

UNIVERSITY OF CAPE TOWN (UCT) POLICY FOR COLLECTION AND HERITAGE STEWARDSHIP

PREAMBLE

The UCT is a public funded institution of higher education, learning, research, and social responsiveness. Collections within UCT form a vital and valuable asset for teaching, research, education, transformation and social responsiveness. The purpose of this policy is to identify collections within UCT to ensure their proper management, stewardship, and to identify and sustain UCT's heritage footprint. A collection in a university environment will have many sources, and historic, social and cultural contexts, including unethical circumstances. Retained collections and collection items within the UCT overtime have gained heritage status due to their age or value to the nation. To ensure all future heritage is acquired ethically and responsibly it is important that UCT devise a collections management strategy or strategies to ensure new ethical and responsible acquisitions while simultaneously make the best use of its collections for research and teaching, to highlight the significance of such collections and a policy of dealing with unethically acquired collections.

A collection can be described as groups of objects, artefacts, samples of cultural or natural history (biological, palaeontology, medical and life sciences), including documentation that have been collected and stored by individuals, departments, faculties and UCT in pursuit of its core business of education and research. More specifically collections can be but are by no means limited to documentation, photographs, multimedia images, data of various kinds, biological samples or specimens, archaeological or ethnographic objects, creative works, and other objects or items that have been acquired, retained, perhaps accessioned, but are documented, stored, and conserved at UCT due to their research, educational, historic, cultural, aesthetic and heritage significance.

UCT is responsible for the development of its collections through acquisition, documentation, researching, managing, conserving and utilisation of them to perform its core functions of research, teaching and learning, and social responsiveness in accordance with UCT values. Collection management is part of everyday academic scholarly activities and relates to the time an object is acquired, kept and managed until its disposal. Collection stewardship and management refers to the practices and procedures relating to the acquisition, accession, documentation, use, care, preservation, security, loan, and disposal of objects under the care of the various departments of UCT. The UCT commits, within limitations imposed by ethics and legal requirements, to providing access to its heritage estate to members of the community. To achieve sustainable collection stewardship, UCT's approach to collections is interdisciplinary, allowing for integrated identification, protection, management, conservation and utilisation of the institution's estate for the benefit of staff, students and the community at large.

It must be acknowledged that currently there is no historic systematic collection policy at UCT, and collections were largely dictated by considerations of research and teaching, past ad hoc issues, questions of the day and personal interests. UCT acknowledges the necessity to address historical erasures, imbalances, and inequities for the purposes of forging inclusive futures whilst simultaneously affirming the cultural diversity of the institution and its surrounds. This requires UCT to engage critically with this past for the purposes of restorative

justice, while providing special attention to heritage and collections that advance the transformation goals of UCT. To this end, this policy foregrounds the acknowledgement of human rights, cultural and symbolic diversities, and offers alternatives to past heritage practices that silenced, discriminated, and prejudiced people and their historic existences.

HERITAGE

Heritage is major sub-category of collections and the UCT estate. All new acquisitions into the UCT that are retained will eventually achieve heritage status, as defined in National Legislation and policy but not be limited solely by its definition. Heritage refers to the inheritance of the past in the present; that which is valued, (including its contested values) in the present; and that which is chosen for preservation for future generations. Heritage is comprised of the non-binary combinations of tangible, intangible and natural elements. Heritage is composed of the inheritance of 'official' and 'unofficial' / 'vernacular' physical and material objects, monuments, sites, and diverse knowledges of ecosystems, as well as intangible aspects such as knowledges, cultures, traditions, languages and beliefs. Intangible heritage refers to the practices, representations, expressions, knowledge, skills — as well as the instruments, objects, artefacts and cultural spaces associated therewith — that communities, groups and, in some cases, individuals recognise as part of their cultural heritage. This includes oral traditions and expressions, language, performing arts, social practices, rituals, festive events and traditional craftsmanship (UNESCO 2003). Whereas tangible heritage includes buildings and historic places, monuments, artefacts, including historic landscapes etc., which are considered worthy of preservation for the future. These include objects significant to the archaeology, architecture, science or technology of a specific culture.

