

Collection Policy

CANADIAN MUSEUM OF IMMIGRATION AT PIER 21

Overview

This Collection Policy guides collection management practices at the Canadian Museum of Immigration at Pier 21 (the Museum). The Policy guides the sound management, development, care and preservation of the Museum's Collection and items under its stewardship in order to best fulfill its mandate.

The Museum was designated as the country's sixth national museum in 2011. It is dedicated to exploring the theme of immigration in Canada.

The Museum's Collection constitutes an invaluable cultural resource to help Canadians learn about and engage with the nation's immigration history. The digital archive, physical archive, and artifact assets that comprise the Collection promote an understanding of the breadth of experiences of immigrants to Canada, and their role in the evolution of the country's culture, economy and way of life.

As stewards of this Collection, the Museum holds this resource in trust for the benefit of future generations while providing access to local, national and global publics.

Collection Vision and Mission

The Collection is an invaluable cultural resource that tells the history of immigration to Canada from European contact to present day. The Museum holds, cares for, preserves and manages this Collection in trust for future generations while providing Canadian and international communities with ways to access its rich holdings.

Collecting Mandate

The development, management, care and preservation of the Collection help the Museum achieve its national mandate and support the ongoing development of a repository of knowledge on the subject of immigration in Canada.

The Museum prioritizes the acquisition of digital content. The Collection encompasses digital and physical assets that aid in exploring immigration to Canada and that are relevant to the experiences of immigrants as they arrived in Canada, of the vital role immigration has played in the building of Canada, policies and politics as they relate to immigration, and of the contributions of immigrants to Canada's culture, economy and way of life.

The Museum recognizes that we cannot tell the comprehensive story of Canadian immigration history without including Indigenous perspectives. The Museum is actively engaging with the Mi'kmaq First Nation to help present these perspectives. Indigenous guidance will determine future proper protocols

for collection activities. The Museum operates within a network of five other national museums and also recognizes the existing assets and collecting focuses of those organisations.

ACQUISITIONS POLICY

Overview

The Museum collects both digital and physical assets but prioritizes the acquisition of born digital items and digitized copies of materials. The Collection Development Plan informs acquisitions and provides staff with overarching guidelines for collections activity.

Of particular focus are recorded oral history interviews and written story accounts.

Due to its digital focus, the acquisition of physical assets are limited to those made at the recommendation of the Collection Committee and when the item is related to acquisition priorities identified in the Collection Development Plan. Acquisition recommendations will consider the valuable assets already held in museums and archives across the country.

Approval and Responsibilities

The Collection Committee, led by the Manager of Collections and Digital Preservation, is responsible for evaluating and making recommendations relating to all potential acquisitions. All recommendations for acquisition will be subject to the approval of the Chief Executive Officer.

Documentation

The Museum will retain all acquisition documentation in perpetuity as part of the collection record in accordance with section 5.2 Collection Documentation Policy.

Criteria for Acquisition

The Museum may acquire assets for the Collection based on the following general criteria:

The asset is relevant to the Museum's mandate and collecting mandate as outlined in this Policy;

- The item is in keeping with the acquisition direction and priorities as articulated in the collection scope and approved Collection Development Plan;
- The asset expands upon themes related to immigration history in Canada and contributes to an understanding of the diversity of experiences related to immigration;
- The asset is of significant historical value.
- The asset is in good and stable condition.
- The Museum is able to guarantee provision of the resources required for documentation, care, preservation and storage of the item; and/or
- The asset has clear authenticity and provenance and is accompanied by the appropriate documentation. The Museum will only acquire material to which it may hold clear legal title or acquire a Licence Agreement for unlimited use.
- If the asset is digital, it will be acquired in full authenticity and completeness. An example of this would be scans of the front and back of a printed photo, or a pamphlet scanned from cover to cover.

The Collection will contain a limited number of duplicated assets on a particular theme, time period or subject. Additional duplicated assets will only be acquired if their inclusion extends research and interpretive potential. For physical archival and artifact assets, the Museum will only acquire duplicates that are of greater significance than those currently held within the Collection.

The Museum acquires assets in a variety of media including (in order of priority):

- Born digital;

- Digitized film, video, sound recordings, photographs and documents;
- Analog film, video and sound recordings which can be digitized;
- Two-dimensional assets including photographs, records, ephemera, documents, letters and other archival physical material;
- Three-dimensional material.

