

# Acquisitions Policy

## Summary

Name of Policy	
Description of Policy	Acquisitions Policy
Policy applies to	<input checked="" type="checkbox"/> NGA wide <input type="checkbox"/> Specific (eg. Department)
Policy Status	<input type="checkbox"/> New policy <input checked="" type="checkbox"/> Revision of Existing Policy (previously Art Acquisition Policy)
Approval Authority	<i>Director</i>
Responsible Officer	<i>Assistant Director, Curatorial and Exhibitions</i>
Contact area	<i>Curatorial and Exhibitions</i>
Date of Policy Review*	<i>February 2022</i>
Related Policies, Procedures, Guidelines and Local Protocols	<i>NGA Act 1975 Public Governance, Performance and Accountability Act 2013 Financial Delegations Aboriginal and Torres Strait Islander Cultural Rights and Engagement Policy Due Diligence and Provenance Policy Deaccessioning Policy Research Library Collection Development Policy Research Archive Acquisition Policy The Copyright Act 1968 The Privacy Act 1988 Australian Best Practice Guide to Collecting Cultural Material 2015 Collections Law: Legal issues for Australian</i>
*Unless otherwise indicated, this policy will still apply beyond the review date.	

## Approvals

Position	Name	Endorsed	Date
<i>Assistant Director</i>	Natasha Bullock	Yes	24 Jan 2020
<i>Director</i>	Nick Mitzevich	Yes	28 Jan 2020
<i>Council</i>	Ryan Stokes	Yes	7 Feb 2020

## Table of Contents

1. Purpose.....	4
2. Scope .....	5
3. Responsibilities.....	5
4. Procedures.....	6
<b>4.1 Principles.....</b>	<b>6</b>
<b>4.2 Considerations in Collecting — Collecting Priorities .....</b>	<b>7</b>
<b>4.3 Other Considerations in Collecting .....</b>	<b>7</b>
<b>4.4 Methods of Acquisition .....</b>	<b>8</b>
<b>4.5 Delegated authority to acquire .....</b>	<b>13</b>
<b>4.6 Acquisition and Accession into the Collections.....</b>	<b>14</b>
<b>4.7 Acquisition for purposes other than entering into the Collections .....</b>	<b>14</b>
<b>4.8 Transparency and Accountability .....</b>	<b>15</b>
5. Definitions .....	16
6. References.....	17
<b>6.1 Gallery Policies .....</b>	<b>17</b>
<b>6.2 Guidelines, Procedures and Associated Documents .....</b>	<b>18</b>
<b>6.3 Legislation.....</b>	<b>20</b>
Attachment A.....	22
 <b>Summary of Amendments .....</b>	 <b>22</b>

## 1. Purpose

The Gallery and its functions are determined by the *National Gallery Act 1975* (the Act). The principal functions of the Gallery, as outlined in s6 of the Act, are to develop and maintain a national collection of works of art and to exhibit, or make available for exhibition by others, works of art from the national collection. Giving emphasis to the visual art of Australia, Europe and North America as well as Asian and Pacific countries, the development of the collection is essential to ensuring that the Gallery remains a vibrant, living entity. The Gallery's Study Collection (previously Art Archive) supports these objectives, providing a comprehensive context for Australian and international art held in the national collection.

Acquisition of works of art and other collection material is conducted in accordance with the powers afforded to the Gallery under the Act and this occurs within an accepted approval and management framework. The Gallery acquires collection material by various methods and is committed to ensuring that all acquisitions are negotiated and managed on terms that are ethical and transparent to public scrutiny. This policy sets out the principles the Gallery models and factors it will consider when developing its collections.

The objectives of this policy are to ensure that:

- (a) the Gallery advances its mission to enhance and develop the collections;
- (b) the Gallery applies rigorous, ethical and accountable standards in the consideration, assessment and negotiation of acquisitions;
- (c) acquisitions are considered and approved in accordance with established delegated authority;
- (d) staff have clear procedures regarding interactions with vendors, artists, donors, gallerists and auction houses.

These objectives are to be achieved by ensuring that the Gallery:

- (a) acquires material that fits within its collecting priority areas;
- (b) obtains valid title to material acquired for the collections; and
- (c) avoids any act or omission that may compromise its position and reputation for integrity.

## 2. Scope

This policy applies to all activities relating to the acquisition of works of art and other material into the Gallery's national collection of art (also referred to as the permanent collection) and Study Collection (previously Art Archive).