UCT acknowledges that its tangible and intangible heritage comprises *inter alia* of sites, landscapes, buildings, objects, artworks, memory, oral and living traditions and cultures of past and contemporary peoples, archival material, music and performance. These are legacies inherited in the present and we live, experience and bequeath them to future generations.

1. DEFINITIONS

In this policy, unless the context requires otherwise —

1.1 “Access” means the processes by which the general public and communities benefit from UCT’s collections. These include indirect access (displays, publication and digital formats) and direct access to the collections in storage.

1.2 “Accession” means collection and/or collection item that has been permanently acquired by a department and registered by allocating an asset number or permanent accession number as a permanent record for which the department has custody or title.

1.3 “Accession Register” means an inventory of collections with a heritage value declaration forming part of a collections under the stewardship of UCT.

1.4 “Acquisition” means the process of obtaining and accessioning collections into the permanent holdings of UCT. Acquisition may be by donation, bequest, purchase, excavation, fieldwork or transfer between institutions, etc.

1.6 “Archives” means collections of published and unpublished documents, which comprise the historical record of a collection or collection item at UCT.

1.7 “Archival Material” includes written, printed, digital, photographic, sound or other audio-visual documents that are associated with the collections held by UCT.

1.8 “Alter” means any action affecting the structure, appearance or physical properties of a place or object, whether by way of structural or other works, by painting, plastering or other decoration, or any other means.

1.9 “Appraisal” means assigning a monetary value, quality (intrinsic) or significance to items.

1.10 “Bequest” means the gift of items and/or funds to the UCT on a permanent basis by means of a will, after consultation with the Registrar.

1.11 “Collections” means groups of objects, artefacts, samples of cultural (creative works, objects, artefacts, including archaeological, historic and ethnographic objects) or natural history (biological, palaeontology, medical and life sciences), including documentation and data that have been acquired, retained, perhaps accessioned, but are documented, stored, and conserved by individuals, departments, faculties and the UCT in pursuit of its core business.

1.12 “Conservation” includes protection, maintenance, preservation and sustainable use of collections to safeguard their value and significance.

1.15 “Cultural heritage” refers to the assemblage of objects and artefacts associated with people, practices and places which are of outstanding community, national and universal value from the point of view of history, art or science, as reflected in tangible heritage aspects such as architectural works, works of monumental sculpture and painting, elements or structures of an archaeological nature, inscriptions, cave dwellings and combinations of features, and in intangible aspects valorised in current practices, representations, expressions, knowledge and know-how, transmitted from generation to generation within communities, created and transformed continuously by them, depending on the environment and their interaction with nature and history (UNESCO 1972; 1994; 2003).

1.13 “Cultural significance” means aesthetic, architectural, historical, scientific, social, spiritual, linguistic or technological value or significance.

1.14 “Curator” means a staff member or consultant who is a specialist in a field of study and who manages, provides information, does research and oversees the maintenance, use and enhancement of collections in a faculty or department.

1.16 “De-accessioning” means the permanent removal of collection or collection item by transfer, exchange or sale, or due to irreparable damage, loss or theft, and its formal deregistration. Also, sometimes referred to as “disposal and alienation”.

1.17 “Deed of Gift” means a document signed by the donor transferring title of an intangible heritage or collection to the UCT upon a donation or bequest.

1.18 “Department” means an academic or operational department/division, including a library or museum, that holds collections and heritage as defined in this policy.

1.19 “Departmental Collection and Heritage Stewardship Committee” means the committee in a department responsible for the management of intangible heritage or collections.

1.20 “Disposal of collections” is the permanent destruction and disposal of collections and/or collection items.

