



SUBJECT	Proposed Policy Amendment: Deaccessioning Policy (UP11)
SUBMITTED TO	Learning & Research Committee
MEETING DATE	November 20, 2025
SESSION CLASSIFICATION	Recommended session criteria from Board Meetings Policy: OPEN
REQUEST	For input only - No action requested
LEAD EXECUTIVE	Hubert Lai, K.C., University Counsel
SUPPORTED BY	Dr. Gage Averill, Provost and Vice-President Academic, UBC Vancouver Dr. Marie Tarrant, Provost and Vice-President Academic pro tem, UBC Okanagan Elizabeth Moxham, Legal Counsel (Policy Development Committee Chair) Andrea East, External Legal Counsel (Policy Development Committee Secretary)

PRIOR SUBMISSIONS

The subject matter of this submission has not previously been considered by the Learning & Research Committee.

EXECUTIVE SUMMARY

The Deaccessioning Policy (UP11) (the “**Policy**”) was first approved in March 2000 and has not undergone a formal review by a Policy Development Committee since 2004. The Policy governs the reasons and processes for removing objects from the collections held by the Morris and Helen Belkin Art Gallery, the Museum of Anthropology and the University Library. Since that time, the University has welcomed the Okanagan campus as well as new galleries and museums on the Okanagan and Vancouver campuses into its fold, resulting in new galleries and museums to be added to the Policy. The new galleries and museums are: the UBC Okanagan Art Gallery established in 2020, the return of the Pacific Museum of Earth, which was the University’s first museum in 1925, and the Beaty Biodiversity Museum in 2010.

The Learning & Research Committee has been designated by the Governance Committee as the Responsible Board Committee for oversight over this Policy. The Provost and Vice-President, Academic (UBC Vancouver) is currently designated by the President as the Responsible Executive for the administration of this Policy. If the proposed expansion of the Policy is ultimately approved by the Board of Governors, it is anticipated that the President will designate the Provosts and Vice-Presidents, Academic from both campuses as the Responsible Executives.

At the request of the current Responsible Executive, the Office of the University Counsel convened a Policy Development Committee (the “**PDC**”) to review the current Policy and make recommendations to the Board of Governors regarding amendments to the Policy. The members of the PDC are listed in **Supplemental Materials 1**.

The primary objectives of the PDC are to propose amendments to the Policy to align it with best practices and to ensure consistency with other Board of Governors’ policies. The most notable amendments to the Policy that are being proposed by the PDC are:

1. changes to reflect the new units on campus that house important collections which did not exist in 2000, and the deaccessioning needs of those units; and
2. distinguishing reasons for deaccession and methods of disposition, and clearly setting out the decision-making processes for each.

The Provost's office has requested that the elements of the Policy relating to repatriation, currently applicable only to the Museum of Anthropology, be replaced by a new Board of Governors' policy which will provide a comprehensive framework for repatriation, rematriation and return in the context of the University's objectives relating to Indigenous reconciliation, and which will broadly apply across all units at the University. This new policy will have a separate PDC and initial background work has already begun. In anticipation of the creation of this new policy, the elements of the current Deaccessioning Policy that relate to repatriation are proposed to be removed.

The PDC's proposed amended Policy is attached as **Appendix 1**.

NEXT STEPS:


Subject to any feedback from the Learning & Research Committee, the next step will be to post the proposed amendments to the Policy on the website of the Office of the University Counsel and in UBC Today to solicit input from the UBC community. The consultation period is expected to run for approximately two and a half months, from November 21, 2025 to January 9, 2026. The PDC will reconvene after the consultation period to consider the comments received. The PDC anticipates that a final recommendation will be submitted to the Board of Governors for approval in March 2026.

