

For discussion on
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Legislative Council
Panel on Development and Panel on Home Affairs
Joint Subcommittee to Monitor the Implementation of the
West Kowloon Cultural District Project

Update on the development of M+

PURPOSE

This paper updates Members on the progress of the hardware and software development of M+, including the latest arrangement about the opening of the museum.

BACKGROUND

2. M+ is the new museum for visual culture in Hong Kong within the West Kowloon Cultural District (WKCD). Its focus is on 20th and 21st century visual culture, broadly defined, from a Hong Kong perspective, the perspective of now and with a global vision. Since 2008, M+ has been working on four fronts with a view to realising its vision and mission: to build a professional team; to build a collection; to build a museum building and to raise awareness through ongoing pre-opening programmes.

3. On 1 June 2020, the West Kowloon Cultural District Authority (WKCDA or the Authority) updated the Joint Subcommittee to Monitor the Implementation of the WKCD project (Joint Subcommittee) on the development of M+ (LC Paper No. CB(1)668/19-20(03)). On 18 January 2021, the Authority further updated the Joint Subcommittee on the latest development of Zone 3 of the WKCD (LC Paper No. CB(1)403/20-21(03)) including the M+ building, with the Conservation and Storage Facility (CSF) and the WKCDA Tower (formerly known as P39B Building).

CONSTRUCTION PROGRESS

4. This section updates Members on the construction of the M+ project which includes the following six key elements:

- (a) The M+ building with a total of Gross Floor Area (GFA) of 65 000 square meters (sqm) which comprises 17 700 sqm gallery space, 6 400 sqm of retail, dining, and entertainment (RDE) space, around 8 000 sqm office space and related facilities, and a car park providing about 150 parking spaces;
- (b) the CSF – an eight-storey building providing art storage, art restoration studios and related facilities;
- (c) the WKCDA Tower – a 16-storey building accommodating the Authority’s Head Office, other arts and cultural facilities and RDE outlets;
- (d) an Interfacing Car Park (ICP) adjacent to the M+ building under the Art Park to provide 210 car parking spaces;
- (e) District Cooling System (DCS) serving the entire Zone 3 and other adjacent facilities; and
- (f) related public infrastructure works (PIW) including a Sewage Pumping Station (SPS).

Items (a) and (b) above are directly related to the operation of M+.

Construction Progress Update

5. The ICP, DCS, PIW and SPS works have been completed and are in full operation.

6. The Occupation Permit (OP) for the buildings of M+ and CSF was obtained on 24 December 2020 whilst that for the WKCDA Tower was obtained on 29 January 2021. The Contract Administrator (CA) subsequently issued the Practical Completion (PC) Certificate for the entire works on 11 February 2021. Currently, there are some final fit-out works ongoing at the site, including those at the museum shops, food and beverage outlets and landscaping works. Installation of art walls and other works are underway in the galleries in preparation for receiving artworks. Minor works pertaining to the applications for Places of Public Entertainment (PPE) Licences are being conducted in parallel. M+ is expected to be open to the public at the end of 2021.

7. The Zone F Car Park in M+ was officially open to the public on 30 December 2020 whilst all M+ staff have moved into their new office in M+ Tower and CSF in January 2021. The section of Underground Road to Zone F Car Park, a public road, is practically completed and open to the public. It will be handed over to the Transport Department and Highways Department for management and maintenance in due course.

8. The fitting out works of the Authority's Head Office in the WKCDA Tower (6/F to 12/F) are expected to be completed by the end of April 2021 and WKCDA staff who are currently working in different locations in Hong Kong are due to move-in in May 2021.

9. Construction safety is the first priority of WKCDA. The Authority works closely with its contractors and sub-contractors in order to control and reduce the risks effectively. The reportable accident frequency rate per 100 000 man-hours worked of the M+ project is 0.13 as of 28 February 2021, which is around 48% below the target of 0.25 set by the WKCDA Board. Throughout 2020 there was a peak daily average of 2 000 workers on site, which has now reduced to around 500 as of end March 2021.