1.21 “Documentation/Data” may constitute the following, Radiographs (X-ray), drawings, photographs, photograph negatives, casts, reconstructions, replicas, electronic copies of catalogues, individual researcher data sheets, computerised tomography in all its forms, three-dimensional surface scans, sound recordings and film in all their technological/digital variations, all associated documentation.

1.22 “Donation” means the gift or of items to the UCT on a permanent basis or on loan after consultation with the Registrar and the Development and Alumni Department (DAD) as per the UCT Fundraising and Stewardship Guidelines.

1.23 “Exhibition” means a temporary or permanent presentation of collections or collection item together with information within a unifying theme for the purpose of education and interest of visitors.

1.24 “Heritage Object” refers to any moveable property of cultural significance which may be protected in terms of the provisions of the National Heritage Resources Act 25 of 1999. This may include archaeological artefacts, palaeontological and rare geological specimens, meteorites and any other object which holds cultural significance as outlined by the Act.

1.26 “Loan” means the transfer of collections or collection item for a fixed temporary period without transfer of ownership.

1.27 “Public” means all users or potential users of the collections, including students, learners, educators, children, adults, researchers, volunteers, media, institutions, donors, sponsors, etc.

1.28 “Stewardship” means the responsible management of all collections and heritage held by UCT.

1.30 “UCT Collection and Heritage Stewardship Committee” means the committee responsible for oversight of conservation, research, education, exhibition, policy-making, acquisition, bequests, loans or de-accessioning of collections or collection items and heritage estate under UCT’s stewardship.

2. PURPOSE OF THE POLICY

2.1 UCT strives to support its core functions by collecting and preserving, exhibiting and interpreting collections under its stewardship, with the full participation and enjoyment of its stakeholders. This is achieved through continuous development and stewardship of collections following ethical principles, community sensibilities and legal requirements. UCT commits to this policy to ensure that collections under its stewardship are appropriately documented and accounted for, as well as protected, conserved, displayed and secured for the greater public good.

2.2 This framework policy sets out the principles and procedures for the management and stewardship of collections and mindful for adding to the current and the development of future collections, which must be adhered to by departments.

2.3 Every department must inventory and describe what is in each of its collections, within its multiple departments, schools, research and administrative units, centres and institutes, and in the wider context of the UCT as a historical and cultural landscape.

2.5 Every department must develop its own ethical policy to manage collections operate and comply with under its care. An overarching faculty policy may be possible in some circumstances. In others several specific policies may be required. These policies should include a short statement prepared for all collections explaining their use and value within the University system, speaking to UCT’s values and goals.

2.6 The UCT needs to be mindful of its place within a global framework of universal human rights and policy framework of the UNESCO,

2.7 Support for collections that may have a public interest and making it accessible through exhibitions and other forms of public programmes, including social media

2.8 Make specific reference to those collections that have a heritage significance, that includes both tangible and intangible referents.

- 2.9. Policy development must be based on critical engagement and must include interested and affected parties, where appropriate.
- 2.10 All staff, students and visitors are expected to know and follow these policies and procedures.

3. SCOPE

This policy applies to all collections, collection items and heritage as defined in this policy that have been acquired and retained long-term at UCT and is inclusive of accumulated data.

4. POLICY REVIEW

The UCT Collection and Heritage Stewardship Policy and procedures will be reviewed periodically to ensure that they conform to prevailing standards of collections and heritage management and that they reflect any change in circumstances since the last review. All revisions of policies must be approved by the UCT Collection and Heritage a Stewardship Committee, Senate and Council. Where possible, stakeholders must be consulted during the review processes.

