

LAAMO

2016

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Introduction



The Dutch museum sector is collectively responsible for carefully handling the heritage it manages for and on behalf of the public. Museums listed in the National Register of Museums are required to comply with the code of conduct and regulations set out in the Ethical Code for Museums, which was established in 1991. Various manuals serve to provide museum management and employees with guidance in professionally managing the collections entrusted to them. One of these guidelines is the LAMO, the *Leidraad Afstoten Museale Objecten* (Guideline for Deaccessioning Museum Objects).

The deaccessioning (also known as 'permanent withdrawal') of portions of a collection is considered a part of professional collections management. Deaccessioning is necessary for clearing out cluttered depots, to relieve the museum of objects which are not (or no longer) compatible with the rest of the collection, or to transfer objects to a more suitable location (this can be either a different museum or another destination). Along with the museum's acquisitions, it forms part of a museum's collection management policy.

The terms 'deaccessioning' and 'withdrawal' are used in this context as neutral, catchall terms which may refer to different practices, ranging from transfer within the museum sector to sale outside the public domain. Other commonly used terms include 'reallocation', 'transfer' and 'sale', but these carry more specific meanings or may only relate to part of the process.

There have been – and, to some extent, continue to be – several misunderstandings and different interpretations regarding the withdrawal of museum works. Whereas deaccessioning was not generally a topic of discussion in the Netherlands in the past, it did occur on a regular basis, with the standards applied tending to vary significantly. By the same token, some collections ended up growing to unmanageable proportions.¹ In order

to be able to successfully manage and coordinate this process, the Minister of Public Health, Welfare and Culture at the time, Hedy d'Ancona, created the Delta Plan for Cultural Preservation back in 1990.

During the 1999 'Limits to Growth' conference on selection processes related to museum collections, the now-defunct Instituut Collectie Nederland (ICN) presented the LAMO Guideline to the

The LAMO Guideline serves the following three main objectives:

- Preservation of heritage of natural importance in order to ensure it will remain available to the Dutch public in the long term.
- Support for museums' collections management processes, as a tool to promote the mobility of collections and as a protection against omissions and mistakes in this process.
- Promoting public trust in the museum sector, as a protector of the national heritage.

1 A. Kok, P. Timmer, T. Gubbels (red.), *Niets gaat verloren. Twintig jaar selectie en afstoting uit Nederlandse museale collecties, Amsterdam 2007* ('Nothing is Lost: Two Decades of Selection and Withdrawal from Dutch Museum Collections').

Dutch museum community, which passed it on to the Museumvereniging (Netherlands Museums Association). The guideline serves as a self-regulation tool and a practical extension of the paragraph concerning withdrawal in the Ethical Code for Museums. It describes the various aspects a museum must consider when drafting a deaccessioning plan, and how this is subsequently to be implemented.

The initial draft of the LAMO guideline focused primarily on the withdrawal of parts of the collection which were of limited heritage value (sometimes referred to as “bulk collections”). The guideline was developed as a tool for museums to ensure that the withdrawal process proceeds efficiently from a formal, legal and moral perspective.

After several years of practical experience with the LAMO guideline and in light of several high-profile cases involving the withdrawal of works of art from museums, a need arose for a more detailed explanation of the process and less stringent requirements for bulk withdrawals. The ICN decided to revise the LAMO guideline, in conjunction with representatives from the museum sector. Another issue addressed at this time was the conditions under which museum

“The sector should be informed in time, rather than after the fact, about all intentions on the part of museums to withdraw objects.”

objects could be sold – ranging from high to low heritage value, either between museums or outside the museum sector. The second edition of the LAMO guideline was published in 2006.

The LAMO Guideline 2016 – correlation with the Heritage Act

In recent years, there has once again been considerable commotion regarding a number of cases of withdrawals by museums where the rules established under the LAMO guideline – and, by extension, the Ethical Code – were violated. These incidents were related to the sale of highly valuable museum objects, where the proceeds were used for the museum’s own gains. The question that arose among museums was whether the LAMO guideline needed to become more stringent. In 2012, a report containing recommendations was therefore commissioned by the Dutch Museums Association, specifically by a committee chaired by the former politician Frans Leijnse.²

This committee (known as the ‘Leijnse Committee’) noted that, while the LAMO guideline suffices in principle, the sector should be informed in a timely manner, rather than after the fact, of all intentions on the part of museums to deaccession works of art. This will allow it to be involved in the decision-making process and bear part of the responsibility for the destination of the heritage. The committee provided advice on how to develop a transparent application process and an independent assessment process in order to be able to preserve unique and irreplaceable heritage for the public domain in the Netherlands.