## 3. Responsibilities

**Curators:** review and assess potential collection material for title, significance and condition and prepare acquisition submissions for the consideration of the Assistant Director, Curatorial and Exhibitions, Director, Council and, where necessary, the minister responsible for the arts.

**Assistant Director, Curatorial and Exhibitions:** in consultation with the Director oversees the selection of material proposed for collection as well as sustainable collection development and ensures that processes for acquisition are undertaken in accordance with this policy and related policies, plans and procedures.

**Director:** reviews and approves proposed acquisitions within the Director's delegation or makes a recommendation regarding the proposed acquisition to the Council Chair, the Collections Committee Chair, the Collections Committee or, where necessary, the minister responsible for the arts.

**Council Chair:** with the Director reviews and approves proposed acquisitions within the Council Chair and Director's delegation, or where necessary makes a recommendation regarding the proposed acquisition to the minister responsible for the arts.

**Collections Committee Chair:** with the Director and Council Chair reviews and approves proposed acquisitions within the Council Chair, Collections Committee Chair and Director's delegation.

**Collections Committee:** reviews and approves proposed acquisitions within the Council's delegation, or makes a recommendation to the minister responsible for the arts regarding the proposed acquisition.

**Minister responsible for the arts:** reviews and approves proposed acquisitions that exceed the Council's delegation.

**Governance and Reporting Manager:** ensures Council acquisition process is documented.

**Head of Registration:** ensures all documentation of acquisition is completed.

## 4. Procedures

### 4.1 Principles

The development of the collections is essential to ensuring the Gallery fulfils the functions prescribed by the Act. It acquires works of art for the national collection that fit within identified collecting areas, are of singular outstanding quality, have an enduring influence and legacy and that enhance the stature and relevance of the collection. The Study Collection (previously Art Archive) acquires works of art and other material that support these objectives, providing a comprehensive context for the works of art held in the national collection. The Study Collection comprises works of art and other material acquired for the purpose of study or research, that support, or relate to, works of art or artists represented in the national collection. The Study Collection includes, but is not limited to, material such as artists' books, audio visual items, publications, objects, photographs, collages, drawings and other material.

The Gallery ensures that all acquisitions are negotiated and managed on terms that are ethical and maintain the Gallery's standing and reputation for collecting excellence in the public and the museum community, both nationally and internationally. In developing its collections, the Gallery seeks to ensure that it legally acquires authentic material with valid title and an established chain of ownership.

The Gallery recognises the UNESCO *Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property 1970* (the Convention) and acknowledges that Australia is a signatory to the Convention. The Gallery also recognises and is bound by the terms of the *Protection of Moveable Cultural Heritage Act 1986* and is guided by the International Council of Museums (ICOM) *Code of Ethics*, Museums Australia *Code of Ethics* and the Australian *Best Practice Guide to Collecting Cultural Material*.

## 4.2 Considerations in Collecting — Collecting Priorities

The Gallery's founding document is the 1966 'Lindsay Report' from the National Art Gallery Committee of Inquiry. That report, mindful of other Australian state collections, placed its greatest emphasis on:

- (a) modern art worldwide
- (b) the whole of Australian art
- (c) works of art representing the high cultural achievement of Australia's neighbours in southern and eastern Asia and the Pacific Islands.

Today, the Gallery aims to acquire an ambitious range of works of art that enhance and develop the existing collection of Australian and international art. The Gallery will continue its program of acquiring major works of art in accordance with the Act and the *Vision for the national collection*. Works of art proposed for acquisition must fit the Vision for that collecting area, which is established by consultation between curatorial and executive staff and endorsed by the governing Council.

## 4.3 Other Considerations in Collecting

### 4.3.1 Provenance

When considering acquiring material for the collections, the Gallery will practise, and be prepared to show that it has practised, the highest standards of due diligence. As a general principle, the Gallery will not acquire material through any means or methods unless it can acquire valid title. To establish the provenance of the material and the veracity of title, the curator will carry out thorough research before proposing the material for acquisition in accordance with the established Due Diligence and Provenance Policy and Procedures.

### 4.3.2 Condition and Care

The Gallery will consider the factors that may impact on the condition, care and preservation of the material prior to its acquisition, including any issues or unusual costs in relation to:

- (a) the current condition and/or long-term care of the work of art;
- (b) the storage and movement of the work of art, including but not limited to long-term storage issues and costs and workplace health and safety issues; and
- (c) documentation, display and loan.