5. LEGISLATIVE AND REGULATORY FRAMEWORKS

This policy adheres to the stipulations in the National Heritage Resources Act 25 of 1999, the Cultural Institutions Act 119 of 1998, the National Health Act 61 of 2003 - Regulating Human Tissue, the World Heritage Conventions Act 49 of 1999, the National Environmental Management: Biodiversity Act 10 of 2004, the Custom and Excise Act 91 of 1964, the Mineral and Petroleum Resources Act 28 of 2002, Copyright Act 98 of 1978, and the Patents Act 57 of 1978. It is informed by UNESCO Convention concerning the Protection of the World Cultural and Natural Heritage (16 November 1972); UNESCO Convention for the Protection of Cultural Property in the Event of Armed Conflict (14 May 1954); Second Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict (26 March 1999); UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (14 November 1970); UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects (24 June 1995); UNESCO Convention on the Protection of Underwater Cultural Heritage (2 November 2001) , the UNESCO Convention for the Safeguarding of Intangible Cultural Heritage (17 October 2003) and the UNESCO Recommendation on the Historic Urban Landscape (2011)

6. VALUES

In providing stewardship to its educational, research and heritage estate, UCT commits to the following values:

- 6.1. Excellence, so that collection and heritage stewardship and conservation not only adhere to best professional practices, but may also contribute to research, teaching and innovation;
- 6.2. Sustainability, so that present needs do not diminish the value of the estate and it remains bequeathed to future generations;

- 6.3 Community engagement, for meaningful public participation to contribute to the democratisation of collection and heritage stewardship and conservation, where communities are considered partners; and
- 6.4 Transformation, so that collections or the heritage estate do not remain static but support the building of new educational, research and heritage resources and new interpretations to existing resources, particularly to histories that have been previously neglected.

7. UCT COLLECTION AND HERITAGE STEWARDSHIP COMMITTEE

A UCT Collection and Heritage Stewardship Committee shall be established to ensure implementation of the policy. It shall also ensure that management decisions in respect of collections and heritage at UCT are made in a manner consistent with this Policy.

8. FACULTY/DEPARTMENT COMMITTEES

Every department that houses collection/s and heritage shall ensure that it establishes a departmental collection and heritage stewardship committee to manage these collections in accordance with this policy.

9. CURATOR

Every department must nominate a member of staff to act as curator to oversee and manage collections with or without heritage value as defined in this policy and according to the principles outlined in this policy.

10. CONSERVATION/PRESERVATION UNIT

Given the scale and nature of collections at UCT, it is advised that a conservation/preservation unit be established to provide oversight of all collections and heritage estate under UCT's stewardship.

11. MANAGEMENT OF COLLECTIONS AND HERITAGE

Within the UCT, the nature of collections and heritage estate is diverse, therefore, faculty-specific policies are needed. Below are a set of guidelines and considerations for the management of collections under the stewardship of the University. These guidelines are not to disrupt the functioning discipline-specific curatorial standards and processes, but rather to ensure that all departments are managing collections within the framework of the UCT ethos. Oversight for management of collections is the responsibility of the Dean or Executive Director of Properties and Services.

11.1 Inventory

- 11.1.1 Every department shall complete an audit and produce an inventory with an accession register of all collections and a declaration of their heritage status needs to be produced and submitted to the Faculty and UCT Collection and Heritage Stewardship Committee.
- 11.1.2 This inventory and stock-keeping needs to be updated annually and all new acquisitions must be obtained within the criteria outlined in this policy. Any material without full provenance or considered to be unethically obtained needs to have a moratorium placed on it as required by this policy.
- 11.1.3 Each department should have its own archive and separate archival policy, consistent with this policy, which is a valuable source of reference in reviewing policy.