Methods of Acquisition

The Museum acquires assets for the Collection through its oral history program, donation or bequest, curatorial purchase, exchange, transfer or commission. Items found in the Collection or onsite at the Museum that are not accessioned but which meet the criteria for acquisitions may be considered for acquisition.

Oral History Research Program

The Museum has an active Oral History Research Program, including fieldwork to acquire recorded oral history interviews and related materials. Acquisition is based on both regular gap analyses by the Oral History team, and in response to exhibitions, research and interpretation needs.

Donation or Bequest

The Museum will encourage donations of assets that it is actively seeking and has specifically targeted for acquisition, according to the priorities identified in the Collection Development Plan.

When donations are accepted, each donor will be asked to sign, and will receive a copy of, the relevant donation paperwork, the original of which will be retained by the Museum. These forms will advise the donor that ownership of the item has been transferred irrevocably to the Museum, or that they have unconditionally licenced the Museum to use the asset that has been acquired.

The Museum will not accept any donations that are conditional on the Museum committing to its display, or that are encumbered by any other conditions imposed by the donor. The exception being restrictions agreed to at the time of donation.

Active Collecting

The Museum will initiate actively acquiring material for the Collection, both digitally and physically, that meet Collection Development Plan targets or unrepresented themes or underrepresented themes. Active Collecting initiatives will have an agreed upon time, place and goal. The Museum will plan for staff time, budget, relationship building and sustainability, and mutually beneficial relationship establishment. Selection of material must consider long-term preservation needs. Material collected must be authentic and representative of the experiences that are identified for acquisition.

Active Collecting methods include the Oral History Research program, Community Participation events, Temporary or Travelling exhibits, the Loan program, and the Museum's Active Collecting Working Group.

All items considered for acquisition through Active Collecting must be approved by the Collection Committee.

Curatorial Purchase

Funding for acquisitions for the Collection can come from annual budget allocations, special allocations for exceptional purchases or public donations and bequests without conditions. Purchases must reflect needs as identified in the Collection Development Plan. Curatorial purchases will proceed according to the Museum's Expense Authorization Policy. Prior to any purchase, the Chief Executive Officer or designate will first take reasonable steps to determine whether it or a comparable item can be obtained via gift or bequest.

Exchange or Transfer

Acquisitions by exchange or transfer will be limited to assets from credible collecting institutions. Exchanges will follow the Museum's criteria for acquisition and will be carefully considered so as not to negatively impact the overall strength and interpretive potential of the Museum's

Collection. The Manager of Collections and Digital Preservation will arrange the exchange or transfer of collection assets following appropriate and accurate documentation.

Commission

Occasionally the Museum may commission a work of art for inclusion in an exhibition or use in a public program. Depending on the nature of the commissioned work and how it may align with the Collection Development Plan, the Collection Committee may recommend it for acquisition into the Museum's Collection.

Found in the Collection

Abandoned or unclaimed items: The Museum will not accept items left at or sent to the site by identified or anonymous parties which are clearly intended for inclusion within the Collection and/or exhibitions ("offerings") unless approved by the Collection Committee.

Offerings that are of exceptional historical value may be recommended for acquisition. Offerings that are not accepted for the Collection will be returned to their rightful owner, their heirs or successors. Once owners have been notified they will have 90 days to reclaim their items. Should the Museum not be able to find the owner, or the owner does not reclaim their items within 90 days of notification then items may be disposed of in accordance with the Museum's deaccession and disposal procedure or acquired for the Collection if approved by the Collection Committee.

Found in Collection: Items that emerge during collection management activities that lack ownership documentation are termed "found in the collection". If staff is unable to ascertain ownership within a reasonable period of time, they may put forward a recommendation to the Collection Committee that these objects be formally accessioned into the Collection or disposed of.

Found Onsite: Refers to items which may have been intended for donation to the Pier 21 Society and were discovered after the national transition. These items are different from the miscellaneous “offerings” left at the site by anonymous parties. These items may be put forward to the Collection Committee for review.

Restrictions Management

As restrictions are a natural barrier to access, they must be approached with care and clearly defined at the time of acquisition. Due to the highly personal nature of the content within the Collection, restrictions can be required to ensure the protection of the donor’s privacy, rights clearances, or at the discretion of Museum staff in accordance with procedures, ethics and restriction standards.

Tax Receipts and Appraisals

The Museum issues tax receipts for the fair market value of physical assets, following the legal transfer of ownership. Physical assets will be appraised after the Gift Agreement has been signed by both parties.