10. In order to minimise the risk of contracting and spreading COVID-19, precautionary measures have been implemented on M+ site. The precautionary measures include body temperature checking, health declaration system, cleaning, and disinfection of the environment, etc. No confirmed cases of COVID-19 were reported from the construction workers on M+ project site. There was only one confirmed case of COVID-19 from the staff in M+ project site office on 16 August 2020. Close contact persons were identified and tested proactively. Self-quarantine and disinfection processes were implemented to prevent secondary infection. No secondary infections were reported.

Cost & Legal Update

11. It is anticipated that the outturn cost to complete the M+ project (comprising the six elements mentioned in paragraph 4 above) will be higher than the original contract sum of HK\$5.944 billion, largely because of the significant delays caused by Hsin Chong Construction Company Limited (HCC), the original main contractor of the project, whose employment was subsequently terminated by the Authority due to its insolvency and inability to pay its sub-contractors and workers engaged for the

project. At the time when the Authority was replacing HCC with the new Management Contractor (MC) in September 2018, there were already many unresolved claims and variations of works between HCC and its sub-contractors, some of which were subsequently novated and others were assigned as Trade Contractors (TCs) to the Blue Poles Limited owned by the Authority. As PC has now been achieved and the works of the TC are largely completed, the MC and the CA are focusing efforts on resolving these claims and variations in order to close out the final accounts of the over 260 TCs.

12. On 2 April 2020, the High Court gave a summary judgment in favour of the Authority against AIG Insurance HK Limited (AIG) in relation to its liability to make payment of the HK\$297.198 million bond on the M+ project and awarded interest amounting to a further HK\$30.2 million to the Authority. The judgement debt was paid to the Authority on 14 April 2020. However, AIG subsequently filed an appeal against the decision and the hearing date is set for 10 September 2021.

13. With regard to the dispute with HCC, the Authority is working its way through the contractual dispute resolution process with the Joint Provisional Liquidators (JPLs) of HCC. The contract provides that no step shall be taken in any reference of a dispute to arbitration until after the PC of the project has been achieved, unless with the consent of the parties. As the PC has just been achieved, either party may now consider progressing the dispute via arbitration.

14. The Authority has been assessing the full cost, loss and damage inflicted on it as a result of HCC's delays, defaults and its subsequent termination of employment. As mentioned above, the MC and CA are still working on the resolution of claims and variations with a view to closing out the final accounts of the some 260 TCs to determine the final cost of the M+ project fully and thoroughly. The final cost of the project would be determined after the expiry of the one-year defects liability period following the practical completion of the project and after the closing of all the final accounts of TCs. Since the termination of HCC in 2018, the Authority has incurred additional costs in paying, among others, the TCs novated from HCC or assigned directly, the MC's fees, staff cost/overheads and preliminaries, the prolongation of the CA/Resident Site Staff, and new TCs to complete the outstanding or missing scope of works which should have been procured by HCC. Given the ongoing cost assessment work and the possibility of

entering into arbitration with HCC, the Authority is not in a position to provide a detailed breakdown of the final cost at this stage to avoid prejudicing its commercial position in the arbitration.

MUSEUM DEVELOPMENT

Governance and Collection

15. WKCDA incorporated M Plus Museum Limited in April 2016 as a wholly owned subsidiary of the Authority. The **Board of Directors of M Plus Museum Limited** (M+ Board) was then established to take over the functions of the WKCDA Museum Committee (operated from 2008 to 2016) and is responsible for formulating the vision and mission, as well as the strategies, policies and guidelines in relation to museological matters and professional standards of operations for M+. The Interim Acquisitions Committee (operated from 2012 to 2016), which oversaw acquisitions for the M+ Collection, formally became the **M+ Acquisitions Committee** as a subcommittee to the M+ Board in May 2016. M+ will review its Acquisition Policy on a regular basis and any changes thereof will be reported to the WKCDA Board. If the changes concern either or both of the role of the WKCDA Board in acquisitions or matters that have implications for financial control and governance, the WKCDA Board will be consulted first. The latest version of the M+ Acquisition Policy, which was approved by the M+ Board in July 2019 and reported to the WKCDA Board in September 2019, is at **Annex 1**.

16. Two additional subcommittees under M+ Board were subsequently established. **M+ Budget and Finance Committee** was established in 2019 and is responsible for supporting, reviewing and endorsing matters relating to the museum's financial performance, business planning and budget and **M+ Enterprise and Partnerships Committee** (formerly known as M+ Food & Beverage and Retail Committee) in 2018 and is responsible for supporting, reviewing and endorsing the museum's retail and commercial strategy. The terms of reference of these two subcommittees are at **Annex 2**.