APPENDICES

1. Proposed Amended Deaccessioning Policy

SUPPLEMENTAL MATERIALS (optional reading for Governors)

1. List of Members of the Policy Development Committee
2. Current version of the Deaccessioning Policy

 The University of British Columbia Board of Governors	Policy No.: UP11
Long Title: Deaccession of Works of Art, Cultural Materials and/or Specimens of Certain Museums and Galleries	
Short Title: <p style="text-align: center;">Deaccessioning Policy</p>	

Background & Purposes:

Museums, galleries, libraries and archives evolved as places to maintain collections over long periods of time and to engage in knowledge creation. These collections show the physical, historic, aesthetic and conceptual achievements of humankind, and document the natural world. Objects in museum and gallery collections are also part of the intellectual and cultural heritage of their originating communities. Generally, where the University has acquired, with proper evidence of provenance, an object included in a collection held within one of its museums, galleries, libraries, or their associated archives (“**GLAMs**”) there is a presumption against permanently removing an object from the University’s collections, which is referred to as deaccessioning. However, there are circumstances when deaccessioning may be appropriate.

Repatriation, rematriation, and return of Ancestors and Belongings of Indigenous Communities are an important part of the University’s reconciliation objectives under its Indigenous Strategic Plan and in recognition of this importance, the University is developing a comprehensive policy addressing this topic separate from this policy regarding deaccession.

1. General

- 1.1 **Objects and GLAMs.** This policy sets out the circumstances, conditions and protocol for deaccessioning and disposing of a work of art, cultural artifact, cultural material, book, or specimen (each an “**Object**”) in the following museums, galleries, libraries, and their associated archives at the University:
- 1.1.1 Morris and Helen Belkin Art Gallery;
 - 1.1.2 UBC Okanagan Art Gallery;
 - 1.1.3 University Library, only for Objects within its rare books collections, special collections and archives;
 - 1.1.4 Museum of Anthropology;
 - 1.1.5 Beaty Biodiversity Museum; and

- 1.1.6 Pacific Museum of Earth;
 (“GLAMs Units”).

2. Reasons for Deaccession

- 2.1 **Deaccession.** A GLAMs Unit may request approval for deaccession of an Object from its collection for any one or more of the following reasons:
- 2.1.1 **Legal title.** The GLAMs Unit learns that the University does not hold legal title to the Object, whether discovered through the GLAMs Unit’s own review or research, or upon receiving notice from an owner or family member, including but not limited to where:
- (a) the Object has been acquired in violation of Canadian law or international treaties binding upon the Government of Canada;
 - (b) provenance documentation shows that the University does not hold legal title to the Object;
- 2.1.2 **Collection Quality.** The GLAMs Unit determines that the Object does not support the academic, research and display quality of the collection, for any one or more of the following reasons:
- (a) **Collecting focus.** The collecting focus of the collection has been refined or altered and the Object does not support the collection’s focus over time;
 - (b) **Duplicative within existing collection.** The Object is duplicative in pedagogical or display value of one or more Objects in that collection, such as identical impressions of a photograph or specimens that have the same chemical composition;
 - (c) **Upgrade.** The Object will be deaccessioned in order to upgrade or diversify the representation of a category of Objects in a collection by deaccessioning an Object for the trade or purchase of another Object that serves a similar purpose in the collection, such as a different work of art from the same artist or a specimen with different features;
 - (d) **Inferior.** The Object is of demonstrably inferior quality as compared to a similar Object in the collection, providing the academic integrity of the collection is not disrupted;
 - (e) **Deteriorated.** The Object has deteriorated to the point that it cannot be used for exhibition or study;
 - (f) **Forgery.** The Object is determined to be a forgery, unless that forgery is useful for research, teaching or exhibition;