In 2013, a second committee was established under the chairmanship of Steph Scholten (director of heritage society UvA Erfgoed) in order to draft a recommendation for the practical implementation of the new application and assessment process.³ Key considerations for the Scholten

- The Leijnse Committee included the following members, all directors of Dutch museums: Heleen Buijs, Frans Ellenbroek, Marjan Ruiter, Steph Scholten and Benno Tempel.
- The other members of the Scholten Committee included: Heleen Buijs, Christi Klinkert, Arjen Kok and Mariska de Wit.

Committee included ensuring that museums' independence would be undermined as little as possible, to assign museums responsibility for proper compliance with the procedures, and to reduce administrative expenses to a minimum, all while retaining the level of care and transparency required in the procedure.

collections. In cases involving sale outside the public domain and heritage of potential national importance, these intentions must be assessed by an advisory committee.

A distinction is therefore made between a simplified LAMO procedure for 'mild' cases (i.e. the majority of museum withdrawals) and a more extensive procedure (including a Protection Value Assessment) for the more serious cases, depending on the quality and quantity of the objects to be deaccessioned. This is based on the condition that all intentions to withdraw museum pieces are registered in the database designed for this purpose (i.e. the Deaccessions Database). The recommendation of the Scholten Committee was accepted by the General Members' Meeting on 18th November 2013.

The new LAMO guideline was based on this recommendation. In addition, the museum sector has amended certain information in the previous version which had remained unclear, and the document has been edited and abridged, with information from the LAMO Guideline 2006 incorporated into the appendices.

The Dutch Heritage Act, which entered into force in 2016, governs (among other things) the protection of any heritage which is of national importance, and applies to heritage collections (a portion of which are managed by museums, while others are held by other public institutions) falling under the purview of the national government, provincial authorities and local councils. Under the Heritage Act, the latter are required to publicly disclose their intentions to withdraw certain pieces from their

Withdrawal

The LAMO guideline identifies the following two forms of withdrawal:

- Transfer within the domain of registered museums in the Netherlands, which ensures that objects of importance heritage value are protected from unwanted forms of withdrawal.
- Reallocating museum pieces outside the domain of registered museums in the Netherlands (generally referred to as 'public domain', which is essentially a broader term).

Stakeholder

Individual, institution, legal entity, group or community which attaches a special importance to an object, collection or sub-collection, and currently has a connection to this object or a specific interest therein.

Reallocation

The donation, auctioning or sale of objects outside the museum domain. The most extreme form of reallocation is destruction.

Transfer

The donation, exchange or sale of objects to another registered museum.

Museum

To improve the readability of this text, the word 'museum' is used throughout the document, without any additions. The term refers to a registered museum listed in the National Register of Museums in the Netherlands. The same applies to the 'museum sector' or the 'museum domain': for the purposes of this document, these terms refer to registered Dutch museums.

Object

Any references in this document to 'object' may also be interpreted as meaning objects and/or collections or sub-collections.



Photo credit: Maarten van Haaff (2013)

“The purpose of deaccessioning is always to improve the quality and composition of the collection and/or transfer objects to a facility where they are better accommodated.”

This is very similar to the new LAMO procedure and, indeed, serves the same purpose, i.e. ensuring that important heritage remains in the Dutch public domain. In order to avoid confusion and duplicate procedures, parts of the LAMO guideline and the Heritage Act have therefore been integrated. The Museums Association and the Heritage Act Steering Committee⁴ have drafted the new LAMO application and assessment process such that it complies with the Heritage Act and – to the extent that the LAMO guideline extends beyond the scope of the Heritage Act – does not contravene it in any way. This makes it possible for both museums and governments to use a single point of contact, the Deaccessions Database, and the services of a single advisory committee, the Protection Value Assessment Committee.

These were, in a nutshell, the events that preceded the revision of the LAMO guideline and the Heritage Act, the new versions of which will enter into force in 2016.

Siebe Weide
Director of the Netherlands Museums
Association

“This ensures that the sector can assume its share of the responsibility for the national heritage.”