The Manager of Collections and Digital Preservation may provide valuations for gifts with a fair market value of up to \$1,000.00 in accordance with the laws of the Province of Nova Scotia and Canada. These valuations are to be used for the purpose of issuing tax receipts at the time of donation or for obtaining insurance. Museum staff cannot provide monetary evaluations for individuals or organizations.

An appraisal will be conducted by a certified appraiser for any gift with a fair market value of over \$1,000.00. For gifts with a fair market value of \$10,000.00 and above, appraisals will be conducted by three independent certified appraisers. The Museum will facilitate the independent appraisal process, however any costs related to the appraisal will be the responsibility of the donor. The Museum will not bear the cost of appraising donations to the collection except under extraordinary circumstances, subject to the approval of the Chief Executive Officer.

COLLECTION ACCESS AND USE POLICY

Overview

The Museum aims to provide the broadest audience with access to its Collection, in order to enhance public understanding of the subject of immigration and the experiences of those who immigrated to Canada.

Access to the Collection will be facilitated by the Manager of Collections and Digital Preservation, who will strive to balance the principles of:

- maximum public accessibility with the preservation needs of the assets in their care; and
- privacy considerations of donors, including individuals who have donated their personal stories.

The Museum recognizes the value of making the Collection accessible online. The Museum will undertake steps to systematically feature the maximum amount of Collection content online while considering confidentiality, human, technological and budgetary resources.

Approval and Responsibilities

The Manager of Collections and Digital Preservation or designate, is responsible for the facilitation of access to the Collection. The Chief Executive Officer approves levels of access to Collection records and assets as warranted by the nature of the requests. The Manager of Collections and Digital Preservation will regularly report programs and activities related to the provision of access to the Collection.

Documentation

All access and use of the Collection will be documented by collection staff in accordance with section 5.2 Collection Documentation Policy.

Public Access and Use

Public Access to Collection Assets

Public access to the Museum's Collection is provided through exhibitions, interpretation, publications, and virtually as content on the Museum's website and through the online collection database. The Museum aspires to maximize the Collection's potential for educational purposes, enjoyment, to further scholarly research, and to stimulate dialogue.

The Collection may be accessed as follows:

Digital Archive Assets: via the core exhibitions, temporary or traveling exhibitions, virtually as content on the Museum's website, through the online collection database or by request.

The Museum will make electronic copies of assets available for exhibition, research or educational purposes. Permission to use this content will be contingent on whether there are restrictions placed on the asset, the nature of the proposed use and potential contextual sensitivities surrounding use of the asset outside of the Museum. The Museum reserves the right to provide only a redacted version of the asset. Depending on the terms of the restriction, some assets will not be made accessible to the public.

Copyright and associated rights are retained by the Museum. Users of the Collection agree to not reproduce or share licenced assets without the expressed written permission of the Museum.

Physical Archival Assets: via the core exhibitions, temporary or traveling exhibitions, virtually (where digitized) as content on the Museum's website, through the online collection database, by request or by appointment for assets in Collection Storage.

Artifact Assets: via the core exhibitions, temporary or traveling exhibitions, or by appointment for assets in Collection Storage. Onsite access is provided by appointment as arranged with the Manager of Collections and Digital Preservation or designate. Requested collection assets will be made available in a space within the Museum, at the appointed time, during which the Manager of Collections and Digital Preservation or designate will be present. Collection assets will not be removed from Museum facilities without a signed Loan Agreement.

An onsite collection appointment may be terminated at the supervising staff member's discretion for any breach of handling procedures or violation of the terms under which access was granted.

Public Access to Collection Records

The Museum makes its Collection records available to the public via the online collection database. While the Museum maintains transparency in regards to its acquisitions, deaccessions and collection information, private donor information or sensitive information will be withheld according to the Terms and Conditions at the time of donation and in accordance with the federal Privacy Act.

An asset and its record will be restricted for donor privacy if there is no documentation demonstrating clear permissions.

The Museum will maintain a clear Takedown Policy on its website. The policy outlines the notification process users follow to have content from the Collection removed from the website if a rights holder believes that their privacy or intellectual property rights have been violated. The removal of content from the website may not necessarily mean the asset will be removed from the Collection.

Internal Access and Use

All Museum staff and volunteers may access the Collection catalogue via the Museum's electronic collection management database. The Chief Executive Officer approves, and the Manager of Collections and Digital Preservation or designate, administers appropriate levels of access for staff, based on the staff position, asset type, asset restrictions and reason for requiring access. Staff will be trained in proper handling, security and attribution of Collection assets.