### **4.3.3 Conditional Acquisitions**

As a general rule, the Gallery does not accept acquisitions that carry restrictions or conditions. Donors and sellers will relinquish all proprietary rights to the material other than copyright. In extraordinary circumstances, exceptions may be made by the Council, on the recommendation of the Collections Committee. These exceptions may include custodial arrangements legally negotiated on a case-by-case basis.

## **4.4 Methods of Acquisition**

### **4.4.1 Gift**

The Gallery undertakes to publish an image of any gifted work of art together with details of the work and the agreed credit line on the Gallery's website within a reasonable timeframe of receiving it. The Gallery will, on request, provide a publication-quality image free of charge to the donor for non-commercial use within the parameters of the Gallery's obligations as regards copyright.

#### **4.4.1A Outright Gift**

Any donation of material by a living individual or individuals, or an institution or organisation, is considered a gift.

To make a valid gift, there must be a clear intention on the part of the donor to transfer title and possession of the material and clear intent on the part of the Gallery to accept it. The transfer of both possession and title must be absolute and unencumbered. As a rule, the Gallery will not accept or recognise a gift where there is reserve to the donor of any power of control or revocation. In exceptional circumstances in

which the Gallery elects to accept an encumbered or restricted gift, the basis of this decision will be minuted by the Collections Committee and approved by the Council.

All donors are required to sign a Deed of Gift, evidencing full transfer of title and possession, providing the Gallery with a range of warranties and indemnities and affirming the agreement of both or all parties to the transfer and acceptance of title and possession of the work of art. If the Gallery elects to accept a gift with encumbrances or restrictions, such matters will be documented as variations to the Deed of Gift.

The Gallery also accepts gifts made under the Cultural Gifts Program. Such gifts are assessed against this policy and the Art Acquisition Strategy and must also meet the Cultural Gifts Program requirements, which include independent valuations, the details of which are outlined by the responsible government department. For donations made under the Cultural Gifts Program, the Certificate of Donation provided by the donor and the Donation Summary provided by the Gallery fulfil the role of the Gallery's Deed of Gift, which is not required for such gifts. Gifts are also accepted from the American Friends of the National Gallery of Australia, to which similar considerations apply.

#### **4.4.1B Promised Gift**

A donor may promise a gift to the Gallery during their lifetime. A promised gift is a commitment by the donor to give a work to the Gallery wherein part or all of the receipt of the gift is deferred until an agreed date(s) in the future. Gallery staff will work with the donor to assess the title and provenance of the promised gift to ensure that it meets due diligence and provenance requirements prior to acceptance of the promised gift by the Gallery.

Title is retained in the material by the donor until such time as the gift is realised. The donor may retain physical possession until the gift is realised or may enter into loan arrangements with the Gallery.

Unless in exceptional circumstances, the Gallery will only realise the promised gift after possession of the work of art has transferred to the Gallery in order to ensure that:

- (a) the material is complete and all components or parts have been received; and
- (b) the material is in an acceptable condition, consistent with the condition understood at the time the acquisition agreement was entered into.

Should the material not be in an acceptable condition, or in the event that other factors relating to the authenticity, provenance or attribution of the work are not as they were understood to be at the time of the agreement, the Gallery reserves the right to not proceed with acquisition.

#### **4.4.2 Purchase**

Material may be purchased for the purpose of accession into the collection.

##### **4.4.2A Purchase from dealers, commercial galleries, shops, private individuals and companies**

Although warranty of title is implied in the sale of goods, a Purchase Agreement will be entered into, stipulating the warranties and undertakings the seller makes in relation to the title and authenticity of the material which they are selling, guaranteeing that it is free from restrictions, lien or encumbrances.

Unless in exceptional circumstances, the Gallery will pay for purchases after the material has been received and the Purchase Agreement completed by both parties in order to ensure that:

- (a) the correct material has been received;

- (b) it is complete and all components or parts have been received; and
- (c) it is in an acceptable condition, consistent with the condition understood at the time the agreement to purchase was entered into.

In circumstances where part or full payment is required in order to secure the transfer of possession, acquisition approval must be obtained and the Purchase Agreement must be completed and approved by all parties prior to the payment being made.

#### **4.4.2B Purchase at Auction**

Works of art may be purchased at auction and, in such instances, purchases are made on the auction house's terms and are not formalised through a Purchase Agreement. The auction house's terms of sale must be evaluated for warranty of title and authenticity in accordance with this policy and established Due Diligence and Provenance Policy and Procedure.