· On behalf of the Ministry of Education, Culture and Science and the Cultural Heritage Agency of the Netherlands.

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**New LAMO Guideline:
including external
procedure**



Whereas to date, the LAMO guideline had always served as a guideline for *internal* use, the new LAMO guideline is more extensive, with a publicly accessible *external* procedure, which provides both peer institutions and third parties (i.e. stakeholders from outside the museum sector and field experts) with the opportunity to provide feedback. The preparation and actual deaccessioning process remain internal procedures, as was the case in the previous versions of the LAMO guideline.

Two new features have been added to the new LAMO guideline:

- The option to report intentions to deaccession museum pieces on a public website, i.e. the Deaccessions Database.
- Where necessary: an assessment by an expert and independent Assessment Committee of the need to protect an object for the public Dutch heritage.

Governments at various levels (including the national government, provincial authorities and local councils) who are owners of movable heritage and who are required under the Heritage Act to disclose their intentions to withdraw certain objects.

1. Deaccessions Database

In accepting advice from the Scholten Committee, the registered museums have decided to publish all their intentions to withdraw museum pieces in the Deaccessions Database once the new LAMO guideline enters into force. This database is the successor to the Reallocation Database, which was managed by the Government Agency for Cultural Heritage (RCE), and which was of a voluntary nature. The new Deaccessions Database is managed by the Museums Association.

Museums can use the Deaccessions website (using their own login ID)

www.afstotingsdatabase.nl to upload details on objects they intend to withdraw from their collection. The museum is responsible for providing accurate and complete data and for following the appropriate procedures.

can also use the external application and assessment process under the LAMO guideline. This heritage is generally managed by museums: as they are already required to disclose their intentions to withdraw objects, this process does not need to be repeated elsewhere. Institutions other than museums also manage heritage on behalf of the government. In these cases, the duty is to publicly disclose to the appropriate government the intention to dispose of the objects. The Deaccessions Database is designed to also be able to include these applications.

Since this website is public, anyone can check which objects are eligible for deaccession. The registration will remain on the website for two months; during this period, interested museums can contact a museum making an offer. If they are interested in objects from non-museum collections, they can report this to the appropriate government. During or after this two-month period, the museum allocates the object on offer to the museum that most closely meets with its award criteria, as indicated in the Registration form. If no other museums have applied to acquire the object, the museum is free to reallocate the object outside the museum sector.

The application is deleted from the Deaccessions Database after two months have elapsed. You will be notified of this in due course.

2. Protective Value Assessment

The procedure is different for objects in which no other museums have shown an interest but which the museum has classified in the appreciation category 'high' or 'possibly meriting protection'. Peer museums can use their account to add a note of 'possibly meriting of protection', plus give their opinion. Stakeholders and field experts also have the option to add a 'Possibly meriting protection' note after having first requested a login ID from the website. These reports are only visible to, and can only be accessed by, the content manager for the Deaccessions Database. The classification is passed on to the museum in question.

If the museum decides it nevertheless wants to continue with the withdrawal, an assessment must be made as to whether the object merits protection. In this case, the Protection Value Assessment Committee will assess the case based on protection criteria. The Committee will use as a basis documents supplied by the museum itself, along with its own expertise and any other sources required to form an opinion (including consultation with the museum, if appropriate). This assessment process is supervised by Stichting Museum Register Nederland (Netherlands Register of Museums), which is responsible for supervising the assessment process. The Register serves as a secretariat for the Assessment Committee and assists it with the execution, as well as ensuring compliance. In addition, it also has the option to impose disciplinary action in extreme cases.

Museums, stakeholders and field experts can also use the Deaccessions Database to check intentions of governments at various levels to withdraw museum objects, and can make a note in the system of objects they believe merit protection. If and where appropriate, the Assessment Committee can also assess the extent to which these objects merit protection.

3. Protection Value Criteria

The Protection Value Assessment is performed in order to determine whether an object must be kept in a public collection in the Netherlands. This occurs on the basis of a number of criteria related to the national interest, uniqueness, historical and/or artistic value, value to the collection as a whole, and public and/or museum value. The Assessment Committee determines whether movable property which are of special cultural-historical or scientific importance must be preserved for national heritage purposes.

The following criteria apply in this case:

Irreplaceability: there are no equivalent or similar objects in good condition to be found in the Dutch public domain.