17. M+ has been building since 2012 a world-class collection of visual culture to form the 'backbone' of the museum, which is in constant dialogue with temporary exhibitions, as well as public programmes and educational activities in the museum. The three main disciplines that contribute to visual culture are design and

architecture, moving image and visual art, with Hong Kong Visual Culture as the fourth area intersecting with the three disciplines. All acquisitions stringently follow the procedures and parameters clearly set out in the M+ Acquisition Policy. M+ has also established the Collections Management Policy at **Annex 3**, which was approved by the WKCDA Board in February 2014.

18. As of the end of February 2021, the M+ Collection and the M+ Sigg Collection include 7 875 works, of which approximately 23% (around 1 820 works) are by Hong Kong makers. M+ has also set up the M+ Collection Archives which contain around 47 013 items, of which approximately 37% (around 17 300 items) are from Hong Kong, and the M+ Library Special Collection which includes 461 items.

19. The **M+ Collections Trust** (the Trust) was established in March 2017 to hold the interest of all collections of the M+ (the M+ Collections) for the benefit of the Hong Kong community, with the intention of separating the legal and beneficial ownership of the M+ Collections and protecting the collections from possible inappropriate deaccession in the future. The **M Plus Collections Limited** (the Trustee) is the corporate trustee of the Trust. The Board of Directors of the Trustee (Trustee's Board) meets regularly and has so far held eight board meetings since its incorporation. M Plus Museum Limited presents quarterly reports to the Trustee's Board on the works that have been accessioned and transferred to the Trust, the works in the M+ Collections that are displayed in M+'s temporary exhibitions as well as outgoing loans of the works to other world famous museums/institutions.

Museum Opening Programmes

20. Following the completion of the M+ building and CSF, M+ is working in full swing on the final fitouts of various spaces within these buildings and movement of the M+ Collections into the CSF. Installations of works and objects from the M+ Collections inside the museum will shortly commence with a view to opening to the public toward the end of 2021.

21. The opening programmes include a range of thematic exhibitions drawn from different areas of strength and concentration in the M+ Collections. Presented in the museum's 33 galleries, the exhibitions include ***Hong Kong: Here and Beyond***

highlighting the unique visual culture of Hong Kong; **M+ Sigg Collection: From Revolution to Globalisation**, a chronological survey of the development of Chinese contemporary art from the 1970s through the 2000s; **Things, Spaces, Interactions**, a thematic and chronological survey of international design and architecture which includes and positions Hong Kong makers with their international peers; **Individuals, Networks, Expressions**, a thematic and chronological survey of international visual art which includes and positions Hong Kong makers with their international peers; and **Antony Gormley: Asian Field**, a sprawling installation of over 100 000 clay figurines created by the world-renowned British sculptor together with more than 300 local villagers in a village in Guangdong in 2003. The opening exhibitions will feature approximately 1 500 visual art works, moving image works, design objects, and architectural archival items from the M+ Collections. Following the opening exhibitions, future presentations of the Collections will rotate regularly to present other works, objects, and items and to regularly offer fresh contents for the education and enjoyment of the local, regional, and international audiences. There are also three cinema houses, which will present approximately 700 screenings a year, ranging from arthouse films to popular new releases. The M+ Museum Director reported updates on these opening programmes at the Joint Subcommittee meeting on 1 June 2020.

22. In addition to collection-based exhibitions, M+ will present regular public programmes of lectures, symposia, and workshops, and educational programmes for different levels and constituencies from family and children, students and youths, and adults and senior citizens. It has and will continue to engage the public in various forms before the grand opening later this year. For online programmes, M+ will be presenting five videos including a conversation with the contemporary artist Nalini Malani, two videos on creative making for families, and another two conversations with rising filmmakers targeting young people. The M+ Rover will continue its visits to schools and potentially to the WKCD waterfront to engage the community. Apart from that, two mobile outdoor pop-up carts with hands-on activities for kids designed by commissioned artists will be ready by this summer. To understand the expectations of schools towards M+, a Teachers' Roundtable is set up to have regular catch-up with primary and secondary school

teachers. M+ will be also recruiting approximately 200 M+ guides and educators by offering them training to equip them with the skills to lead activities. Other training and trial run events targeting people with different abilities, students, community and families will be arranged a month before the grand opening.

