



Australian Government

Department of Communications and the Arts

# Protection of Cultural Objects on Loan application form

Confidential when completed.

Please read the Australian Government's 'protection of cultural objects on loan scheme guidelines' before completing this application form.

August 2017

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## Application form

Applications for the protection of cultural objects on loan scheme (the scheme) are made under the *Protection of Cultural Objects on Loan Act 2013* (the Act) and the scheme guidelines.

Applications will be assessed, with regard to the institution's:

- governance and management framework
- curatorial expertise and expertise in the management of collections
- previous experience in the exhibition of foreign loans
- procedures to identify objects in a foreign country that could be the subject of a loan and the negotiation of loan arrangements, including risk management protocols
- procedures for checking the provenance of objects collected or borrowed
- other processes and standards of the institution as described in the Protection of Cultural Objects on Loan Regulation 2014, including:
  - consultation processes, particularly relating to Aboriginal and Torres Strait Islander cultural material; and
  - enquiries and claims handling processes.

Please answer all questions succinctly and provide supporting material, such as the institution's relevant policy and procedure documents, as attachments. Responses to questions should focus on how the institution's policies and procedures reflect national and international codes, principles and standards. Each text box is limited to 300 words.

Applications will be registered and receipt confirmed by email. All applicants will receive written notification of the outcome of their application.

Applications may be submitted at any time throughout the year and may be submitted electronically or in hardcopy.

Please submit your application to:

The Program Officer  
Protection of Cultural Objects on Loan Scheme  
Department of Communications and the Arts  
GPO Box 2154  
Canberra ACT 2601

Email: [ProtectionofLoans@arts.gov.au](mailto:ProtectionofLoans@arts.gov.au)

For further information please go to [www.arts.gov.au/collections/protection-of-loans](http://www.arts.gov.au/collections/protection-of-loans) or contact the Program Officer.

# 1 Applicant details

## 1.1 Organisation

Legal name of organisation:

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Trading name, if applicable:

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Australian Business Number (ABN):

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## 1.2 Address

Street number and name:

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Suburb/ city:

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State / territory:

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Postcode:

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Mailing address, if different from above:

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## 1.3 Applicant representative (should be the Director, CEO or equivalent)

Title:

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First Name:

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Surname:

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Position in organisation:

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Telephone, including area code:

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Email:

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## 1.4 Primary contact (appropriate person in the organisation to discuss the application if required)

Title:

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First Name:

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Surname:

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Position in organisation:

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Telephone, including area code:

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Email:

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## 2 Institution details

- 2.1 Please check the box to indicate how your institution is established and provide the name of the applicable Commonwealth, state or territory law.
- Commonwealth Government body  
 State or territory government body  
 Other
- 
- Legislation name or further details.
- 
- 2.2 Provide a link to or a copy of your annual report and provide any further information to demonstrate the nature of your institution’s collections, governance framework and financial management.
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- A copy of your institution’s annual report is attached.
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- 2.3 Does your institution have a general permit under the *Protection of Movable Cultural Heritage Act 1986*?
- Yes  
 No
- 

## 3 Curatorial expertise and the expertise in the management of collections

- 3.1 Provide your staffing structure including reporting lines and short descriptions of expected staff expertise in key positions (with specific reference to positions responsible for provenance, due diligence, acquisitions and loan negotiations).
- Please note that it is not a requirement to have staff employed in all possible areas of curatorial or research expertise, rather that the institution can demonstrate a sound level of qualifications and experience across a range of collection management and research areas as is expected from an organisation that has the capacity to undertake international exhibitions.
- The institution’s organisational chart or staffing structure, including clear reporting lines, is attached.
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- Selection criteria or job descriptions for key staff positions are attached.
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- 3.2 Briefly describe your institution's policy on staff induction and ongoing training to ensure an understanding of responsibilities in regard to the application of provenance procedures, due diligence processes and best practice.  
Include whether staff have access to specialist advice and guidance, where necessary.
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## 4 Experience in the exhibition of foreign loans

- 4.1 Provide an overview of recent incoming international loans undertaken by your institution.  
Provide summary information of international loans for the last two years. For each exhibition provide name of exhibition, exhibition dates and number of international inward loans.
- 4.2 Additional information
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## 5 Procedures for identifying objects that could be the subject of a foreign loan, the negotiation of loan arrangements and risk management

- 5.1 Outline your institution's policies and procedures for the identification of objects that could be subject for loan, with specific reference to international loans, and how these procedures meet international best practice.