Indispensability: it serves at least one of the following functions:

- A symbolic function, i.e. the function of a movable property as a clear reminder of individuals or events who are or which are, or have been, of vital importance to the understanding and appreciation of Dutch cultural history.
- A linking role, i.e. the role of a movable property as an essential element in a development, which is of vital importance to the practice of science or the humanities, including the practice of cultural history, in the Netherlands.
- A calibration function, including the role of a movable property as an essential contribution to the research or knowledge of other key objects of art, history or science.

While the general frame of reference is the national interest, in some cases the regional or local interest or the significance of the object to a specific group of people may take precedence. In making its recommendation, the Assessment Committee will use the *Op de museale weegschaal* ('Museum Value Scale') assessment method designed by the RCE (2013).

4. Assessment Committee

The Protection Value Assessment Committee includes two permanent members: a chair (a legal expert) who is independent (i.e. impartial, with no stake in the Dutch museum sector) and a second member with administrative experience in, and knowledge of, the museum sector. The Committee is assisted by a secretary from the National Register of Museums. For each ruling, three more experts in the case will be appointed to the Committee. These experts are all employed in the museum sector but have no involvement in the museum concerned. Experts from sectors other than the museum sector may also be members of the committee. One of the three experts can be appointed by the museum in question.

The management of the Museum Register appoints the permanent committee members, based on the nomination of the Museums Association. The member rotation schedule is governed by the Cultural Governance Code, while experts are recruited in each individual case from a regularly changing pool of specialists drawn from the museum sector.

Outcome

If the Assessment Committee rules that the object does not merit protection, the museum is entitled to reallocate the object outside the museum sector in the manner described in, and in accordance with, the LAMO guideline. The Committee can make suggestions regarding aspects of the proposed withdrawal (e.g. involve the country of destination in the reallocation or choose a foreign collection to which the object would be most suited).

If the Committee rules that the object does, in fact, merit protection, it must be preserved for the public cultural heritage in the Netherlands. In this case, museum is not permitted to sell the object outside the Dutch public domain.

The management of the National Register of Museums follows the recommendation of the Assessment Committee, provided the management is of the view that the recommendation was

reached through sound judgment. Based on this recommendation, the management then decides to designate the object as meriting protection, or to provide specific instructions. The museum concerned will receive a report on the outcome, including reasons for the decision made.

If the assessment concerns a case reported by a government to the Deaccessions Database, this government is required to report the outcome (including a copy of the recommendation) to the Minister of Education, Culture and Science, thirteen weeks prior to the scheduled withdrawal.

Reconsideration

The museum can file an objection with the management of the National Register of Museums on one occasion within one month following the publication of the outcome; in this case, two additional experts are appointed to the Assessment Committee. The museum is entitled to nominate one of the two experts. This extended committee will then reassess the proposed withdrawal and recommendation and will advise the management of the National Register of Museums on whether the decision will be revised. The management then makes the final decision regarding the protection merit of the objects and reports this to the museum concerned in writing.

Altered circumstances

Museums can re-nominate objects which have previously been classified as 'meriting protection' only if circumstances have changed fundamentally in the meantime (e.g. new historical and/or scientific insight or new information regarding the object). These types of intentions are always presented to the Assessment Committee first and are subject to the same assessment and decision-making process.

Disciplinary action

If a museum fails to comply with the LAMO guideline, it no longer satisfies the requirements set by the National Register of Museums. Depending on the gravity of the violation, the National Register of Museums

might take one of the following measures: a warning, a suspension of the registration, or removal from the National Register of Museums.

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LAMO Guideline 2016

Step-by-Step Guide



Before you can report an intention to deaccession a museum object in the Deaccessions Database, the conditions and measures set out below must be satisfied and implemented, respectively.

1. Preparation

Museum standard

As a registered museum, you comply with the Museum Standard set by the National Register of Museums. This means that you:

- Comply with the Ethical Code for Museums (see Appendix 1).
- Have an up-to-date collection plan in place, which has been approved by the competent authority, i.e. your Board of Governors, Supervisory Board, or the competent authority of the local council, provincial authority or national government. Deaccessioning is possible only based on the collection plan; this means the collection profile has been created which forms the basis for your collection management policy and deaccessioning plan. For additional information, please refer to the *Handleiding voor het schrijven van een collectieplan* ('Manual for Writing a Collection Management Plan').
- Your collection registration and documentation are in order, at least as far as the objects you intend to eliminate are concerned. For the procedures to be followed for this purpose, please refer to *Spectrum*, section 8 – registration and documentation. This reference can also be found in the *Museum Standard*, collection standards 10 and 11.