- (g) **Relevance.** The Object is no longer perceived as valuable or of historic, aesthetic, cultural or academic relevance to the collection;
- 2.1.3 **Collection Practicalities.** The GLAMs Unit determines that there are practical matters relating to storage, costs and administration of the collection or Objects within the collection that make it advisable to deaccession an Object or group of Objects from the collection for any one or more of the following reasons:
 - (a) **Storage.** Inability to store the Object, or other storage constraint considerations;
 - (b) **Cost.** The cost of conservation of the Object outweighs, or is disproportionate to, the value of the Object to the collection;
 - (c) **Health and Safety.** The Object is, or creates, a health hazard or safety hazard for staff or visitors;
 - 2.1.4 **Archive.** In the case of archival records, the records were donated by a donor and that donor has the ability to manage the records;
 - 2.1.5 **Terms.** Adhering to the terms of acquisition for that Object is impossible, impracticable, or detrimental to the University; or
 - 2.1.6 **Best practices.** There are reasons for deaccessioning an Object that are consistent with best practices for deaccessioning published by the Canadian Museums Association or other relevant institution that provides leadership in collections management for the type of collection managed by the applicable GLAMs Unit considering deaccessioning.
 - 2.2 **Gift Agreements.** Notwithstanding Sections 2.1, deaccessioning will not occur where the Object was a gift or bequest and the deaccession would:
 - 2.2.1 violate the terms of an agreement between the University and the donor; or
 - 2.2.2 have adverse tax consequences for the donor or the University.
 - 2.3 **Sampling.** Routine sampling of Objects for research or teaching is not deaccessioning under this Policy, unless such sampling renders the Object unsuitable for further use in display or research by the GLAMs Unit.

3. **Methods of Disposal**

- 3.1 **Disposal.** A deaccessioned Object may be disposed of by any of the following methods:
 - 3.1.1 **Return to legal owner.** In the case of deaccessioning pursuant to Section 2.1.1, returning the Object to its legal owner;
 - 3.1.2 **Internal transfer.** Transferring the Object to another unit at the University;

- 3.1.3 **External transfer.** Transferring ownership of the Object to a public collection held by a charitable institution as a gift, trade or sale;
 - 3.1.4 **Exchange.** Exchanging the Object for more appropriate examples in the same category;
 - 3.1.5 **Archival.** In the case of archival records, deaccessioned under Section 2.1.4:
 - (a) if no tax receipt was issued for the value of the donation, returning the records to the donor; or
 - (b) if a tax receipt was issued, a sale of the records to the donor for fair market value;
 - 3.1.6 **Fair Market Value Disposition to Donor.** Selling the Object, at fair market value, to the donor who originally donated the Object to the collection;
 - 3.1.7 **Public sale.** Selling the Object at public auction; or
 - 3.1.8 **Destruction.** Destroying the Object.
 - 3.2 **Proceeds.** Proceeds from the sale of a deaccessioned Object can only be used for development and care of the collection(s) of the GLAMs Unit that disposed of the Object, and will normally be used for acquiring Objects, and shall not be used for operational or administrative purposes.
 - 3.3 **Conflict.** No staff member employed in connection with the GLAMs Unit disposing of an Object or immediate family member of them may receive, purchase or otherwise knowingly acquire a deaccessioned Object, unless that staff member or immediate family member donated that Object and that person acquires the Object for fair market value under Section 3.1.6.
- 4. Disposal of Objects other than by GLAMs Units**
- 4.1 **Other Disposal.** Nothing in this Policy limits the disposal of Objects by units of the University other than the GLAMs Units. However, if a unit within the University is considering disposing of one or more Objects that is, or might be considered to be, of the kind and quality collected by one or more of the GLAMs Units, that unit is encouraged to contact the applicable GLAMs Unit(s) to query whether such Object(s) may be appropriate for inclusion into any of their collections in accordance with their respective acquisition policies. A unit other than a GLAMs Unit disposing of one or more Objects are encouraged to consider the methods of disposal listed in Section 3 as a guide for decision making regarding the disposal of Objects that are not subject to this Policy.



PROCEDURES ASSOCIATED WITH THE DEACCESSIONING POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Naming Policy.