#### **4.4.3 Bequest**

All, some or none of the material offered to the Gallery by bequest may be accepted for the purpose of entering into the collections. In accordance with the conditions of the bequest, material may be also acquired as property to be disposed of to benefit the collection. Where possible Gallery staff will work with the benefactor to assess the title and provenance of the bequest to ensure that it meets due diligence and provenance requirements prior to the realisation of the bequest.

For accepted bequests, a copy of the will, codicils and any other related documentation will be retained as part of the Gallery's records. Unsolicited bequests may be accepted for entry into the collections or as property to be disposed of to benefit the collections.

#### **4.4.4 Commission**

The Gallery may acquire works of art that it has commissioned from an artist. All commissions are submitted to Council for approval. The terms and conditions of a commission, including an option to acquire, are stipulated in the Commissioning Agreement established between the Gallery and the artist/s and approved by Council. Should the work of art be intended for acquisition, it is submitted to Council for acquisition after the work is completion. In exceptional circumstances, a commission may be presented to Council for acquisition and bypass the intent to commission requirement.

#### **4.4.5 Other Processes for Acquisition**

##### **4.4.5A Joint Ownership**

The Gallery recognises the potential benefits of joint ownership arrangements. The Gallery may undertake to acquire collection material jointly with another collecting institution. Any transactions involving binding terms for permanent or temporary joint ownership must be reviewed and approved by the Council through the Collections Committee. Binding terms must ensure that conditions for shared possession, preservation and conservation, storage conditions, display, insurance, outward loan, freight, packing, handling and other considerations for collection management and access are agreed.

The agreement must also make provision for first option for purchase of the remainder of the title in the work to be given to the co-owner(s) in the event that either or any of the parties intends to dispose of their share, and that if this option is not taken that any new co-owner must be able to meet agreed museum-standard conditions in order to acquire part title of the work and agree to maintain appropriate custodial arrangements with the Gallery.

##### **4.4.5B Other**

Other forms of acquisition may be considered by the Council on a case-by-case basis. Any consideration of other forms of acquisition will be undertaken with reference to the principles of this policy.

## 4.5 Delegated authority to acquire

Acquisitions must be approved by the relevant financial delegate. The total acquisition cost is inclusive of, for example, freight, packing, display and conservation.

Under the *National Gallery Act 1975*, the Council may approve acquisitions up to \$10 million (as at 1 January 2020). Proposed acquisitions over \$10 million must be first endorsed by the Council, then referred by the Chair of the Council to the Minister for approval.

The Director has delegated authority to approve acquisitions within established limits. The Director and the Chairs of the Council and Council Collections Committee together have a further delegation. A summary of works acquired under these delegations will be submitted to the next scheduled Collections Committee meeting.

All proposed acquisitions with a purchase price over these delegations must be presented to the Collections Committee for endorsement. Acquisition of a work of art offered for sale at auction with a price over the Director's delegation may be endorsed by the Collections Committee either at a scheduled meeting or by means of a memo outside the standard meeting cycle. Works of art acquired at auction and endorsed by memo will be re-presented for noting to the subsequent scheduled Collections Committee meeting, with appropriate due diligence research carried out prior to submission.

All acquisitions will be considered on their merit, considering the principles and terms of this policy and the details of the proposed acquisition outlined in the Submission for Acquisition. Prior to consideration by the Collections Committee, proposed acquisitions are approved by the Director and Assistant Director, Curatorial and Exhibitions. Acquisition submissions are prepared by the relevant curator after approval to proceed is issued by the Director and Assistant Director.

The decisions of the Collections Committee, including summary listings of works acquired by Director's delegation or at auction will be minuted and ratified by the Council at the subsequent meeting.

## **4.6 Acquisition and Accession into the Collections**

For gifts: Title in a gift passes when the Council approves the acquisition. The process is formalised when the Deed of Gift is executed by the Donor.

For purchases: The Gallery employs a Purchase Agreement, the terms of which are agreed prior to submission to Council. In the case of acquisition by purchase (other than purchases at auction), title passes in accordance with the terms of the Purchase Agreement, implemented once the Council has approved the acquisition.

For auctions: Title passes in accordance with the terms and conditions of sale established by individual auction houses, including on-line auction houses and entities.

For commissions: Title passes when and if the parties intend it to pass, as agreed and documented in the Commissioning Agreement.

Irrespective of the method of acquisition, the date of accession into the collection is the date of the Council meeting at which the acquisition is formally approved.

## **4.7 Acquisition for purposes other than entering into the Collections**

As a rule, the Gallery will not acquire collection material for purposes other than entering into the collections. However, it may be acquired and not enter the collections in circumstances where the conditions of a bequest allow the Gallery to acquire title and dispose of all or some of the bequeathed material.