23. The M+ opening will be kicked off with a three-weekend celebratory programme that welcomes public from different background and community groups to participate. The customised programmes offer different entry points for audiences to enjoy the museum space and discover the content. We also create opportunities for audiences to meet creative talents from cross-disciplines. Through our programme design, we hope our audience can experience how visual culture and museum can be relevant to their everyday life. The wide range of events includes conversations and tours, live performances, making workshops, sensory experiences, screenings and digital programmes.

24. After the three-weekend celebration, M+ will be offering a series of programmes in full swing to engage different audience from local and international. There will be regular daily drop-in activities for general public including highlight tours and pop-up talks in multiples languages. M+ will be providing free resources such as audio guide with three highlight themes and also paper guide with activities to enrich visitors' experience. For group visitors, they could join tours and workshops tailor-made by M+ for schools, non-governmental organisations and private groups. During the weekend, there will be regular family days with fun and interactive programmes that welcome families from all ages. Through all these programmes, M+ hopes to become a community of learning that nurtures empathy, embraces multiple perspectives and values, fosters creativity and inspires new ways of learning.

Capacity and audience building in 2020

25. Building a broad and diverse audience base is pivotal in ensuring that M+'s programmes reach the broadest audiences and serve the widest public while promoting visual arts and culture in Hong Kong, and nurturing local artists and makers.

26. Despite the pandemic, in 2020, M+ organised and

opened two pre-opening exhibitions at the Arts Pavilion (formerly known as M+ Pavilion) in the Art Park. **The Sigg Prize 2019 Exhibition** (7 December 2019 – 17 May 2020) presented the work of the six artists shortlisted for the Sigg Prize, a biennial award that recognises outstanding artistic practices of artists born or working in the Greater China region¹. Hong Kong artist Samson Young with his installation *Muted Situations #22: Muted Tchaikovsky's 5th* was the winner of this inaugural Sigg Prize. **Shirley Tse: Stakes and Holders** (1 July – 1 November 2020) presented sculptural works and installations by the Los Angeles-based Hong Kong artist Shirley Tse. The exhibition responded to the critically acclaimed exhibition *Shirley Tse: Stakeholders, Hong Kong in Venice*, Hong Kong's participation in the Venice Biennale in 2019, and was co-organised by M+ and Hong Kong Arts Development Council.

27. Like all museums, performing arts venues, and other places of public entertainment, Arts Pavilion was closed several times due to waves of COVID-19 infections in 2020. M+ proactively responded to this challenging situation by creating diverse online programmes for the two exhibitions, such as Instagram Live pop up talks, virtual guided tours by the curator of *The Sigg Prize 2019 Exhibition*, an online talk between Shirley Tse and curator Christina Li to elucidate on *Shirley Tse: Stakes and Holders*. Across these two exhibitions, despite multiple closures, 1 232 viewers participated in the public programmes.

28. All other planned public programmes both in Hong Kong and overseas in 2020 and 2021 have been turned into online events and content, with impressive and encouraging audience participations.

29. **M+ Matters and M+ International: Archigram Cities** was a series of online events in November 2020, organised in collaboration with the Department of Architecture at the University of Hong Kong and the Power Station of Art in Shanghai. These public programmes introduced the work of influential experimental

¹ For each edition of the Sigg Prize, a jury comprising leading international art professionals will select six artists who are born in the Greater China region based on their works in the past two years. The shortlisted artists will be invited to participate in the Sigg Prize exhibition before the winner is selected.

architecture group Archigram and its archive now in the M+ Collections to new audiences, through encounters between members of the Archigram group and architects, scholars, students and the wider public from Hong Kong, Mainland China, and elsewhere. M+ Matters, co-presented with the Department of Architecture at the University of Hong Kong, drew 2 146 live online viewers during its series of live broadcasts, while M+ International, co-presented with the Power Station of Art, Shanghai drew a peak audience of 12 551 online viewers.

