



PUBLIC GALLERIES ASSOCIATION OF VICTORIA

14 August 2015

PGAV submission to the Review of the Protection of Movable Cultural Heritage Act 1986

The Public Galleries Association of Victoria (PGAV) welcomes the opportunity to provide feedback on the Review of the Protection of Movable Cultural Heritage Act undertaken by Mr Shane Simpson AM for the Ministry for the Arts.

CONTEXT

The PGAV is the peak body representing over 50 galleries across metropolitan and regional Victoria, including state institutions (4), local government galleries (18 regional, 18 metropolitan), university art museums (6) and independent galleries (5). Our role is to build and strengthen the capacity of public galleries in Victoria to engage people in the visual arts and thereby deliver valuable cultural, social and economic returns to their communities.

Through benchmarking undertaken in 2014 we learned that our members **hold over 170,000 items in their collections with a combined worth of \$4.8 billion**. If you remove the National Gallery of Victoria's collection from these figures, our members hold over 100,000 items worth \$1.1 billion. **Public galleries across Victoria have significant holdings of visual art** – spanning European masterpieces, Australian art from the colonial era to the present time and exemplary works of Aboriginal art - **they represent a very important segment of Australia's publicly funded collecting institutions.**

PROPOSED MODEL

Firstly, we commend Mr Simpson for his work, particularly the model outlined in the Position Paper. The PGAV believes the model achieves the desired aim of modernising the process of export control of Australian cultural material and enhancing the protection of foreign cultural material.

The PGAV endorses the model outlined in the Position Paper and in particular, the following elements:

7.3 New Part 1: Aboriginal and Torres Strait Islander Material

We agree that all works of visual art, craft and design should be treated the same, irrespective of the artist's race. Public galleries in Victoria have significant holdings of work created by Aboriginal and Torres Strait Islander artists and we endorse the need for this work to be treated as a vital part of Australian visual art, craft and design practice, not separate from it.

7.5 New Part 3: Visual Arts, Craft and Design Material

We agree that the current classification of 'Objects of Fine or Decorative Art' is out dated and the proposed change to 'Visual Art, Craft and Design' is both current and more inclusive of materials created by Australia's creative practitioners. Again, we endorse the decision to treat art, craft and design created by Indigenous and non-Indigenous practitioners under the same category outlined at 7.3 and here at 7.5.

8.2.2 Recognition of significance assessments made by other levels of government

The vast majority of public galleries in Victoria are owned and operated by local government. These include Australia's oldest regional galleries such as the Art Gallery of Ballarat, Bendigo Art Gallery and Geelong Gallery as well the important collections of ceramics at Shepparton Art Museum and decorative arts and watercolours at Hamilton Art Gallery. **While we agree that the proposed change is vital to a cost effective and efficient process, we recommend it be extended to local government to ensure all items of significance— local, state and national - are protected by the Act.**

10.3.1 General permits granted to collecting institutions

The PGAV strongly supports the extension of General Permits to include any non-for-profit, publicly accessible collection that is eligible to receive donations under the Cultural Gift Program. The majority of our members meet this definition, which will bring them into line with state-based collecting institutions and make the export process less onerous.

National Cultural Heritage Account

The PGAV supports the funding available be extended as outlined at 11.1, 11.2, 11.2.1, 11.2.2 and 11.4. This will ensure a wider range of public collecting institutions, including a greater number of our members are able to acquire works through the Account. Ultimately, an increase in the number of institutions holding these works will result in increased access by the public to Australia's cultural heritage.

Appendix 2 – National Cultural Heritage Control List

New Part 3: Visual Arts, Craft and Design Material

The PGAV believes the inclusion of a time period at 3.1 (b) of 50 years may be negated by the inclusion of 3.3 – whereby visual arts, craft and design material is not an Australian Protected Object if the person, or any of the people, who created the object are alive. **We recommend further consultation be undertaken with the visual arts sector on this matter.**

The PGAV strongly believes visual artists, craftspeople and designers are entitled to sell their work to the highest bidder during their lifetime, whether the buyer is located in Australia or overseas. **We strongly endorse the inclusion of 3.3 to ensure artists can derive the highest possible income for their work during their lifetime.**

For further comment, please contact:

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