1. **Authorization for Deaccessioning**

- 1.1 Deaccessioning of Objects may only be authorized as follows:
 - 1.1.1 in the case of Objects in the Morris and Helen Belkin Art Gallery, the Director of the Belkin Art Gallery may recommend deaccessioning to the Responsible Executive, for approval by the Responsible Executive. Prior to making a recommendation to the Responsible Executive, the Director may seek advice from the University Art Committee;
 - 1.1.2 in the case of Objects in the Okanagan Art Gallery, the Director of the Okanagan Art Gallery may recommend deaccessioning to the Responsible Executive, for approval by the Responsible Executive. Prior to making a recommendation to the Responsible Executive, the Director may seek advice from the Public Art Acquisitions Committee;
 - 1.1.3 in the case of Objects in the University Library's rare books, special collections and archives, the University Librarian, or delegate, may recommend deaccessioning to the Responsible Executive, for approval by the Responsible Executive. Prior to making a recommendation to the Responsible Executive, the University Librarian may seek advice from the applicable Senate Library Committee;
 - 1.1.4 in the case of Objects in the Museum of Anthropology, the Director of the Museum of Anthropology after ensuring that the proposed deaccessioning is in accordance with the Museum of Anthropology Professional Guidelines, may recommend deaccessioning to the Responsible Executive, for approval by the Responsible Executive. Prior to making a recommendation to the Responsible Executive, the Director may seek advice from the relevant internal committee of the Museum of Anthropology;
 - 1.1.5 in the case of Objects in the Beaty Biodiversity Museum, the Director of the Beaty Biodiversity Museum may recommend deaccessioning to the Responsible Executive, for approval by the Responsible Executive. Prior to making a

recommendation to the Responsible Executive, the Director may seek advice from the relevant internal committee of the Beaty Biodiversity Museum;

1.1.6 in the case of Objects in the Pacific Museum of Earth, Director of the Pacific Museum of Earth may recommend deaccessioning to the Responsible Executive, for approval by the Responsible Executive. Prior to making a recommendation to the Responsible Executive, the Director may seek advice from the relevant internal committee of the Pacific Museum of Earth.

1.2 Any recommendation that is sent to the Responsible Executive in favour of deaccessioning an Object must:

1.2.1 describe the rationale for deaccessioning, including setting out the relevant section(s) of the Policy under which the deaccession is being recommended;

1.2.2 indicate whether the recommendation is sensitive or precedent setting;

1.2.3 confirm that there has been careful consideration, in view of the University's purpose and values, of the interests of following groups:

(a) the public;

(b) the scholarly community (especially the communities within the University that carry on research and education in areas which the Object to be deaccessioned is relevant); and

(c) the cultural community (including the needs of that community in the region(s) where the collection of the GLAMs Unit is located);

1.2.4 if the Object was donated to the University, confirm that any terms associated with the gift have been addressed;

1.2.5 indicate that all reasonable alternatives to deaccessioning have been carefully considered; and

1.2.6 indicate whether there is, at the time of the request for deaccession approval, an intended method of disposition. (Information about the method of disposition is not required to make a recommendation for approval of a deaccession.)

2. Authorization of Method of Disposition

2.1 Following authorization for deaccession of an Object as set out in Section 1 of these Procedures, the method for that disposition may be approved as follows:

2.1.1 in the case of an Object deaccessioned from the collection of the Morris and Helen Belkin Art Gallery, the Director of the Belkin Art Gallery or delegate;

- 2.1.2 in the case of an Object deaccessioned from the collection of the Library, the University Librarian or delegate;
 - 2.1.3 in the case of an Object deaccessioned from the collection of the Museum of Anthropology, the Director of the Museum of Anthropology or delegate;
 - 2.1.4 in the case of an Object deaccessioned from the collection of the Beaty Biodiversity Museum, the Director of the Beaty Biodiversity Museum or delegate; and
 - 2.1.5 in the case of an Object deaccessioned from the collection of the Pacific Museum of Earth, the Director of the Pacific Museum of Earth or delegate.
- 2.2 Prior to approving a method of disposition, a decision-maker listed above may seek advice from the relevant committees listed in section 1.

