

# Guidelines on Deaccessioning of the International Council of Museums

## Introduction

The following guidelines elaborate upon the principles of the *ICOM Code of Ethics for Museums* concerning the deaccessioning and disposition<sup>1</sup> of objects<sup>2</sup> from museum collections. The guidelines consider deaccessioning within the context of acquisition and accessioning and are intended to assist in the practical application of the Code of Ethics' principles.

## Acquisition

The decision to acquire an object (whether it is offered for donation, acquired at sale or auction or found during an archaeological excavation) and accession it into a museum's collection should be made thoughtfully, considering the nature of the object and its provenance, the museum's mission<sup>3</sup> and the resources that will be required to care for, display and provide access to the object. A museum's collections policy should thoroughly define the acquisition process and address the legal and ethical principles and professional responsibilities involved<sup>4</sup>.

Acquisitions should be made in accordance with the highest standards of due diligence<sup>5</sup> and in accordance with the applicable law<sup>6</sup>.

## Accessioning

Once a museum acquires an object, the object is accessioned. Accessioning is the formal process involved in accepting and recording an item as an object in a museum's collection and its inventory. A record of the acquisition, accession processes, and all relevant documents accompanying the object should be kept and preserved.

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<sup>1</sup> In the *ICOM Code of Ethics for Museums*, the term "disposal" is used instead of "disposition".

<sup>2</sup> For the purposes of these standards, the word object is used broadly to refer to all cultural objects, as defined in the relevant international legislation: cultural objects are those which, on religious or secular grounds, are of importance for archaeology, prehistory, history, literature, art or science.

<sup>3</sup> *ICOM Code of Ethics for Museums*, Article 1.2.

<sup>4</sup> *Ibid*, Article 2.1.

<sup>5</sup> *Ibid*, Article 2.3.

<sup>6</sup> *Ibid*, Article 7.1.

## Deaccessioning

Deaccessioning is the act of lawfully removing an object from a museum's collections.

Where the law does not prohibit a museum from de-accessioning, a museum might consider deaccessioning an object from its collection for one of the following reasons:

- 1- The physical condition of the object is so poor that restoration is not practicable or would compromise its integrity. Objects that are damaged beyond reasonable repair and are of no use for study or teaching purposes may be destroyed.
- 2- The object poses threats to health and safety to the staff and the public.
- 3- The museum is unable to care adequately for the object because of its particular requirements for storage or conservation.
- 4- The object is a duplicate that has no added value as part of a series.
- 5- The object is of poor quality and lacks aesthetic, historical and/or scientific value for exhibition or study purposes.
- 6- The authenticity or attribution of the object is determined to be false or fraudulent, and the fraudulent object lacks sufficient aesthetic, historical and/or scientific value to warrant retention. In disposing of a presumed forgery, the museum shall consider all related legal, curatorial and ethical consequences, and should avoid returning the object to the art market.
- 7- Another museum could more appropriately care for, display and provide access to the object, and it is the intention of the originating museum to assign ownership of the object to that other museum
- 8- The museum's possession of the object is inconsistent with applicable law or ethical principles, e.g., the object was, or may have been, stolen or illegally exported or imported, or the object may be subject to other legal claims for return or restitution.
- 9- The object is no longer consistent with the mission or collecting goals of the museum.
- 10- The object is being sold as part of the museum's effort to renew and improve its collections, in keeping with the collecting goals approved by the museum's governing body.

In no event should the potential monetary value of an object be considered as part of the motive for determining whether or not to deaccession.

Prior to making the decision to deaccession, the legal status of the object should be reviewed, so that the museum can determine that it can deaccession the object within its legal and ethical principles. The following should be considered:

- the object's authenticity,
- the object's legal status of ownership,
- any restrictions made by the donor of the object,
- all the available provenance of the object, including prior ownership, sale, exhibition and import/export history
- any other conditions and restrictions made at the time of acquisition.

If, however, there is no documentation on the provenance of an object in a museum collection, including donor documentation, the object should only be deaccessioned if research on the object's provenance has been exhausted in a reasonable manner. In case of deaccession, the information that there is no provenance record to the object should be given with the object in order to guarantee transparency and conformity with legal and ethical principles.

Moreover, the deaccessioning of an object should be undertaken with a full understanding of its significance, its character, and any loss of public trust that might result from such action<sup>7</sup>.

The museum's collections policy should define how the process of deaccessioning will be carried out and delineate the positions of the stakeholders that should be involved (governing body, director, curator, etc.)<sup>8</sup>.

## Disposition

Once an object has been deaccessioned from a museum's collection, it is still the property of the museum until ownership of the object is transferred legally and the object leaves the custody of the museum that has deaccessioned the object.

After an object has been deaccessioned, the museum must determine the means for disposing of the object (e.g. donation to another cultural or educational institution, transfer, exchange, sale, auction or if more appropriate by private sale, return or restitution to its rightful private owner or the country of origin). If none of the above is possible, disposition might also include the destruction of the object.

After having made the decision to de-accession, there is a strong presumption that a deaccessioned object should first be offered to another museum or public collecting institution<sup>9</sup> except in cases where the object is fraudulent or where its provenance is suspect.

Funds realized from the deaccessioning and disposal of an object should be used solely for the benefit of the museum's collection, that is, acquisitions to and care for

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<sup>7</sup> ICOM Code of Ethics for Museums, article 2.13.

<sup>8</sup> ICOM Code of Ethics for Museums, article 2.14.

<sup>9</sup> Ibid, Article 2.15.

that same museum's collection<sup>10</sup>. By no means, however, should the funds be used for the costs of regular museum administration or maintenance.

The process of deciding whether to deaccession an object should be distinct from the determination of the means for its disposition as well as the process for deciding how the proceeds from its disposition should be used for the museum's collection. A museum's collections policy should state what methods of disposition are acceptable and should have established guidelines for the disposition of different kinds or categories of objects<sup>11</sup>.

The process of deaccessioning and disposing of an object should be carefully documented in the museum's collections records, and these records should become a permanent part of the museum's records, maintained even after an object is disposed from a museum's collection<sup>12</sup>.

Museum personnel, the governing body, or their family members or close associates, should not be permitted to purchase an object that has been deaccessioned from a collection for which they are responsible<sup>13</sup>.

Whenever possible, it is good practice for museums to promote transparency in its acquisitions, accessioning, deaccessioning, and disposition procedures.

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<sup>10</sup> Ibid, Article 2.16.

<sup>11</sup> Ibid, Article 2.15.

<sup>12</sup> Ibid.

<sup>13</sup> *ICOM Code of Ethics for Museums*, Article 2.17.