

Code of Ethics

For Governing Bodies of Museums and Museum Staff



Museums Aotearoa Te Tari o Nga Whare Taonga o te Motu
The Museums of New Zealand Inc
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Introduction

Museums Aotearoa Te Tari o Nga Whare Taonga o te Motu, The Museums of New Zealand Inc, recognises the International Council of Museums (ICOM) definition of a Museum, as follows:

A museum is a non-profit making, permanent institution in the service of society and of its development, and open to the public, which acquires, conserves, researches, communicates and exhibits, for purposes of study, education and enjoyment, material evidence of people and their environment.

This Code of Ethics amplifies the requirements of the definition, for the use of New Zealand Museums, their Governing Bodies, and their professional staff. It describes the responsibilities of Museums, Governing Bodies, and staff to each other, to the collection which is the core element of every museum, and to the public who support, fund and visit the Museum.

Kaitiaki Maori and members of Museums Aotearoa should be a key reference for museum workers in the application of the Code. Museum workers may also refer to the ICOM Code of Ethics and relevant International Conventions for general guidance on professional matters.

Museums Aotearoa and its members are guided by the principle of partnership established by the Treaty of Waitangi Te Tiriti o Waitangi in all museum work.

1 Responsibilities of Museums to:

1.1 THE PUBLIC

- a. Making the collections accessible to the public through programmes such as iwi access, seminars, events, exhibitions, school kits, publications, hands on collections, research facilities and staff assisted visits.
- b. Determining and retaining responsibility for the form and content of any exhibition displayed on its premises.
- c. Making accessible information relevant to all exhibitions available to the public in a variety of appropriate formats.
- d. Ensuring that there is full consultation with iwi and people of other cultural backgrounds in the development of exhibitions, in providing access in education and in use of collections relevant to their cultural heritage.
- e. Recognising the need for co-operation and consultation between Museums and other organisations with similar or related interests and collections, and consulting with other such institutions when defining areas of specialisation.

1.2 THE COLLECTION

- a. There is a strong presumption that objects once acquired will remain in the Museum in perpetuity, maintained in at least the same condition as at entry and held in trust for the public. The collecting goals of the Museum in accordance with its Aims and Objectives must therefore be stated clearly, including Collections Acquisition, Access, Disposal and Loan Policies.
- b. No objects should normally be acquired, permanently or temporarily, which fall outside the Acquisition Policy, nor for which adequate physical protection, care and documentation cannot be provided. Museums should only acquire objects for which provenance and proof of legal collection is available. Other conditions of Acquisition are:
 - i. A Museum should not acquire objects collected in

circumstances which are unscientific or intentionally destructive or damaging to natural or cultural sites or monuments.

- ii. Museums may accept special responsibility for collectively owned material, eg. Maori or Pacific Islands collections. Such Museums should develop a policy relating to their trusteeship of such material and negotiate appropriate agreements in line with that policy. Particular attention should be paid in these policies to matters relating to access and to use of this material.
 - iii. Fully consulting with the people of the cultures concerned in the development of collections of cultural property. All Museums should recognise tangata whenua rights of ownership relating to Maori cultural property. Prior to acquiring collections the institution should obtain the views of appropriate tangata whenua in order to avoid competition and conflicts of interest. It may additionally, through astute purchasing, serve to promote the most appropriate ownership and placement of Maori cultural property.
 - iv. Fully consulting with Kaitiaki Maori and local iwi for support and advice with regard to the issue of collections of Maori human remains.
- c. No objects should be disposed of without careful consideration under the terms of the Disposal Policy, including where appropriate seeking the views of donors. Such objects should be offered first by exchange, gift or private sale to other Museums before disposal by other means is considered.
 - d. Museums should provide the maximum public access to collection objects, while ensuring that their physical or cultural well being is not threatened.

2 Responsibilities of Governing bodies to:

2.1 THE MUSEUM

- a. Producing clear, up-to-date statements of the Museum's aims, objectives, and policies; of its role and structure; and communicating these to those associated with the Museum and to those it serves.
- b. Ensuring that the responsibilities included in this Code are met.
- c. Obtaining the support and financial resources necessary to achieve the Museum's aims.
- d. Ensuring that the Governing Body members have a genuine interest in the Museum, its aims and objectives, and are prepared to ensure that they are achieved.
- e. Ensuring that Governing Body and staff membership reflects the communities served by the Museum. In addition to considerations of gender and age, effective Maori representation should be maintained.
- f. Ensuring that collections are not viewed as financial assets. A Museum should never pledge, mortgage, or otherwise use its collections as security to raise loan funds.

