



**CONSULTATION POLICY**  
**(LOANS FROM OVERSEAS FOR TEMPORARY EXHIBITION)**  
**[TO BE PUBLISHED ON THE AM WEBSITE]**

19 June 2017

Revised 4 May 2022.

Revised 24 April 2023.

## **1. CONTEXT**

### **1.1 Objective**

This Policy applies when the Museum identifies an object located overseas that it would like to import for temporary exhibition in Australia.

### **1.2 Application**

While this Policy particularly applies to objects with a connection to any Aboriginal, Torres Strait Islander or Pasifika communities, traditional owners or custodians, it is not restricted to such objects and applies equally to any object to be borrowed from overseas for a temporary exhibition in Australia.

### **1.3 Procedures**

Procedures to be followed in implementing this Policy are set out in the document *Consultation Procedures (Loans from Overseas for Temporary Exhibition)*.

The Procedures will comply with Regulation 9 of the *Protection of Cultural Objects on Loan Regulations 2014* (Cth) and will include specific consultation processes for:

- Aboriginal or Torres Strait Islander communities, individuals or groups;
- any other Australian individual, family group or community; and
- objects of significance to any state or territory archives.

## **2. KEY PRINCIPLE**

### **2.1 Compliance with the Key Principle**

**The Museum is committed to only borrowing objects in accordance with its statutory charter, with its mission and its vision statements and in compliance with the highest legal and ethical standards.**

When borrowing objects from overseas for temporary exhibition in Australia, the Museum will always identify whether it should consult with any individual, family group or community to which the object relates, including (but not limited to) any Aboriginal or Torres Strait Islander person, group or community and any traditional owner or custodian.

The Museum will always undertake community and sector consultation and appropriate engagement where the proposed loan relates to Aboriginal, Torres Strait Islander or Pasifika cultural material.

For any other object, the Museum will consider the following to determine whether consultation will be undertaken:

- whether the object has historical significance to a particular individual, group, event, place or activity;
- whether there are specific family associations with the object;
- whether the object has social or spiritual significance to a particular community in Australia;
- whether there is a demonstrated attachment between the object and an individual, family group or community in Australia; and
- whether the object embodies beliefs, ideas, customs, traditions, practices or stories that are important to a particular community in Australia.

Where consultation is identified as necessary, the consultation process will:

- give all parties adequate time and opportunity for full and proper consultation;
- be appropriate having regard both to the object and to the individual, group or body being consulted;
- be respectful; and
- be meaningful.

The Museum will consider the outcomes of any consultation before making any decision as to whether to proceed with a loan from overseas for temporary exhibition in Australia.

### **3. ROLES & RESPONSIBILITIES**

The Procedures will allocate responsibility for:

- determining whether consultation will be undertaken in relation to a particular object;
- determining the appropriate consultation and engagement process;
- undertaking the consultation; and
- reviewing the outcome of the consultation and deciding on whether any further action is required (including any further consultation or any review of the proposed loan).

### **4. TIMING OF CONSULTATION**

Any consultation either required under this Policy will be completed before the loan is finalised and before the object is imported into Australia.

### **5. DOCUMENTATION & RECORD KEEPING**

The Museum will document:

- its decision as to whether consultation will be undertaken; and
- any consultations following that decision.

The Museum will document both the processes and outcomes of each of the above.

Resulting records will be kept and disposed of in accordance with the Museum's *Disposal Schedule* (DR55731998) and *Australian Museum Records Management Policy* (2021).

### **6. AUDIT & REVIEW**

Compliance with this Policy and with the Procedures made under it will be audited by the Director & CEO, or their delegated representative.

This Policy and the Procedures made under it will be reviewed no less than every five years.

## 7. COMPLIANCE

Failure by staff to comply with this Policy may constitute grounds for disciplinary action.

## 8. INTERNATIONAL, LEGAL & ETHICAL FRAMEWORKS

This Policy is based on the requirements set out in Regulation 9 of the *Protection of Cultural Objects on Loan Regulations 2014* (Cth).

This Policy has also been drafted by reference to the following ethical standards and principles and international instruments:

- *Australian Museum Indigenous Cultural and Intellectual Property (ICIP) Protocol (2019)*
- AIATSIS, *Code of Ethics for Aboriginal and Torres Strait Islander Research* (2020)
- Chapter 6 of ICOM's, *Code of Ethics for Museums* (2017)
- Clause 4.1 of the Museums Australia, *Code of Ethics for Art, History and Science Museums* (1999)
- Museums Australia, *Continuing Cultures, Ongoing Responsibilities* (2005) – in particular, Part 1.2 “Interpretation of Collections” and Part 5 “Relationships and communication”
- Principles 4.2 and 4.3 of ICOM's, *Code of Ethics for Museums* (2017)
- Standard A1.5 of the *National Standards for Australian Museums and Galleries* Version 1.5 (September 2016)
- United Nations, *Declaration on the Rights of Indigenous Peoples* (2008) – in particular, Articles 11, 12, 13, 15 and 31.

## 9. APPROVAL

Approved by the Executive Leadership Team on 19 June 2017.