11.2 Protection

- 11.2.1 All collections and heritage at the UCT shall be reasonably secured. Many of the collections and heritage estate are unique and irreplaceable. It is the responsibility of the Curator, Head of Department (HOD) and curation team to undertake the stewardship of collections and heritage to safeguard and conserve them. The UCT Collection and Heritage Stewardship Committee acknowledges the need to balance the demands for access to collections and needs of preservation.
- 11.2.2. Conservation activities shall be conducted in a manner that meets the professional national and international standards of practice and complies with national legislation and policy.
- 11.2.3 Curators and HODs need to assist Campus Protection Services in developing disaster management and recovery plans, taking into account international guidelines to protect their collections against theft, vandalism, fire, flood and other potential disasters and perils. These plans must be submitted to the UCT Heritage and Collections Stewardship Committee.
- 11.2.4. The UCT Heritage and Collections Stewardship Committee must appoint a sub-committee on disaster management and emergency response to respond to damage of collections and the heritage estate.
- 11.2.5 A complete asset control survey of all collections and heritage items must be undertaken by the Curators on a biannual basis and submitted to the UCT Heritage and Collections Stewardship Committee.
- 11.2.6 As far as possible the UCT shall provide appropriate physical accommodation for collections, with environmental controls for relative humidity, temperature, light intensity and airborne contaminants to ensure the long-term preservation of collections.
- 11.2.7 The UCT Collection and Heritage Stewardship Committee shall maintain a system of registration of collections and its heritage estate across UCT. The University Asset Register will be updated accordingly. Monetary values (purchase price, fair market value appraisal for gifts and insurance purposes) will be disclosed by departments to the UCT Collection and Heritage Stewardship Committee.

11.3 Storage

- 11.3.1 Curators and HOD, within the resource constraints of the UCT shall ensure the appropriate storage environment for all collections and heritage under their stewardship.
- 11.3.2 Curators and HOD, within the resource constraints of the UCT shall provide the proper environment where collections, samples and heritage objects are stored. Where possible, the storage facility will comply with international standards.
- 11.3.3 The UCT Collection and Heritage Stewardship Committee will make annual random inspections of the storage facilities to ensure that the correct procedures are being followed.

11.4 Insurance

The Executive Management of the UCT is responsible for determining the level of insurance for the collections and heritage under its stewardship after considering the inventories

maintained and values assigned by the UCT Collection Heritage Stewardship Committee through departmental Collection and Heritage Stewardship Committees.

11.5 Reproduction, Copyright and Publication

11.5.1 UCT is bound by national and international law as far as copyright and reproduction rights are concerned. Where UCT is the copyright holder or the agent on behalf of the copyright holder, the department shall be acknowledged as the holder and, where applicable, the collections and heritage objects should be identified by their acquisition numbers.

11.5.2 Where collections and heritage estate grant rights for filming at any of its sites, it should be in accordance with a UCT Location Agreement as guided by the UCT Commercial Development Unit, Finance Department. In addition, it should comply with all applicable laws and statutory, municipal and other by-laws and regulations and shall, in particular, ensure that it has all the necessary permits, authorities or licences required to carry on its business at UCT.

11.6 Access

11.6.1 Right of Admission to the UCT venues is reserved. Not all the collections and heritage at the UCT are accessible to the public. Curators and HODs will attempt to comply with all credible requests for access. Some collections and heritage are not open to random browsing.

11.6.2 After-hours access to a department's collections and heritage must be arranged with the Curator well in advance and security must always be made available after-hours.

11.6.3 During established office hours, the collections and heritage will be made accessible under supervision of the Curator for legitimate research, educational purposes and the public, subject to procedures necessary to safeguard the collections and heritage to restrictions imposed by exhibition requirements, availability of space and facilities, the availability of curatorial staff, and approval by the Curator or HOD.

11.7 New Acquisitions

All acquisitions must be justifiable, include the basic catalogue information, biographical information, a condition report, a substantiation of the place of the work in the department and UCT, and, if necessary, a substantiation of the price, fair market value or an estimated intrinsic value for insurance purposes. All acquisitions must be accompanied by evidence of valid legal title in the form of a signed document stating source and method of acquisition. In South Africa "museum collections and their documentation" are considered part of national heritage, and every effort must be made to record full details of associated information at the point of acquisition. The criteria and conditions of acquisition are as outlined in the criteria and conditions for acquisitions section below.

11.7.1 Criteria and Conditions for Acquisition

UCT may legally acquire collections and heritage through purchase, donation, bequest, exchange, loan agreement, or transfer.

New acquisitions must comply with the conditions set out below.