In addition to the physical and administrative details of the object, you also require the elements below to be able to substantiate your intention and account for this in the Registration Form.

Reasons for selection

The reasons for, and criteria of, the selection of objects you intend to upload to the Deaccessions Database are based on sub-

stantive grounds and arise from the deaccessions plan incorporated into your collection management plan.⁵ The purpose of deaccessioning is always to improve the quality and composition of the collection and/or to transfer objects to a facility where they are better accommodated.

During the preparation process, you must consider the following factors:

- Valuation: you can explain the value or significance of objects using the *Op de museale weegschaal* method (see above). This valuation is likely to be low within your collection and at your museum, but in general, within specific frames of reference or for stakeholders, it could, conversely, be high. In this case, a museum object does indeed merit protection.
- "Possibly meriting protection": see Protection Criteria, p. 12.
- Reasons for deaccessioning: see Appendix 2, 'Arguments for and against withdrawal'.

Origin

This concerns the question as to whether the proposed withdrawal is morally responsible. Once the object's owner has been established, it is important to consider the interests of any relevant third parties, e.g. former owners, donors, living artists, grant providers, and any other stakeholders or potential stakeholders.

Identifying ownership

The museum is the owner

If the museum is the owner of the objects, it is theoretically authorised to deaccession the objects. However, limitations may apply in

⁵ An exception is made in cases where a museum is closed down and ceases to operate. However, even if a museum is compelled to dispose of an object, it is still required to follow the set of procedures under the LAMO guideline.

to areas such as donations, heritage, legacies, subsidised acquisitions, or restorations. Appendix 3 contains recommendations on how to act in these types of cases.

The museum is not the owner: trading mandate

If the object you intend to deaccession is not owned by the museum, but, for example, by the local council, association or foundation, or a private individual, you must be in possession of a trading mandate (i.e. transfer of administrative powers). In this case, you require the formal consent of the owner in order to be able to dispose of the object. If no terms have been agreed on this issue, you must establish these on a separate basis. Officially, the owner will always retain ultimate responsibility for following the appropriate procedures. The museum must therefore provide clarity regarding its scope in this respect.

While both the museum and the owner can take the initiative to dispose of the object, the museum possesses the substantive knowledge and expertise in relation to the collection as a whole. In this case, the museum must make the selection of objects eligible for disposal/elimination.

Museum is the holder: custody, loan In the event of custodianship or loan, the museum is the holder of the object. If the museum intends to dispose of the object, the formal consent of the owner is required. In some cases, the party granting the loan is unknown. You can read about these cases in Appendix 4.

Owner unknown

If the owner is unknown, a museum as the owner cannot proceed to disposal. What you can do in this case depends to a large extent on the specific situation, and extends beyond the scope of this document. It is advisable in these cases to seek legal advice or ask contact a museum consultant.

Owner unknown; bulk disposal

In cases involving bulk disposal, the ownership situation may be unclear, or the owner may be unknown. The process of finding the owner or likely owner (i.e. in the case of a loan or custodianship) involves a significant effort on the part of museums, which is not in proportion to the value of these types of objects. It prevents the disposal of bulk collections, when in fact this is often desirable. At the request of the Landelijk Contact Museumconsulenten (National Council of Museum Consultants), the Ethical Code Committee focused on this issue and issued a recommendation on 4th December 2013. Under specific conditions, bulk disposal is permitted even if the owner of the object is unknown.

The main conditions are, in summary:

- The museum must retain at least one identical (or virtually identical) copy.
- The museum must have made every reasonable effort to establish the object's provenance and ownership status.
- The disposal operation and the objects must be documented as carefully as possible, within a reasonable budget and time frame.
- During the eventual elimination, the provisions of the LAMO must be followed.

The museum could potentially also measure the benefit of the costs and physical space it would save as a result of the bulk disposal and the amount of the costs of possible compensation in the event that an owner were to claim the object at a later stage.

The full text of the recommendation is available on the website of the Museums Association.



