractors to advise and work on the care, repair, maintenance, display, and exhibition of the collection. The Curator or the Gallery Operations Manager will recommend works for conservation on an as-needed basis.

Hamilton Gallery lends and borrows material through outward and inward loan processes. The terms and conditions of outward loans are detailed in the Outward Art Work Loan Policy.

Storage

The care and storage of the collection is of utmost importance, and the following guidelines shape best practice:

- Storage areas must be clean and secure
- Temperature and relative humidity should be kept as stable as possible.
- Access to storage areas is limited to key personnel.
- Lights must be off when storage areas are not in use.
- Archival quality storage materials should be used for all significant material.
- Storage areas must be regularly checked for pests and other problems.
- Objects are not to be stored on the floor.
- Archival boxes should be fitted out specifically for works of significant value.

REMOVAL OF ITEMS (DE-ACCESSIONING)

To de-accession an artwork is to officially remove the work of art from the registered and accessioned holdings of the permanent collection. A record of all items de-accessioned will be kept within the collection management software.

CRITERIA

A work of art can only be identified for de-accessioning if fulfills one or more of these criteria:

- a) Of negligible historical, social, or aesthetic merit, or has significance or artistic merit that falls below the general level of the collection
- b) Item is of lesser quality than other works of the same type or by the same artist, either already in the collection, or about to be acquired
- c) Is no longer representative of the collection in line with the Gallery's vision and priorities for collection development
- d) Damaged beyond repair, or conservation work is beyond the means of Hamilton Gallery's budget
- e) Storage of a work is currently unsafe for either staff or the work, is at risk of significant damage or the provision of safe, accessible storage is beyond the means of Hamilton Gallery
- f) The authenticity, attribution or genuineness of the item is questionable or determined to be false or fraudulent
- g) The work of art was acquired unethically
- h) Is identified as an object of significance to an Aboriginal or Torres Strait Islander community or Indigenous community in another country and will be returned to that community or a representative museum, cultural centre, or keeping place as negotiated, required by law, or determined by principles of best practice

LIMITATIONS

Council will not de-accession a work of art if:

- a) it impedes the willingness of current and/or future donations from benefactors
- b) it contradicts the Australian Cultural Gifts Programs policies and procedures
- c) it is to fund any other aspect of Council or the Gallery, including but not limited to infrastructure, collection care, operating costs, facility upgrades, other cultural projects etc.

RECOMMENDATION AND APPROVAL FOR DE-ACCESSIONING

The Curator, Gallery Operations Manager, or Director may nominate a registered item for de-accession and disposal. The nomination will consist of a written report that evaluates the object against the accession and de-accession criteria and recommends a disposal method. An external industry expert may also be appointed to identify works for potential deaccessioning.

All items nominated for de-accessioning will be brought to the Work of Art Committee. The committee will review the report against the criteria of the Collection Management Policy and determine if it is appropriate to de-accession. The Committee is responsible for endorsing the disposal of artworks. The item nominated for de-accessioning will be held for a six-month cooling off period from the date of the report being accepted before disposal occurs.

If de-accessioned, the item must be de-registered. A record of the object's provenance and de-accession documentation must be retained, and the electronic record marked 'de-accessioned' but not deleted.

A de-accessioned item must be disposed of by the following methods listed in priority order:

1. return to the donor or family
2. transferred to another appropriate institution by gift
3. sold by public auction (funds must be used solely for the purchase of future acquisitions for the collection)
4. Used as an educative/interpretive tool
5. destroyed or recycled if appropriate

Works of art obtained through the Cultural Gifts Program must follow the conditions set by the Program and the Australian Tax Office. This includes a condition that any item obtained through the Cultural Gifts Program cannot be returned to the donor as they have already obtained a tax benefit from their donation.

No member of Gallery staff, the Works of Art Committee, the Hamilton Gallery Foundation, the Hamilton Gallery Trust, Southern Grampians Shire Council or their families shall be eligible to purchase or otherwise obtain a de-accessioned object.

This section must be read in conjunction with Council's Asset Disposal Procedure. The method of disposal shall be conducted in accordance with the *Aboriginal Heritage Act 2006* and *Aboriginal Heritage Amendment Act 2016*.

IMPLEMENTATION

This Policy was first adopted by Council on 12 June 1996 and was last reviewed on the following dates:

- 10 May 2017
- April 2021
- 12 May 2026

CHARTER OF HUMAN RIGHTS COMPLIANCE

It is considered that this policy is compatible with the relevant human rights identified in the *Charter of Human Rights and Responsibilities Act 2006 (Vic)*.

GENDER EQUALITY COMPLIANCE

It is considered that this policy is compatible with the relevant gender equality principles identified in the *Gender Equality Act 2020*.

Is a Gender Impact Assessment required?

- Yes *(legally required for all policies that have a direct and significant impact on the public)*
- No *(please provide an explanation why a Gender Impact Assessment is not required)*

ASSOCIATED DOCUMENTS

Council's Asset Disposal Procedure

Gender Equality Act 2020

REVIEW

This Policy must be reviewed a minimum every four years.

AUTHORISED

Adopted at Council Meeting on 12 May 2026.

END