- i. The collections and heritage shall be meaningfully integrated into UCT's academic programmes or its exhibitions and community engagement programmes.

- ii. The collections and heritage must be a justified addition to the existing collections and heritage by thematically or meaningfully contributing to or extending the existing holdings.
- iii. Continual and national changing perceptions about culture must be taken into consideration in purchasing additions to the UCT's collections and heritage.
- iv. No collection and/or heritage will be acquired if they have knowingly been collected or obtained unethically.
- v. The physical condition of collections and heritage proposed for acquisition should be sound, given age, means of production, and the condition of the other works of similar kind. Provenance should be clearly stated. Any known restoration work will be assessed to determine that the original integrity of the work has not been seriously compromised.
- vi. The Curator and HOD must take the costs of appropriate storage and exhibition of collections and heritage into account when making acquisitions.
- vii. Where applicable, special insurance and financial implications of purchases/bequests of collections and heritage must be cleared with the UCT Collection and Heritage Stewardship Committee.
- viii. The authenticity of collections and heritage must be verified or appraised by experts in the field, where applicable. The attributions will be made knowing that neither the UCT staff nor the institution is liable for inaccuracies or later changes in attribution.
- ix. UCT may acquire the reproduction rights of specific collections and heritage within its estate.
- x. The documents pertaining to all acquisitions must be signed by the Curator and HOD.

11.7.2 Bequests

Bequests are subject to the criteria and conditions outlined in the section on acquisitions above. A bequest agreement may contain a financial consideration. If proceeds are to come to UCT, they will be placed in a designated University Stewardship Fund.

11.7.3 Trusts

11.7.3.1 Any trust involving collections and heritage at the UCT should be declared to the Registrar, and the original documents should be held in the Office of the Registrar. If a trust is added to, a copy of the trust act as well as an inventory of the collections, heritage objects and intangible heritage should be sent to the UCT Collection and Heritage Stewardship Committee.

11.7.3.2 The names of trustees should be known to the UCT Collection and Heritage Stewardship Committee and members of the board of trustees who are from the UCT should be present at any subcommittee meeting of the Registrar. If the trust collection is curated, the curator of that collection should be a member of the board of trustees.

11.8 Moratorium on Unethically Obtained Collections

11.8.1 Departments must do an audit of existing collections and heritage within their portfolios to assess whether full provenance has been done in order to determine whether they were obtained ethically or unethically.

11.8.2 Where collections and heritage have been unethically obtained, an immediate moratorium must be placed on the material and all its associated paperwork.

- 11.8.3 Where collections and heritage have been unethically obtained, the faculty must be notified and the situation referred to the UCT Collection and Heritage Stewardship Committee so that it can consider how the matter can be addressed.
- 11.8.4 Where full provenance is lacking, the Curator and the HOD must ensure that it is completed to legislated standards.

11.9 Dissolution

In the event that the University should disband any of its collections and heritage, all decisions to dispose of material should be taken only after due consideration by and with approval of the UCT Collection and Heritage Stewardship Committee. Such material should be offered first to other museums by exchange, gift or private treaty sale before sale by public auction is considered. Disposal may require the consent of parties who contributed to the purchase, grant, or bequest or who controlled the bequest.