Designated museum staff may copy and edit assets as needed in accordance with the policies, procedures and ethical guidelines adopted by the Museum. At no point may any staff person edit the original or preservation copy of a digital asset. The exception being for purpose of preservation authorized by the Chief Executive Officer.

Photography

The Museum will allow photographs to be taken of Collection assets unless otherwise stated.

Photography of physical assets in storage will be facilitated and approved based on the terms outlined in this section of the Policy. Photography will not be allowed if it is deemed to pose risk to the Collection.

The Manager of Collections and Digital Preservation approves all photographic activity concerning the Collection. All photographs approved for non-private use must credit the Canadian Museum of Immigration at Pier 21.

LICENCING POLICY

Overview

By maintaining an active licencing program, the Museum furthers its commitment to providing access to the Collection and enhancing public understanding of the subject of immigration and the experiences of those who immigrated to Canada.

Approval and Responsibilities

The Chief Executive Officer is responsible for approving external use of the Collection and Licence Agreements. The Manager of Collections and Digital Preservation is responsible for the efficient management of the licencing program.

Documentation

All records related to licencing content from the Museum's Collection will be maintained as part of the Collection record in accordance with section 5.2 Collection Documentation Policy.

Licencing Criteria

The Museum will licence assets from the Collection to third parties for use in approved projects. Licences will be issued for any request that does not originate from the Museum or a Museum sponsored project so long as:

- the asset is unrestricted, or the use is permitted by the documented and approved restriction; the use of the asset in the described project is in keeping with:
 - the Museum's stated ethical obligations;
 - access and use policies; and
 - does not present an unreasonable risk to the donor or subject of the asset;
- reasonable notice is given to collections staff in order to process this request.

The Museum may request a copy of any publications resulting from use of its Collection.

Licencing Fees

Fees may be charged for use of assets depending on the nature of the request. Administration fees may also be charged for access to reference copies of assets. The Museum will provide information about these fees on its website.

All revenue generated from the Museum's Collection licencing program will be reinvested in the care and development of the Collection and never for the day-to-day operating costs of the institution.

Commercial Licences

Commercial use is interpreted to mean any presentation of an asset (as a whole or in part) in an activity that generates income of any kind, either directly or indirectly. Fees will be charged for uses of a commercial nature. The exception is for any asset held in the Public Domain for which copyright and associated rights have expired. However, in this instance a fee may be charged to obtain a copy of the file.

COPYRIGHT POLICY

Approval and Responsibilities

The Manager of Collections and Digital Preservation is responsible for the efficient management of copyrights, associated rights and, licence permissions for the material it holds in the Collection.

Documentation

All documentation related to the copyright and associated rights status and licence agreements will be retained as part of the Collection record in accordance with section 5.2 Collection Documentation Policy.

Copyright Management

The Museum will make all reasonable efforts to ensure proper permissions are in place for use of the Collection material it holds. The Museum will hold exclusive copyright and associated rights to all material it creates.

The Museum will only acquire assets of demonstrated authenticity and with clear title to their ownership. Provenance must be established at the time of acquisition. The Museum will only accept new assets for acquisition to the Collection if at minimum it receives a licence to use the asset.

The Museum affirms that all copyrights and associated rights are subject to the provisions of the Copyright Act and other applicable international intellectual property agreements signed by the Government of Canada.

Any violation of the Museum's copyright, associated rights, or licence agreements will be dealt with on a case-by-case basis.

Copyrights related to Digital Collection Assets

In cases where the Museum has collaborated with a partner institution in conducting oral history interviews for the Museum collection, copyright will be retained by the Museum.

When acquiring content created by others, the Museum will do its due diligence to ensure that proper permissions were secured from the original creators to enable the Museum to use the materials in an unencumbered fashion.

Digital assets may only be licenced to the Museum by copyright owners per the Copyright Act, or, if in the public domain, owners of the original physical asset, or digital-born asset. The Museum will do its due diligence to ensure assets are licenced from copyright owners. The Museum will assess on a case-by-case basis assets for which copyright may be complicated, and may restrict access, until permission is provided to the Museum, or assets are in the public domain.

When publishing assets from the Collection to the website for which copyright and associated rights are held by others, the Museum will credit the owner and inform users of the website that these assets may not be copied, downloaded, or used for any purpose.