30. **M+ Sigg Fellowship for Chinese Art Research 2020 Public Talk: Diffused Religion and the Origins of Chinese Avant-Garde Art** examined sacrifice in folk religion as a point of origin for Chinese avant-garde art, identifying it as a shared resource for artists as they constructed their visual and conceptual languages. This event drew a total of 16 321 online viewers.

31. Organised in collaboration with the National Gallery Singapore, **M+ International x National Gallery Singapore: How Can Museums Matter Today?** examined the role of museums in the age of COVID-19 pandemic and its aftermath from the perspective of two newly formed institutions in Asia. 428 people attended the two live online talks.

32. The **M+ Screenings Online: Cinema, Disrupted** is the latest edition of the M+ Screenings series which took place in March 2021, with the second part forthcoming in May 2021. The programme examines the socioeconomic conditions that shaped film culture around the world during the 1970s and 1980s, the periods of tremendous transformation around the world. The programme was accompanied by a series of talks exploring the themes and ideas related to the film. The first part in March drew a total of 566 viewers.

33. **M+ Matters | Keynote: Understanding Museum Audiences in China**, held on 29 March 2021 brought together five leading museum professionals in Mainland China and Hong Kong to explore how museums of different scales and characters imagine, define, and interact with their audiences today. This event drew a total of 26 321 visitors.

34. With the objective both to communicate with and engage the public and stakeholders and keep them informed of the latest developments of the M+ project, M+ continues to organise programmes for educators, students and community. In the summer of 2020, M+ launched a series of programmes for teachers with a focus on online instruction. 270 teachers joined across the five sessions that were hosted. In response to the health-protection measures for schools, the 2020/21 programme of the **M+ Rover: Travelling Creative Studio** shifted from a physical exhibition space to a primarily online programme. M+ invited artist Wong Tin-yan to develop a set of artist-led activities as well as a series of online educational resources based on his newly commissioned work *Yes but Why?*. Rover TV was launched at the end of 2020 with around 90 000 students tuning as of March 2021. When students returned to the classroom, the M+ team and Wong Tin-yan took the programme onsite and has visited 32 schools and worked with around 800 students as of March 2021.

35. Along with exhibitions and school programmes the M+ Learning also launched several series of programmes for different key audiences with a focus on introducing our team, collection and approach. For the adult audience we launched “How did you two meet?”, a programme that brought pairs of curators together to introduce two objects from the collection. From May to September 2020, M+ hosted five of these live talks with 561 participants across the sessions with a further around 2 700 (as of April 2021) watching the recordings online. In order to connect with families during a difficult year, the M+ Learning family team launched a video series and four online resources that connect creative making and the M+ collection. Around 27 000 children and their parents have engaged in the resources as of March 2021. To engage with youths in Hong Kong, the M+ Learning partnered with the Hong Kong Federation of Youth Groups and M21 to launch a conversation series around the issues facing young people today. Since the programme’s launch last September, over 200 000 people have watched the programme online.

36. A table listing the major arts and culture initiatives and public programmes of M+ between January 2020 and May 2021 with the number of participants or beneficiaries is at **Annex 4**.

ADVICE SOUGHT

37. Members are invited to note the progress on the development of M+ project.

West Kowloon Cultural District Authority
April 2021

M+ Acquisition Policy

First approved by WKCD Board on 12 June 2012
Latest amendments approved by M+ Board on 12 July 2019
Latest review approved by M+ Board on 31 December 2020

TABLE OF CONTENTS

1. PURPOSE	3
2. BACKGROUND	3
3. OUTLINE	4
4. COLLECTION STRATEGY	5
5. PROCEDURES AND AUTHORISATION OF ACQUISITIONS	13
6. DEACCESSIONING AND DISPOSAL	19
7. ETHICS AND STANDARDS	19
8. CONDITIONS OF GIFTS AND BEQUESTS	22
9. REVIEW OF THE ACQUISITION POLICY	22
APPENDIX I	23
APPENDIX II	24
APPENDIX III	25
APPENDIX IV	26
APPENDIX V	27

PURPOSE

1 This policy lays down the strategy for building the M+ Collection in the short- to-medium term. This policy is intended to be revisited on a recurring basis as the M+ Collection develops.