Photo credit: Maarten van Haaff (2013)

“Withdrawal is possible only based on the collection management plan”

Award criteria for reallocated objects

The museum can determine itself what criteria or terms and conditions it may apply in donating an object to another museum in the Netherlands. For examples, please see Appendix 5.

also to be recommended. You must make the various media outlets, stakeholders and your own supporters aware of the Deaccessions Database.

Several notes are included below.

- *Handling fee*

While commendable in itself, transfer at no charge it is not always realistic. An award criterion might be the willingness to pay a handling fee. However, an excessive handling fee (e.g. if a large number of objects are involved) could be a barrier to reallocation. This means everyone must handle this in a prudent and flexible manner.

- *Reallocation and sale*

Sale between museums is not advisable. If you do decide to sell a piece to a peer museum, you can explain your reasons in the Registration Form. Sale between museums funded by the national government is excluded.

- *Preference for transfer outside the Netherlands*

If you believe that the object would be better accommodated in, for example, a foreign museum, or possibly in the community where the object originated, you can explain your reasons in the Registration Form.

Not transferred: proposed method of disposal

On the Registration Form, you must finally indicate how you intend to reallocate the object if there is no interest in the piece on the part of other museums and the object has not been classified as “possibly meriting protection”: donation, exchange or sale. In some cases (see Appendix 6), you can choose the option ‘destruction’.

Organisation

The establishment of a large-scale disposal process, both the preparations for the application and the actual the disposal process, require a project-based approach. A communication plan (internal and external) is

In addition to the LAMO guideline, you can use *Spectrum*, the internationally recognised collection management system, procedure 20, *Afstoting* ('Disposal'). This provides a detailed overview of the steps you must complete prior to and following the Registration and Assessment procedure described in articles 2 and 3. For information on the strategy for bulk disposal, please refer to *Bulkafstoting in musea* (2014).

deaccession outside the museum sector.

2. Registration on Deaccessions Database

Register your intention to dispose of an object by completing the Registration Form on www.afstotingsdatabase.nl

This includes the following information:

- Description, visual documents and administrative details regarding the object to be deaccessioned. The intended disposal must be documented at the object level. For objects with a low heritage value (i.e. bulk), a description of the group as whole suffices.
- Link to collection management plan/collection profile. Explanation of intention to dispose of an object, including a reference to the provisions of the collection management plan which substantiate the decision to dispose of the piece.
- Valuation/appraisal of the deaccessioned objects in accordance with the *Op de museale weegschaal* method (see above), including reasons. You must include a 'potentially meriting protection' classification, if applicable.
- Reasons related to establishing ownership; details on the provenance of the object. Demonstrate that, or provide evidence that, the museum is authorised to deaccession the objects and how the interests of any relevant third parties (including former owners, donors, currently living artists, providers of grants, or others) were considered.
- Award criteria for objects to be reallocated. Proposed method of

3. Feedback provided in Deaccessions Database

Details regarding your intention to dispose of the object will remain on the Deaccessions Database for two months, after which your application will be removed. You will be notified of this in due course.

The following six possibilities apply:

- You had already selected a candidate museum for reallocation which satisfies your criteria. You have already initiated the reallocation process (see point 5). Your application on the Deaccessions Database is for informational purposes only.
- During the two-month period, a museum contacted you that satisfies your award criteria. You have already initiated the reallocation process (see point 5).
- Several museums have expressed an interest in a transfer. Once the two-month period has passed, you will continue with the museum that most closely meets your award criteria (see point 5).
- No museums have been in contact. In this case, you are entitled to dispose of the object outside the museum sector (see Article 5).
- While no museums have made contact (i.e. which adequately satisfy your award criteria), the object has been classified as “possibly meriting protection” by you and other parties. You decide not to dispose of the object.
- Like the option above, you nevertheless choose to proceed with the disposal. In this case, the Assessment Committee will rule on whether or not the object merits protection.

then make a formal decision. You will receive the results of this decision in writing, including reasons. You are expected to comply with this decision.

4. Protection Value Assessment

The National Register of Museums informs you that your proposed disposal will be assessed by the Protection Value Assessment Committee. You can explain your standpoint to the Committee. In its recommendation, it will formally report this to the management of the National Register of Museums, which will

There are two possibilities in this case:

- The Committee is of the view that the object does not merit protection. You are entitled to transfer the object outside the museum sector in the manner described in the Registration Form, in accordance with the LAMO guideline.
- The Committee does believe that the object merits protection, which means it cannot be disposed of outside the Dutch museum sector.

