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INTRODUCTION

The Collections of the New Brunswick Museum are considered Crown Assets of the Province of New Brunswick; the New Brunswick Museum is responsible for the management of the Collections. The New Brunswick Museum (NBM) recognizes that the collection, exhibition, interpretation and preservation of objects/specimens often involves the borrowing and lending of objects/specimens between the NBM and other individuals, organizations, agencies and institutions. Loans are an integral part of any museum's mission to make their collections accessible to the widest audience possible.


The NBM lends material from the collection for uses consistent with the goals of the NBM and for a specified period. Loans are temporary transfers of objects/specimens from one institution to another in which there is not transfer of ownership. The NBM sends and receives loans for the purposes of exhibition, research (including conservation, study or destructive sampling), or education.

PURPOSE

- To ensure that the borrowing and lending of objects/specimens occurs in accordance with the goals, priorities and policies of the NBM
- To ensure that any individual authorized to borrow objects/specimens from other individuals, organizations, agencies and institutions know their responsibilities as a representative of the NBM
- To ensure a consistent framework for borrowing and lending objects/specimens in order to protect and preserve objects/specimens in NBM collections
- To ensure that the borrowing and lending of objects/specimens adheres to all applicable provincial, federal and international laws, agreements and treaties, as well as professional standards and ethics.

ROLES AND RESPONSIBILITIES

- The Collections of the New Brunswick Museum are considered Crown Assets of the Province of New Brunswick; the New Brunswick Museum is responsible for the management of the Collections.
- The Board of Directors, within the limits of its authority through the New Brunswick Museum Act, is responsible to ensure that the NBM has in place the resources and strategies to ensure that collections are acquired, managed, researched, interpreted and loaned as appropriate to the mandate of the NBM.
- Outgoing loans are normally made to institutions, or an individual associated with an institution.
- Responsibility for a loan may not be transferred to another individual within a receiving institution without prior notice to the NBM.

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- Outgoing loans are not usually made to commercial organizations or for commercial purposes.
- Incoming loans may come from a variety of sources.
- The NBM will exercise the same care of objects/specimens received as incoming loans as it does in safekeeping its own objects/specimens.
- The NBM will exercise due diligence in determining if a borrower meets the minimum standards of care for the purpose for which an object/specimen is loaned.
- Formal written agreements are required between lender and borrower, signed by the NBM CEO or designate
- In the case of incoming loans for Humanities and Archives and Research Library, the NBM is generally responsible for all costs, including transportation and insurance. Unless otherwise agreed, the NBM arranges for transportation and is responsible for associated documentation such as border permits and immunity from seizure for international loans. In the case of Natural Sciences, the lender is generally responsible for costs and arrangements associated with the incoming shipment; the NBM is responsible for the return costs and arrangements.
- In the case of outgoing loans for Humanities and Archives and Research Library, the borrower is generally responsible for all costs, including transportation and insurance. Unless otherwise agreed the borrower arranges for transportation and is responsible for associated documentation such as border permits and immunity from seizure for international loans. In the case of Natural Sciences, the NBM is generally responsible for costs and arrangements associated with the outgoing shipment; the borrower is responsible for the return costs and arrangements.
- In the case of interlibrary loans, the NBM is generally responsible for outgoing costs and arrangements as per the special rate negotiated with Canada Post and the lending or borrowing library is responsible for return costs and arrangements.
- Some materials are not considered for loan due to condition or other restrictions.

CRITERIA:

Incoming Loans


- The NBM will make the request for a loan at least three months in advance of the shipping date for the exhibition, research or treatment. Lead times for Natural Science, conservation or interlibrary loans, and if agreed by the lender and borrower, may be significantly shorter. The written request must include: the nature of the object/specimen(s) (catalogue numbers, specimen types); purpose of the loan; proposed start date of the loan; special conditions of the requested use; location of the proposed activity.
- The mode of transportation must be approved by the NBM.
- In the case of international loans, the NBM will process all border documentation including immunity from seizure where applicable



- The loan will be for the term as described in the loan agreement. The agreement will operate from the time the object/specimen(s) leaves the lender until returned to same. Renewal requests must be processed in writing before the due date.
- Unless otherwise agreed upon the NBM shall insure the object/specimen(s) "nail to nail" for the duration of the agreement. The lender will assign the valuation and the NBM will supply a certificate of insurance to the lender.
- The NBM agrees to make no reproduction, cast, copy or photograph of the object/specimen(s) unless written permission is received from the lender, and in accordance with current copyright law. Photographs for the purpose of a condition report or documentation for research is permitted.
- Object/specimen(s) brought in by visitors may be left temporarily with the approval of the appropriate curator for identification, study or examination as a possible gift, purchase or loan. Object/specimen(s) cannot be accepted without the prior approval of the appropriate curator or the CEO.
- The NBM and the lender will agree upon the terms of the courier, if required in advance, as part of the overall negotiation of loan requirements and conditions.
- All borrowed objects will be subject to the same level of care, security and handling as objects in the NBM permanent collection.
- It is expected that an object undergoing conservation treatment at the NBM will be returned to appropriate conditions to assure its long term preservation.
- The NBM recognizes that a lender reserves the right to recall any object/specimen(s) at any time during the agreed loan period. Recall may be subject to a penalty.
- The formal loan agreement will not be approved and signed by the NBM CEO or designate until written confirmation is received from the lender that all terms, conditions and costs are agreed.