- 11.9.1 De-accessioned items which have been damaged beyond repair or lost their integrity should not be used in educational programmes or passed on to other museums or specialist collections.
- 11.9.2. Collections and heritage that have lost all resemblance to their original state and would be misleading should be deliberately destroyed after approval has been obtained from the Curator and HOD. The UCT Collection and Heritage Stewardship Committee must be notified and given a reasonable time frame to raise objections. Decisions to dispose of defaced material from collections with or without heritage value should be taken only after due consideration.
- 11.9.3. Collections and heritage that fall within the scope of this policy may only be disposed of on the authority of the Executive Management of the UCT upon the recommendation of the UCT Collection and Heritage Stewardship Committee. UCT abides by the accepted national and international de-accessioning standards of the South African Museums Association (SAMA) and the International Council of Museums (ICOM-SA).
- 11.9.4 Disposition/de-accession of any collection and heritage must conform to professional ethical standards and the requirements of legislation governing the Republic of South Africa.
- 11.9.5 Implementation of a decision to dispose of collections and heritage, whether by exchange, sale or destruction (in the case of an item too badly damaged or deteriorated to be restored) is the responsibility of the Curator and HOD. Full records should be kept of all such decisions and the objects involved, and proper arrangements should be made for the preservation or transfer, as appropriate, of the documentation relating to the object concerned, including photographic records where practicable. The Asset and Insurance Management section must be informed and must update the Asset Register. Supporting documentation must be sent to this section.
- 11.9.6. Any monies received by the UCT from the disposal of collections, heritage objects and intangible heritage should be paid into the designated University Stewardship Fund.

11.10 Movement of Collections or Collection items:

11.10.1 Exchanges

- 11.10.1.1 Exchanges are subject to the criteria and conditions outlined in the section on acquisitions above. An exchange agreement may also contain a financial consideration. If proceeds are to come to the UCT, they will be arranged with the Curator and HOD of the collection.

11.10.1.2 If the work exchanged was a gift or bequest, the donor or bequeather will be acknowledged with the new work obtained by exchange or purchased with proceeds accompanying the exchange. Arm's length appraisals will be obtained to ensure that the exchange transaction is fair and not to the disadvantage of either party.

11.10.2 Loans by the UCT to other institutions

Collections and/or collection items may be made temporarily available for loan to legitimate institutions and accredited museums inside South Africa or for international exhibition. During loan periods items remain the responsibility of UCT Curators and HODs. A loan agreement form must be signed by authorised representatives of both the lending institution (UCT) and the institution requesting the loan (Borrower) of the objects. The Borrower will be responsible for the insurance cost, transportation, control, security, and protection of the collection and/or collection item at the sole risk and cost of the Borrower for as long as the items are in transit, or in the possession, or under the control of the Borrower. Loans may be made only after the approval and acceptance of the terms and conditions of the loan agreement.

All loans must adhere to the following conditions:

Loan Period

- i. The loan period for the collection and/or collection item will be for the duration of the signed Loan Agreement. The collection and/or collection item shall be returned to the lending institution within that period.
- ii. Notwithstanding the above, the UCT reserves the right to withdraw the collection with 14 days' notice to the Borrower in writing.

Costs

- i. All costs including without limitation, insurance, handling, security, packing, crating, transportation, customs formalities, incurred during the loan of the collection and/or collection item, are for the expense of the Borrower.
- ii. All costs of courier/curator/conservator accompanying the collection and/or collection item will be for the Borrower's account.

Legal

- i. All legal arrangements governing the loan of collections and/or collection items both in South Africa and abroad must comply with the terms and conditions of the relevant legal frameworks.
- ii. The Borrower shall be liable to the UCT for all direct and consequential damage or losses.

Care and Handling

- i. Proof in writing of return of the collection and/or collection item to the UCT is required for control purposes.
- ii. The collection and/or collection item may not be moved or transferred to any other person, legal entity or location without the prior written consent of the UCT.
- iii. If damage or deterioration is noted, the respective departmental Curator and HOD as well as UCT's Finance Department, Risk and Compliance must be notified immediately. Should damage occur in transit, the carrier must be notified, and all packaging materials saved for inspection.