Transfer for financial compensation

See notes for award criteria in Article 1. Preparation.

Option to file an objection

If you believe you can demonstrate that the recommendation of the Assessment Committee is unfair or unwarranted, you can file an objection to this recommendation with the National Register of Museums within one month. The Assessment Committee will then convene on another occasion. One or two of the three experts may be replaced; you are entitled to appoint one of these experts. As before, you will be given the opportunity to explain your standpoint. The Committee will be required to report its reconsidered opinion to the management of the National Register of Museums, which will make the final decision. You will be expected to comply with this final decision.

5. How Deaccession Works

Reallocation to another museum

Donation

You should consider drafting terms of donation, e.g. that the objects donated must remain within the museum sector rather than being traded. However, it is not permitted to prohibit the other museum to dispose of the donation at a later stage.

Exchange

Exchange is subject to provisions concerning sale; each party is regarded as a seller for the service it is required to provide, and as the buyer for the service to which it is entitled. Have the financial value of objects assessed by an independent expert in advance.



Bulk disposal from the collection of the National Military Museum in Soesterberg, and open days for museums in the Defence Mobilisation Complex in Lopik, September 2014.

Reallocation outside the museum sector As above, the options available here are donation or exchange, sale (private or public) and, finally: destruction. Appendix 6 contains recommendations for how to manage these various cases, and what regulations, laws, provisions of risks you need to take into account.

Destination of revenues

Proceeds from sale must be allocated exclusively to the sustainable preservation and development of the museum's collection. You must account for this expenditure in the annual report. Agree to the appropriate terms with the owner regarding the expenditure of any proceeds at an early stage.

Administrative handling

Administrative handling is likely to vary depending on the case and the museum. This includes, in any event, the following measures:

- Handle the transfer of the object from an administrative perspective by signing a transfer statement, the transfer of the documentation related to the object, the organisation of the transport, and, if applicable, the collection of a handling fee or proceeds from sale.
- The object should be marked such that it is clear that it was removed from your collection. Remove the object from your collection registration, but retain details on origin, restorations, etc. in order to prevent any ambiguities in the future. Write down the name of the new owner and the terms of donations (if applicable).
- In your annual report, you should account for the disposal and specify the destination of the proceeds (if any).

Appendices



Appendix 1

Excerpt from the Ethical Code for Museums

Disposal of collections⁷

2.12 Statutory or other authorisations for deaccessioning

To the extent that disposal by the museum is authorised or objects have been acquired on the condition of potential deaccessioning, the applicable statutory and other requirements and procedures must be complied with. The obligations and limitations which were drafted on the acquisition of an object must be monitored, unless it can be demonstrated that such monitoring is impossible or highly disadvantageous for the institution, and dispensation can be obtained according to a lawful procedure.

2.13 Deaccessioning from museum collections

The decision to deaccession an object is made only after the full significance of the object, its nature (i.e. replaceable or not), legal position and the potential loss of public trust arising from this have been considered.

2.14 Responsibility for disposal

The management makes a decision, after having consulted the museum's director and the curator of the collection in question, regarding a possible deaccessioning. Special rules may be imposed for collections which continue to function properly.

2.15 Method of deaccessioning objects from the collections

All museums must set a policy describing the authorised methods to permanently remove an object from the collection through donation, transfer, exchange,

sale, repatriation or destruction, causing the new owner to acquire full ownership rights. All decisions regarding deaccessioning are documented, including a description of the objects and the deaccessioning process. As a rule, an object to be deaccessioned is initially offered to another museum.

2.16 Proceeds from disposal

Museum collections serve a public interest and must not be used for profit-making purposes. Any monies or compensation received following the deaccessioning of objects from a museum collection are used only for the purpose of the collection, generally for the acquisition of new pieces.

2.17 Acquisition of deaccessioned objects

Museum employees, the management, their families or close relatives are prohibited from acquiring objects originating from a collection for which they are responsible.

⁷ Museums in the Netherlands are subject to the regulations and procedures defined in the *Leidraad voor het Afstoten van Museale Objecten* (Guideline for Deaccessioning Museum Objects/LAMO).