Outgoing Loans General

- In general, the borrower must make the request for loan in writing to the CEO or designate at least three months in advance of shipping date for the exhibition, research or treatment. The written request must include: the nature of the object/specimen(s) (catalogue numbers, specimen types); purpose of the loan; proposed start date of the loan; special conditions of the requested use; location of the proposed activity. For Natural Science, conservation interlibrary loans, or in exceptional circumstances, the request may be made in a much reduced timeframe.
- The borrower must meet the minimum requirements for security, care and environment for the object/specimen requested and may be required to supply a Facilities Report if the NBM is unfamiliar with the borrower or an existing report is older than 10 years. If a borrower does not have a report, the NBM will supply a blank template for completion.
- The NBM will only loan out objects/specimens in good condition.
- The mode of transportation must be approved by the NBM.
- The loan will be for the term as described in the loan agreement. The agreement will operate from the time the object/specimen(s) leaves the premises of the NBM until returned to same. Renewal requests must be received in writing before the due date and


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will be assessed on a case by case basis. The NBM reserves the right to recall any object/specimen(s) at any time during the agreed loan period.

- The borrower may not loan or transfer the object/specimen(s) to another borrower without the permission of the New Brunswick Museum.
- Unless otherwise agreed upon the borrower shall insure the object/specimen(s) "nail to nail" for the duration of the agreement. The NBM will assign the valuation and also reserves the right to request a certificate of insurance from the borrower.
- In the case where the NBM assumes responsibility for insurance, the object/specimen(s) will be covered "nail to nail" according to the terms of its insurance policy.
- The borrower agrees to make no reproduction, cast, copy or photograph of the object/specimen(s) unless written permission is received from the NBM, and in accordance with current copyright law. Photographs for the purpose of a condition report or documentation for research is permitted.
- The borrower shall not clean, restore, alter, repair or modify any object/specimen without prior authorization from the NBM.
- Loans that will alter or destroy objects/specimen(s) may be permitted after a separate application for destructive sampling is completed and approved by the CEO or designate. All objects/specimen(s) used for destructive sampling must be documented indicating the name of the study, the researcher undertaking the study, location of the study and date. The borrower is required to furnish the NBM with copies of the results of any destructive sampling and any residual material not destroyed must be returned to the NBM.
- The NBM and the borrower will agree upon the terms of a courier, if required in advance, as part of the overall negotiation of loan requirements and conditions
- The NBM must be credited in all publications (catalogues, publicity, websites, flyers and notices) and exhibitions associated with the loaned objects/specimen(s), including photographs and reproductions, and must receive at least one copy of any publication. The object/specimen(s) should be identified by its catalogue or accession number. Unless otherwise prescribed by the donor, the credit line used by the borrower will be 'New Brunswick Museum, New Brunswick, Canada | Musée du Nouveau-Brunswick, Nouveau-Brunswick, Canada'.
- The NBM will receive invitations and notices to events, copies of all publications and media related to the loan.
- Formal loan agreement will not be approved and signed by the NBM CEO or designate until written confirmation is received from the borrower that all terms, conditions and costs are agreed.

Outgoing Loans within New Brunswick

- In addition to the above criteria, loans to New Brunswick institutions are subject to the following: the NBM will provide in-kind support up to three days per year per institution for preparing a loan, to a maximum number of days per year for all institutions. The maximum number will be determined annually, based on NBM's resources at that time.

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Long-term Loans Incoming

- It is not the practice of the NBM to accept the loan of objects/specimens longer than for the purposes of short-term exhibition, research (including conservation, study or destructive sampling), or education.
- For loans previously accepted by the NBM for a longer duration, the process is ongoing to search for current owners through appropriate sources and negotiate the acquisition of the objects/specimens or their return at current condition.
- If no owners or descendants are found after an appropriate search, then the NBM will accession the objects/specimens with a note to the database record and object/specimen file.

Long-term Loans Outgoing

- It is not the practice of the NBM to loan objects/specimens longer than for the purposes of short-term exhibition, research (including conservation, study or destructive sampling), or education.
- In exceptional circumstances, and with the approval of the CEO, long-term outgoing loans may be accepted. If so, they will be subject to a satisfactory review of the conditions and facility on an annual basis.

Gifts/Loans: Fractional Gifts

- In rare instances, the NBM may accept the gift of property as a fractional gift whereby a gift is made to the NBM, but possession of the property remains with the donor for a period of time. In this case, the NBM owns the property following the gift, however the NBM loans the item back to the donor.
- As per the NBM Collections Policy, a Fractional Gift requires the approval of the NBM Board since this would be considered a restriction on use or disposition of the object.

REFERENCES:

ETHICS GUIDELINES. Canadian Museums Association, 2006.

ICOM Code of Ethics for Museums. International Council of Museums, 2004.

The *New Brunswick Museum Act* provides the mandate and authority for the operation of the New Brunswick Museum.

A variety of other federal and provincial acts, policies and regulations, as well as NBM Board policies, impact the protection of NBM assets and the members of the public engaged with the NBM, including, but not limited to:

Federal:

Access to Information Act

Canada Travelling Exhibitions Indemnification Act



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Canadian Environmental Protection Act
Copyright Act
CRA Guidelines relative to Operating a Charity
Criminal Code
Privacy Act
National Building Codes of Canada
National Fire Code of Canada

Provincial:

Heritage Conservation Act
New Brunswick Occupational Health and Safety Act
Public Service Act
Emergency Measures Act
The New Brunswick Building Code Act
Industrial Relations Act
Fire Prevention Act
Emergency 911 Act
Public Interest Disclosure Act
Smoke Free Places Act
Companies Act
Rights to Information and Protection of Privacy Act
HST Act
Income Tax Act
Official Languages Act

New Brunswick Museum:

Risk Management Policy
Research Associate Policy
Collections Policy
Security Policy
Conservation Policy
Photographic Policy
Visual Arts Policy
Investment Policy
Purchasing Policy
Endowment Fund Policy
Disaster & Response Booklet