- iv. The loaned collection and/or collection items will be identified by the condition report form and the submitted photograph thereof, including the UCT's identification by means of signature.
- v. Loaned collections and/or collection items shall remain in the condition they are received. They shall not be framed or removed from mounts or bases, cleaned, repaired, retouched, altered or transported in damaged condition except:
 - a. With the express prior written permission of the UCT.
 - b. When the safety of the collection and/or collection item makes such action necessary.
- vi. The collection and/or collection item shall be returned no later than two weeks after closure of the exhibition in the same condition as the Borrower received them.
- vii. It must be considered that collections and/or collection items on loan, nationally and internationally, need two full days to acclimatise to foreign environments.
- viii. The Borrower guarantees the safety and security of the collection and/or collection item for the duration of the exhibition and the Borrower shall fully insure the items against theft, fire, transit allied perils and other damage. Items must always be suitably secured.
- ix. Before shipment, the Borrower will forward a facility report to the Curator and HOD concerning details of the venue, museological standards and humidity controls.

Insurance

- i. Collections and/or collection items shall be insured at the Borrower's expense for the benefit of the UCT on an All Risks basis, including Sasria, whilst in transit, on location and until the items are safely returned to the UCT.
- ii. Adequate insurance must be arranged by the Borrower at the Borrower's cost and to the satisfaction of the Curator and HOD before any items covered by an agreement may be removed from the premises of the UCT.
- iii. The collection shall be covered by the amount set forth under the column 'insured value', opposite the condition and the name of the heritage object, which amount shall be considered the actual value (whether market, intrinsic or otherwise) of the said heritage object for all purposes.
- iv. The Borrower shall supply the UCT, before shipment, with a certificate of insurance in conformity with the foregoing terms.

Photography and Technical examination

- i. The Borrower may photograph the collection and/or collection item only for record and publicity purposes, including the production of exhibition catalogues.
- ii. The Borrower may not reproduce the collection and/or collection item in any medium (including photographs) for purposes of sale, nor may such items be subjected to technical examination of any kind whatsoever without the prior written consent of the UCT.
- iii. It is the responsibility of the Borrower to obtain permission from any copyright holder for reproduction of any item in which copyright exists. This includes any Internet publications.

Credits

- i. Information regarding the collection used for catalogues, display labels and/or any other printed or publication material shall always include due acknowledgement of the UCT, *i.e.* "Courtesy of the University of Cape Town".

- ii. The loan agreement shall be interpreted in accordance with the laws of the Republic of South Africa and the parties thereto must expressly agree that the courts of South Africa shall have jurisdiction to entertain any action in respect of the agreement.

11.10.3 Loans within the UCT

11.10.3.1 All loans of collections and/or collection items to faculties, schools, departments and offices of the UCT must be done with approval from the Curator and HOD. The following rules will apply to loans of collections and/or collection items to departments, faculties or other divisions of the UCT for display on the campuses of the UCT:

- i. The Curator and HOD must accept responsibility for the management, control and safety of the collection and/or collection item while on loan.
- ii. The Asset Register must be updated by the Curator or HOD.
- iii. The collection and/or collection item will be taken back by the Curator or HOD on the agreed date.
- iv. The Curator or HOD will inspect the loaned collection and/or collection item where possible and may at any stage and for any reason withdraw the item and place it back within its relevant collection.
- v. The collection and/or collection item may not be moved/transferred to another person, venue or position without the permission of the Curator or HOD from where the item was sourced.
- vi. Proof of return of the loaned collection and/or collection item to the relevant collections must be kept by the Borrower for control purposes.
- vii. Where alterations/improvements to existing buildings/venues are planned, the Property and Services Department must inform the Curator or HOD at a reasonable time before the commencement of planned works to ensure that collections, samples and heritage objects in the buildings/venues concerned can be protected and safeguarded.
- viii. In case of damage or loss, the Curator or HOD that stewards the item and Insurance Management must be informed immediately. Where negligence can be proved, UCT can decide to recover the extra payment or full loss from the responsible department or person.

11.10.4 Removal or Location Change of Collections and/or Collection items from UCT grounds

In cases of removal from the Asset Register or moving collections to a location other than UCT property, the Curator or HOD must inform the Finance Department, General Ledger to advise and complete the required documentation.

11.11 Digitisation

All departments must make provision for the conservation and preservation of primary materials and the digital preservation thereof.

Approved by UCT Council: 19 June 2021