3. Documentation

- 3.1 Documentation of deaccessioned Objects will be kept current, standardized, and systematized. The process of deaccession and subsequent disposition shall be documented, and an electronic record retained. Personal and other confidential information will be protected in accordance with the *Freedom of Information and Protection of Privacy Act*. Without limiting the generality of the foregoing, the following documentation is encouraged to be retained, where available, regarding a deaccessioned Object:
- 3.1.1 a copy of the deaccession recommendation report and associated approval;
 - 3.1.2 a copy of the records relating to the disposition;
 - 3.1.3 photographs;
 - 3.1.4 if there is known research or analysis that has been carried out in connection with that Object, information about that research or analysis or citations of where to locate a copy; and
 - 3.1.5 information relating to provenance, the period the Object was maintained in the collection, and any other notable details about the Object.


4. Repatriation

- 4.1 The University is working to develop a policy and procedure regarding the Respectful Return of Ancestors and Belongings to Indigenous communities. Pending development of that policy, contact the Responsible Executive[insert] for information regarding its status.

**Deaccessioning Policy (UP11)
Policy Development Committee**

List of Members:

1. Elizabeth Moxham, *Legal Counsel (Chair)*
2. Andrea East, *External Legal Counsel (Secretary)*
3. Brenna Bhandar, *Professor, Peter A. Allard School of Law (Senate Member)*
4. Kirsten Hodge, *Director, Pacific Museum of Earth*
5. Robert Janke, *Deputy University Librarian, UBC Okanagan*
6. Julie Mitchell, *Director, Irving K. Barber Learning Centre & Associate & University Librarian, Teaching, Learning & Engagement*
7. Janine Root, *Director of Development, Faculty of Arts*
8. Susan Rowley, *Director, Museum of Anthropology*
9. Christopher Stinson, *Lead Curatorial Assistant of Mammals, Reptiles, and Amphibians and Cross Collections*
10. Teresa Sudeyko, *Registrar, Morris and Helen Belkin Art Gallery*
11. Tania Willard, *Associate Professor, Faculty of Creative and Critical Studies, Director, UBC Okanagan Gallery, Director, Indigenous Art Intensive*

 The University of British Columbia Board of Governors	Policy No.: UP11
Long Title: Deaccession of Works of Art and/or Cultural Materials for the Morris and Helen Belkin Art Gallery, the University Library, and the Museum of Anthropology	
Short Title: Deaccessioning Policy	

Background & Purposes:

Museums and galleries evolved in Western societies as places to maintain collections over long periods of time and to engage in knowledge creation. These collections show the physical, historic, aesthetic and conceptual achievements of humankind, and document the natural world. Objects in museum and gallery collections are also part of the intellectual and cultural heritage of their originating communities.

Generally, where a museum or gallery has acquired legal title to a collection, there is presumption against deaccessioning. However, there are circumstances when deaccessioning for purposes of repatriation may be appropriate, and circumstances when deaccessioning may strengthen a collection by refining and improving its quality.

1. General

- 1.1 This policy sets out the circumstances, conditions and protocol for disposing of works in the Morris and Helen Belkin Art Gallery, the University Library, and the Museum of Anthropology.
- 1.2 Deaccessioning may occur:
 - 1.2.1 where a work has been acquired in violation of Canadian law or international treaties binding upon the Government of Canada;
 - 1.2.2 where the University's ownership of a work has been successfully challenged at law;
 - 1.2.3 at the Museum of Anthropology, when repatriation is deemed appropriate in accordance with the Procedures;
 - 1.2.4 where a work has deteriorated to the point that it cannot be used for exhibition or study;
 - 1.2.5 for the Morris and Helen Belkin Art Gallery or University Library only, where only a fraction of the work remains in the original condition;