Copyrights related to Physical Collection Assets

For physical assets acquired through purchase, donation, transfer or other means as outlined in section 3.0 Acquisitions Policy, the Museum will secure transfer of ownership via written

agreement with the current or original owner. These permissions may allow the Museum to reproduce images of the artifact, archival object, or artwork in published materials, online or through other virtual applications. The Museum recognizes that it may not be granted permissions to reproduce archival material or artwork for public use if the copyright owner or artist does not grant permission or cannot be found while the object is under copyright.

There may be instances where the Museum holds “legacy” objects (such as those found in the Collection or onsite) without known or clear ownership or creator. The Museum will make all reasonable efforts to determine the copyright status of these assets. Where status cannot be determined, the Museum will only use material for purposes that are exempt under Fair Dealing as described in the federal Copyright Act.

DEACCESSIONS AND DISPOSALS POLICY

Overview

The Museum acquires assets for its Collection with care. However, there may be times when the removal of particular assets from the Collection becomes necessary. This policy outlines the Museum’s process of permanently removing assets from the Collection (deaccession) and their appropriate disposal.

Approval and Responsibilities

The Manager of Collections and Digital Preservation will present recommendations for deaccessioning to the Collection Committee for review. Recommendations for deaccessioning require approval first from the Chief Executive Officer. Final approval rests with the Museum’s Board.

Documentation

The deaccessioning process must be fully documented and the associated records retained by the Museum in perpetuity, in compliance with legal and professional practices and in accordance with section 5.2 Collection Documentation Policy.

Deaccessioning Statement

Deaccessioning will be done with care, consideration, and discretion. It will only be considered according to the established criteria, and never in response to trends or changing tastes. The

Museum will adhere strictly to legal and ethical standards, and will always approach deaccessioning with serious planning and deliberation.

Criteria for Deaccessioning

General Criteria

One or more of the following criteria must apply to an item considered for deaccessioning or disposal:

- The asset is outside of the Collection's scope as identified in the Collecting Mandate;
- Possession of the asset endangers the Museum's staff and visitors;
- Possession of the asset violates the Museum's ethical commitments;
- The Museum cannot establish clear title to the asset;
- Possession of the asset contravenes the laws of Nova Scotia, Canada or a treaty to which Canada is signatory;
- The asset has been lost or cannot be located
- The asset is duplicated elsewhere in the Collection;
- The asset has deteriorated beyond the point where costs of conservation surpass the value to the Collection;
- The asset is under used and highly unlikely to be used in the future

Assets without Clear Title

Existing assets for which the Museum cannot demonstrate clear title and ownership will be cared for with the same standard of care as all other assets in the Collection.

Depending on the nature of the asset, a restriction may be placed to protect the privacy of the possible original owners and donors. Collections staff will attempt to contact donors and authorized agents to resolve existing paperwork challenges prior to a recommendation for deaccession. The Museum will not return assets to donors if the ownership of the asset has been formally transferred to the Museum.

If a claim is made by a donor or donor's family for an asset accessioned into the Collection for which the Museum cannot provide clear documentation of the transfer of title or assignment of rights, the Museum will engage with claimants in a process to establish ownership.

Disposals

Items which have been deaccessioned by the Museum may be disposed of as follows, in order of preference:

- Assets that have been deaccessioned may be offered to other public heritage or educational institutions for donation or for exchange. If this is not possible, every effort will be made to keep the item within the public sphere.
- If all other efforts to maintain public ownership of the object have failed, the object may be sent to public auction. Proceeds from the sale are to be reinvested in the care and development of the Museum Collection and never for the day-to-day operating costs of the institution.
- If neither transfer nor sale of the objects is viable, destruction may be considered and may be implemented only after full documentation, including taking reference photographs. In the case of digital collection assets, the Museum will destroy all copies that exist on all drives and servers only if the Museum has asked for advice from the digital preservation community or if the object is corrupt or obsolete and there is no possibility of backup, format migration or emulation that would enable it to become accessible in the future.
- The Museum will reference the Toolkit for managing digital collections for advice on digital asset deaccession and disposal, will seek advice from the CDSN (Canadian Digital Stewardship Network) Community of Practice, Digitization and Digital Preservation Discussion Group or other Canadian or International Digital Preservation networks, and may seek advice from the Canadian Museums Association.

Assets from the Museum's Collection will not be given, sold or otherwise transferred, either publicly or privately, to individuals or family members of individuals who are Board or committee members, staff members, volunteers, or any others with an association with the Museum.