2.2 MUSEUM STAFF

- a. Acting in all respects as a good and fair employer, to both paid and unpaid staff.
- b. Delegating authority within the Museum organisation, so that aims and objectives can be met and policies implemented.
- c. Giving appropriate regard to providing financial rewards appropriate to the duties specified and meaningful career paths within the Museum profession.
- d. Providing staff members with opportunities for acquiring further skills through training, retraining, and personal development programmes within the Museum and outside it, so that their potential can be fully reached in the carrying out of their duties.
- e. Providing essential training or development without cost to the staff member and encouraging staff attendance at professional workshops, meetings and conferences.

3 Responsibilities of Museum staff to:

3.1 GOVERNING BODIES

- a. Acting in all respects as good employees.
- b. Ensuring that none of their actions bring the Museum into professional, legal or public disrepute.
- c. Ensuring that the Museum's activities relate to the policies established by the Governing Body.
- d. Advising the Governing Body on all matters concerning the Museum.

3.2 THE MUSEUM

- a. No staff member should ever solicit, directly or indirectly, any gift, gratuity, favour, or any other thing of monetary value from any person, group, or corporation which has obtained, or is seeking to obtain, contractual or other business, financial or professional relationships with the Museum. Gifts of collection objects offered by such persons or groups should be accepted only after referral to the Governing Body.
- b. No staff members should accept gifts, gratuities, favours or any other things of monetary value which may in any way be construed as compromising their position. The Governing Body should be informed immediately of token personal gifts or koha to individuals which do not fall into this category. If they are items which the Museum collects, they must be offered for acceptance into the Museum's collection.
- c. The nature of the obligations inherent in any koha should be clearly defined and recorded at the time of giving of the koha. Where a koha is presented to an officer it becomes a bond between the giver and the receiver. An obligation may exist for the return of the koha at some future date, or for reciprocation in kind. Where a koha is made in public to an institution, it becomes the property of the accepting institution which may also be bound by obligations of reciprocity.
- d. When, at the time they join the Museum staff, members hold a personal collection, full details of that collection should be provided

to the Governing Body. During employment in the Museum:

- i. Staff involved in collecting in the same areas as the Museum must inform the Governing Body of personal acquisitions as they are made and the Museum must have the right, for a specified and limited period, to acquire such objects at the purchase price.
- ii. Staff must not use the Museum's affiliation to promote personal collecting activities.
- iii. Staff wishing to dispose of any item of a personal collection should offer it first to the Museum for consideration.

3.3 THE COLLECTION

- a. Ensuring all collection items and taonga are cared for physically and spiritually in accordance with the Museum's policies and to the best of the staff's ability.
- b. Undertaking study of collection items, within the limits of staff members' professional competence and the facilities of the Museum. Staff conducting scholarly research on the collections are obliged to publish or otherwise make available the results of that research within a reasonable time after completion of the work. Staff should:
 - i. Respect the research areas of other bona fide scholars who are actively working and publishing in that field.
 - ii. Allow bona fide scholars full access to any Museum collections or records, subject to the safety of the items concerned.

3.4 THE PUBLIC

- a. Serving the public to the best of their ability. Staff should deal courteously and efficiently with members of the public.
- b. Facilitating access to the collections by Maori people and other groups wishing to study material important to their cultural heritage.
- c. Giving advice to members of the public about items in their possession. Museums should formulate a set of guidelines for such advice, including:
 - i. Although the results of scholarly research, examination and Museum objects may make it possible for staff to contribute to

the history of the discipline and to the verification of an object, they should never undertake paid authentications or paid or unpaid valuations of works in private possession.

- ii. In no circumstances should staff assist in the acquisition or disposal of private property, or express an opinion about the relative merits of dealers or agents while giving advice to the public.
- iii. No object in the Museum collection should be deliberately or misleadingly identified or valued.
- iv. No object should be wrongly valued by a staff member in order to acquire it for the Museum collection at a price advantageous to the Museum.

Appendix

ICOM Code of Ethics

Museum workers may also refer to the **ICOM Code of Ethics for Museums** for general guidance on professional matters. [icom.museum]

UNESCO, UNIDROIT and CITES Conventions

As evidence of the achievements of the human race and as a source of information and education, the world's cultural heritage must be preserved and transferred to future generations. However, our cultural heritage is threatened every day; the pillage of archaeological sites and the theft of objects from Museums are increasing on an unprecedented scale. No country is free from this danger.

Professionals may protect themselves against theft and plunder by putting into place a systematic inventory of collections and by improving security norms. At present, we would like to emphasise the importance of international instruments such as the:

- **1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property** [unesco.org]
- **UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects** adopted in 1995 [unidroit.org]
- **Convention on International Trade in Endangered Species of Wild Fauna and Flora** [cites.org]