- 1.2.6 where the work is determined to be a forgery, unless useful for research, teaching or exhibition;
 - 1.2.7 where the work is an exact duplicate (such as identical impressions of the same state of a print or a photograph) of another work in the University's collection;
 - 1.2.8 where the University has the permission of the donor to sell, exchange, or otherwise dispose of the work that was donated;
 - 1.2.9 in order to upgrade the representation of a particular artist(s) by deaccessioning one work for the trade or purchase of other work(s) by the same artist(s);
 - 1.2.10 to divest the collection of works which do not support the scope of the collection and, for the Morris and Helen Belkin Art Gallery only, works of demonstrably inferior quality, providing the academic integrity of the collection is not disrupted; and
 - 1.2.11 where adhering to the terms of acquisition is impossible or impracticable or detrimental to the University.
- 1.3 Notwithstanding the foregoing, unless the work was obtained illegally, where the work or cultural material is a gift or bequest, deaccessioning will not occur:
- 1.3.1 where the deaccession would violate the terms of an agreement between the University and the donor; or
 - 1.3.2 where the deaccession would have adverse tax consequences for the donor and the University.
- 1.4 Proceeds from deaccessioning can only be used for acquisitions and not for any other purpose.

2. Definitions

- 2.1 *Works* means works of art, cultural artifacts, and cultural materials.
- 2.2 *Repatriation* means the transfer of legal title to a work from the University's collection to its former owner or descendants of its former owner, defined broadly.
- 2.3 *Deaccessioning* means permanently removing a work from the University's collections.



PROCEDURES ASSOCIATED WITH THE DEACCESSIONING POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Deaccessioning Policy.

1. Authorization for Deaccessioning

1.1 Deaccessioning of works may only be authorized by the Responsible Executive as follows:

- 1.1.1 In the case of works in the Morris and Helen Belkin Art Gallery, the Provost's Committee on University Art may recommend deaccessioning to the Director of the Belkin Art Gallery who, if in agreement, may forward such recommendation to the Responsible Executive.
- 1.1.2 In the case of works in the University Library, the applicable Senate Library Committee may recommend deaccessioning to the University Librarian who, if in agreement, may forward such recommendation to the Responsible Executive.
- 1.1.3 In the case of works in the Museum of Anthropology, the internal committees of the Museum of Anthropology may recommend deaccessioning to the Director of the Museum of Anthropology who, if in agreement and after ensuring that the proposed deaccessioning is in accordance with the Museum of Anthropology Professional Guidelines, may forward such recommendation to the Responsible Executive.
- 1.1.4 Any recommendation that is sent to the Responsible Executive in favour of deaccessioning a work must indicate whether the recommendation is sensitive or precedent setting, and must confirm that the interests of the public, the scholarly community (especially, in the case of the Museum of Anthropology, the Department of Anthropology and Sociology and the Department of Classical, Near Eastern and Religious Studies), and the cultural community (including the needs of that community in the Vancouver region) have been carefully considered in view of the University's mission statement and that, if the work was donated to the University, any terms associated with the gift have been addressed. Any such recommendation should also indicate that all reasonable alternatives to deaccessioning have been carefully considered.

2. Method of Disposition

- 2.1 A deaccessioned work may be disposed of by:
 - 2.1.1 returning it to its legal owner;
 - 2.1.2 repatriation;
 - 2.1.3 transferring it to another institution where the work is deemed to be more appropriate;
 - 2.1.4 exchanging it for more appropriate examples in the same category;
 - 2.1.5 destroying it, but only as a last resort and, at the Museum of Anthropology, according to the Museum of Anthropology Professional Guidelines;
 - 2.1.6 selling it, with the proceeds going to acquisitions only.

3. Documentation

- 3.1 Documentation of deaccessioned works will be kept current, standardized, and systematized and in accordance with the *Freedom of Information and Protection of Privacy Act*.