Any proceeds arising from the disposal of material in this manner will be used within the terms of the bequest, generally solely for the acquisition of material for the collections. The original source of the bequest will be credited in relation to any subsequent purchases arising from the proceeds of such disposal.

The Council will be advised of any material acquired for purposes other than entering the collections.

## **4.8 Transparency and Accountability**

### **4.8.1 Publication of Acquisitions**

The Director will ensure that a list of all acquisitions approved in the financial year is published in the Annual Report.

Unless otherwise restricted in accordance with the Aboriginal and Torres Strait Islander Cultural Rights and Engagement Policy, other policies or legal obligations, the Gallery will make provenance information about new art acquisitions and, to the greatest extent possible, the existing national collection of art, accessible to the public on the Gallery's website.

### **4.8.2 Record-keeping**

In accordance with the Record-Keeping Policy and established procedures, staff will maintain records for each proposed acquisition, including those that are not approved by the Council, documenting relevant information and decision-making.

### **4.8.3 Conflicts of Interest — Staff and Council Members**

Members of the Collections Committee must declare any conflict of interest and this conflict must be actively managed. Gallery staff involved in the acquisition process and members of the governing Council and the Collections Committee must declare any conflict of interest in an acquisition. The declared conflict will be minuted by the Collections Committee. Staff, Council and Committee members must exclude themselves from any discussion or decision by the Collections Committee and/or governing Council in relation to an acquisition in which they have an interest and this will be minuted.

This policy is linked to the National Gallery of Australia's Ethics Framework. Gallery staff involved in the acquisition of collection material are bound by the Ethics Framework and other relevant Gallery documents, including but not limited to the Professional and Personal Conduct Guidelines, Fraud Strategy and Record-Keeping Policy.

## 5. Definitions

In this policy:

**Act** means the *National Gallery Act 1975*.

**Accession** means the process which formally acknowledges a work of art as part of the national collection of art.

**Acquisition** means the process of obtaining valid title to a work of art or other collection material. Works may be acquired through various methods for the purpose of entering the collections or acquisition without entering the collections for purposes outlined in this policy.

**Collection material** means works of art in various media that are Gallery property and have been formally accessioned into the national collection of art, and furthermore refers to any other material acquired for other collecting areas within the Gallery, including the Study Collection (previously Art Archive).

**Collections committee** means the Council sub-committee established to review and recommend the acquisition or deaccession of collection material.

**Council** means the governing Council of the Gallery under the Act.

**Council member** means a member of the governing Council appointed in accordance with the Act.

**Deed of gift** means a formal, legally binding document that establishes that title to a work of art is given to the Gallery as a gift by the donor(s). The deed of gift also outlines the terms and conditions of the gift and its acceptance.

**Director** means the Director of the Gallery appointed under the Act and includes a person appointed by the Minister as acting Director.

**Donor** means a person, persons or entity that makes a gift of a work of art, directly to the Gallery or through the Australian Government's Cultural Gifts Program or supports the acquisition of a particular work of art by cash donation.

**Due diligence** means the thorough assessment of a work of art or other collection material to evaluate its authenticity, ownership and provenance and to identify and assess any gaps.

**Gallery** means the National Gallery of Australia, a statutory body established in accordance with the Act.

**Provenance** means the history and ownership of an object from the time of its discovery or creation to the present day, from which authenticity and ownership may be determined.

**Purchase agreement** means a formal, legally binding written contract which outlines the rights, obligations and undertakings of the buyer and seller, the terms and conditions of the sale and the transfer of both property and title.

**Study collection** (previously Art Archive) comprises works of art and other material designated for the purpose of study or research that support or relate to works of art or artists represented in the collection.

**Submission for acquisition** means a document that details information about collection material proposed for acquisition and outlines considerations in assessing it. The submission details the known provenance and direct costs and, in the case of material acquired through purchase, the potential funding source.