Further information is attached

- 5.2 Outline your institution's policies and procedures for negotiating loans, with specific reference to international loans, and how these procedures meet international best practice.
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Consider including such information as; the types of agreement/contract used for international loans and attach a sample agreement/contract; the type of information and assurances that may be sought from a prospective lender; and the procedures undertaken to verify information.

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Samples attached

5.3 Outline your institution’s inward loan approval system.  
Describe the inward loan approval or decision-making process within your institution that leads to an object being borrowed from overseas for display in Australia: who is the final approver?; on what basis do they make the approval?; and the circumstances in which your institution would not proceed with a loan if concerns about the object are raised.

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Further information or policy which includes loan approval procedure is attached

5.4 Provide your institution’s risk management process in regards to exhibitions and loans.

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Further information or policy which includes loans and / or exhibition risk management procedures is attached.

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## 6 Procedures for provenance identification of objects collected or borrowed

6.1 Provide information on your institution’s policies and procedures for provenance and due diligence research undertaken in regard to objects for collection (acquisition).  
Include information such as: how practices meet international best practice, the procedures undertaken if provenance is incomplete; and on what basis an acquisition would go ahead if provenance was incomplete or unobtainable.

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The institution’s acquisitions policy regarding provenance and due diligence is attached.

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The institution's acquisitions procedures regarding provenance and due diligence are attached.

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6.2 Provide information on your institution's policies and procedures for provenance checking and due diligence research undertaken in regard to objects for incoming loan. Include information such as: how practices meet international best practice, the procedures undertaken if provenance is incomplete and on what basis a loan would go ahead if provenance was incomplete.

If not included in response to question 6.1, the institution's loans policy regarding provenance and due diligence is attached.

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If not included in response to question 6.1, the institution's loans procedures regarding provenance and due diligence are attached.

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## 7 Consultation

7.1 Outline how your institution proposes to meet the consultation requirements under the protection of cultural objects on loan scheme, with reference to processes to engage with individuals and communities in Australia to which the cultural objects proposed for loan from overseas may relate. In addition to general consultation principles please include information that relates to consultation with Aboriginal and Torres Strait Islander individuals or communities.

The institution's consultation policy and procedures are attached

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- 7.2 Does your institution have an Aboriginal and Torres Strait Islander Advisory Committee or established practices for consultation on an ongoing basis?

If applicable describe the role an advisory committee has in the institution and how committee members are made aware of the impact of loan or exhibition decisions. Describe any practices used by the institution for consultation with Aboriginal people and Torres Strait Islanders.

Further information is attached

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## 8 Publication

- 8.1 Describe how your institution proposes to meet the publication requirements under the scheme.

Further information is attached.

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## 9 Enquiries and claims handling

- 9.1 Describe how your institution proposes to meet the enquiry and claims handling requirements of the scheme.

Include information such as: existing policies or procedures for handling complaints or enquiries to the institution; what steps would be taken to establish whether a claim is legitimate; and what process will occur if a reasonable claim in relation to an object proposed for loan is made before an object is imported into Australia.

The institution's claims or complaints handling procedures are attached.

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## 10 Record keeping

- 10.1 What records are kept by your institution in regard to specific objects on loan, and the provenance and due diligence checks on such objects?

Include how long records are kept.

The institution's record keeping procedures are attached.

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## 11 Duty of disclosure

- 11.1 If there are any factors that you have not already disclosed that may impact on the decision to approve your institution under the *Protection of Cultural Objects on Loan Act 2013* please provide the details here.

- 11.2 Please provide details of any possible conflicts of interest that may be relevant to the approval of your institution under the *Protection of Cultural Objects on Loan Act 2013* or which may be relevant to the negotiation of international loans which may be provided protection under the Act.

## 12 Certification

I consent to all information and material in this application and any other information provided being used by the Australian Government represented by the Department of Communications and the Arts, for the purposes of this application.

I confirm that:

- I have read the Australian Government’s protection of cultural objects on loan scheme guidelines
- all details provided in this application are true and correct and I understand that under section 137.1 of the *Criminal Code Act 1995 (Cwth)* giving false or misleading information is a serious offence
- the application has been submitted with the full knowledge and agreement of the management of the applicant organisation and I am authorised to sign the application on behalf of the organisation
- I will inform the Department of Communications and the Arts immediately if I suspect or know that any of the assurances (however described) contained in this statement or in the application are not, or are no longer, correct
- I understand that the Australian Government will rely on the information provided in this application in order to make a determination regarding approval under the *Protection of Cultural Objects on Loan Act 2013*, and

I understand that if the institution is approved under the Act, it will be listed on the Department of Communications and the Arts’ website.

Applicant signature:

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Printed name:

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Position held:

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Date:

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Declared before (printed name):

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Witness signature:

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Date:

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