4. Recommendations regarding Repatriation at the Museum of Anthropology

- 4.1 Applications for repatriation of works in the Museum of Anthropology must be made in writing to the Director of the Museum of Anthropology. Applications must clearly identify the group or the individual making the claim and the work(s) for which repatriation is sought and must clearly state the reasons supporting the application. Applications for repatriation will be acknowledged by the Director and referred by him/her to the Museum of Anthropology internal Repatriation Committee for investigation. The Repatriation Committee is comprised of persons appointed by the Director of the Museum of Anthropology.
- 4.2 The Museum of Anthropology will consider applications for repatriation on a case-by-case basis and undertake research to obtain relevant information. Relevant information will usually include the circumstances under which the work was acquired by the Museum of Anthropology and, if applicable, by previous owner(s) and/or collector(s). The Museum of Anthropology will consider evidence such as oral and written testimonies, archival sources, and scholarly reports.
- 4.3 Repatriation requests are considered confidential between the requestors and the Museum until settled, and the repatriation process should reflect this.
- 4.4 However, where the Museum of Anthropology is informed that other parties (including both groups and individuals) may have an interest in the application or may have information relevant to its consideration of the application, the Museum of Anthropology may notify those parties of the application and seek the advice and/or participation of those parties in the research process.

- 4.5 Also, the Museum of Anthropology may, especially if research reveals a reasonable possibility of conflicting claims, advertise or take other steps to provide potentially interested parties with an opportunity to respond to the application and, if appropriate, to be consulted as part of the research process.
- 4.6 In the event that conflicting claims for repatriation are made, the Museum of Anthropology will inform the conflicting parties that the conflict exists and will defer any decisions with regard to repatriation until the conflict is resolved by those parties. Provided that no conflicting claims for repatriation remain outstanding, the Museum of Anthropology will review the information submitted by the applicant, together with the relevant records of the Museum of Anthropology and all information received from other parties. Relevant records of the Museum of Anthropology will be made available to the applicant in accordance with the *Freedom of Information and Protection of Privacy Act*.
- 4.7 Once the Museum of Anthropology is satisfied that it has obtained the information necessary to make a recommendation, the Repatriation Committee will evaluate the information and make a recommendation to the Director of the Museum of Anthropology. In making its recommendation, the Repatriation Committee should consider:
 - 4.7.1 the Museum of Anthropology Professional Guidelines 2003 or as subsequently amended;
 - 4.7.2 the Canadian Museums Association Ethical Guidelines 1999 or as subsequently amended;
 - 4.7.3 the Assembly of First Nations and Canadian Museums Association Task Force Report on Museums and First Peoples 1992;
 - 4.7.4 The Royal Commission on Aboriginal Peoples, Government of Canada, 1996;
 - 4.7.5 Canadian law; and
 - 4.7.6 international agreements signed by Canada.
- 4.8 Generally, the Repatriation Committee will consider there to be a presumption in favour of recommending repatriation where the work:
 - 4.8.1 was removed from a community or individual illegally;
 - 4.8.2 was directly associated with burials linked to the applicant;
 - 4.8.3 can be linked to the applicant and was employed in traditional healing; or
 - 4.8.4 is necessary for on-going ceremonial practice and there is no cultural precedent for another object to be used in its place.
- 4.9 To complete the legal transfer involved in repatriation, the recipient must sign a notarized statement to the effect that s/he is or represents the legal and rightful owner(s) of the work

and that there are no competing claimants and the recipient must provide the University with a satisfactory indemnity against any claims that may arise as a result of the repatriation.

4.10 In cases where a request for repatriation is not granted, the Museum of Anthropology may offer:

4.10.1 special access to the work for the applicant;

4.10.2 the loan of the work to the applicant;

4.10.3 the exhibition of the work in a manner that is responsive to the interests of the applicant;

4.10.4 the replication of the work by or for the applicant, if culturally appropriate;

4.10.5 changes to the manner in which the work is stored and/or displayed to respond to the interests of the applicant; and

4.10.6 the opportunity for co-management of the work.