**Title** means the legal right to ownership of property.

**Work(s)** is a reference to one or more collection items.

## 6. References

This policy should be read in conjunction with the following:

### 6.1 Gallery Policies

- *Aboriginal and Torres Strait Islander Cultural Rights and Engagement Policy*
- *Due Diligence and Provenance Policy*
- *Deaccessioning Policy*
- *Research Library Collection Development Policy*
- *Research Archive Acquisition Policy*
- *Exhibitions Development Policy*
- *Financial Delegations*

- *Freedom of Information Policy*
- *Inward Loans Policy*
- *Outward Loans Policy*
- *Record-Keeping Policy*
- *Risk Management Policy*

## **6.2 Guidelines, Procedures and Associated Documents**

### **6.2.1 Gallery Guidelines, Procedures and Associated Documents**

- *Art Acquisitions Strategy*
- *Art Acquisition Procedures*
- *Professional and Personal Conduct Guidelines*
- *Ethics Framework*
- *Fraud Strategy*
- *Inward Loans Procedure*
- *Outward Loans Procedure*
- *Provenance and Due Diligence Research Procedure*
- *Work of Art Claims and Inquiries Handling Procedure*

### **6.2.2 National and International Guidelines, Procedures and Associated Documents**

The Gallery's guidelines and principles have been informed by the Australian Government's *Australian Best Practice Guide to Collecting Cultural Material 2014*, the Association of Art Museum Directors' *Report of the AAMD Task Force on the acquisition of archaeological materials and ancient art (2004)* and *Combating illicit trade: due diligence guidelines for museums, libraries and archives on collecting and borrowing cultural material* (Department for Culture, Media and Sport, London, 2005). Other framing documents include:

- Art Gallery of New South Wales, *Art Acquisitions Policy*, 2015
- National Gallery of Victoria, *Acquisition and Accession Policy*, 2014

- National Museum of Australia, *Acquisitions Policy*, 2014
- Terri Janke, *First Peoples: A Roadmap for Enhancing Indigenous Engagement in Museums and Galleries*, Australian Museums and Galleries Association, 2018
- American Association of Art Museum Directors, *Guidelines on the Acquisition of Archaeological Material and Ancient Art*, 2013
- ICOM *Code of Ethics*, 2013
- Australia Council, *Protocols for Producing Indigenous Australian Visual Arts*, 2010
- Ministry for the Arts, *Cultural Gifts Program Guide*, 2009
- Pacific Islands Museums Association *Code of Ethics for Pacific Museums and Cultural Centres*, 2006
- Museums Australia, *Continuing Cultures, Ongoing Responsibilities*, 2005
- Smithsonian Institution, *Collections Management*, 2001
- UNESCO, *The Hague Convention 1954, First Protocol 1954 and Second Protocol 1999*
- Museums Australia, *Code of Ethics*, 1999
- *Unidroit Convention on Stolen or Illegally Exported Cultural Objects*, 1995
- *Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) (Amendment) 1979*
- *UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property*, 1970
- *ICOM Red Lists*

## 6.3 Legislation

The Gallery recognises the 1972 *UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import and Export and Transfer of Ownership of Cultural Property* and complies with the Australian Government's *Protection of Movable Cultural Heritage Act 1986*. In addition, the Gallery adheres to the *Code of Ethics for Museums* (2004) of the International Council of Museums (ICOM) and the *Code of ethics for art, history & science museums* (1999) of Museums Australia, which preclude museums from participating in transactions involving illicit material.

### 6.3.1 Commonwealth

- *National Gallery of Australia Act 1975*
- *Aboriginal and Torres Strait Islander Heritage Protection Act 1984*
- *Biosecurity (Consequential Amendments and Transitional Provisions) Act 2015*
- *Customs Act 1901*
- *Environment Protection and Biodiversity Conservation Amendment (Wildlife Protection) Act 2001*
- *Income Tax Assessment Act 1997*
- *Personal Properties Securities Act 2009*
- *Protection of Cultural Objects on Loan Act 2013*
- *Protection of Cultural Objects on Loan Regulation 2014*
- *Protection of Movable Cultural Heritage Act 1986*
- *Protection of Movable Cultural Heritage Regulation 1987*
- *Public Governance, Performance and Accountability Act 2013*

### 6.3.2 Australian Capital Territory

- *Freedom of Information Act 2016*
- *Public Interest Disclosure Act 2012*
- *Information Privacy Act 2014*

- *Financial Management Act 1996*
- *Financial Management Regulation 2005*
- *Sale of Goods Act 1954*
- *Sale of Goods (Vienna Convention) Act 1987*
- *Territory Records Act 2002*
- *Uncollected Goods Act 1996*

This policy is also informed by the traditions and precedent set since the establishment of the Gallery.

## Attachment A

### Summary of Amendments

<b>Amended</b>	<b>Version #</b>	<b>Description of Amendments</b>	<b>Approval of Amendments</b>
<b>August 2017</b>	3	Document created	National Gallery of Australia Council
<b>February 2020</b>	3	Format and content revised	National Gallery of Australia Council