BACKGROUND

2 The Museums Advisory Group's (MAG) report to the Consultative Committee on the Core Arts and Cultural Facilities of the West Kowloon Cultural District of 23 November 2006 stated the following:

“Given the nature of M+ and the changing environment, MAG considers that the collection strategy should be broad and general at this stage and recommends as follows:

The collection may focus on 20th and 21st century visual culture, beginning with visual art, design, moving image and popular culture from Hong Kong, expanding to other regions of China, Asia and the rest of the world.

Hong Kong has rich collections of ink art works. M+ should try to attract these collections, to showcase this important visual form and its interplay with other art forms.”

3 The report also calls for M+ to:

“acquire, conserve, research and exhibit, as well as communicate and inspire for the purposes of study, education, enjoyment and appreciation of the material evidence of people and their environment.”

4 A sum of HKD1.7 billion is allocated as “Collection and Collection related costs” in the financial plan of West Kowloon Cultural District Authority (WKCD) for M+, of which HKD973 million is specifically earmarked for initial acquisitions. The first acquisitions were made in 2012-13 and will continue until the opening of the museum and beyond. The actual timeline of acquisitions will be subject to the opportunities that may arise after consultation with the Curatorial Acquisitions Group (as defined in paragraph 43). The strategy, criteria and approving procedures for acquisitions are set forth under “Collection Strategy” and “Procedures”.

5 A number of Stakeholders' Roundtable discussions focusing on acquisitions and presentation of collections were held in February, March and October 2011 for the purpose of informing and assessing the ideas outlined in this document. Subsequent to these roundtable discussions, the original policy was presented to and approved by the WKCD Board on 12 June 2012. The policy was then reviewed in 2014 and the revised policy was approved by the WKCD Board on 24 March 2015. The second regular review of the policy was conducted in 2017.

OUTLINE

6 M+ is currently building a world-class collection representative of the 20th and 21st century visual culture with a global vision from Hong Kong. Subsequent to the 2006 MAG recommendation, the M+ management further developed the scope for the M+ Collection of visual culture—namely, defining visual culture as consisting of the three disciplinary areas of Design and Architecture, Moving Image, and Visual Art. Following further discussions between the M+ management and stakeholders, it has been proposed that Hong Kong Visual Culture be the fourth area intersecting with the three abovementioned disciplines. In distinction from the three disciplines, Hong Kong Visual Culture functions as a geographically and thematically specific field deepening the engagement with the location of the museum; and as the weft to the warps of the three disciplines, threading through them and holding them together. Hong Kong Visual Culture includes aspects of popular culture, vernacular material culture, print culture, and media culture, among others, that may not be readily classified under the rubric of the three main disciplines (see paragraph 35). Ink art, an important part of Hong Kong visual culture is also one of the cornerstones of the discipline of Visual Art, whose perimeter is broadly international and transregional in line with the museum's global vision. The collection forms and is the 'backbone' of the museum, constantly in dialogue with the temporary exhibitions, programmes and educational activities of the museum. In addition to providing a historical reference to the contemporary, the collection is also continually re-interpreted, re-evaluated and re-written by the museum's temporary programmes.

7 The ambition of M+ does not merely lie in building a collection that reflects its time and place – much in the same way as other world-class museums such as MoMA in New York and the Centre Pompidou in Paris have begun building their respective collections in a certain environment at a particular time. Any visitor that encounters the M+ Collection

should experience that he/she is in Hong Kong, in China and in Asia, but also in the world. It is therefore our ultimate goal to build a collection that looks at the world from a Hong Kong perspective, in which global developments in visual culture will be filtered through the lens of what is relevant to Hong Kong's current place in the world.

8 Collecting for a museum brings together three components: strategy, research, and opportunity. The strategy will naturally and inevitably be influenced, evaluated, evolved, and adjusted in order to accommodate new and ongoing research as well as unforeseen opportunities.

COLLECTION STRATEGY

A. BUILDING THE COLLECTION

9 The strategy for collecting works of visual culture may evolve and adapt over time as the collection grows. The proposed strategy aims at building the collection for M+.

10 (i) An important part of building the collection is the soliciting of donations of whole collections or groups of works from private collectors and foundations. A part of the strategy is to regard a portion of the M+ acquisition funds as 'seed money', using a mixed 'donation and acquisition' approach that follows the Panza/d'Offay model (see [Appendix II](#)).

(ii) It will be important to complement these groups of works with direct acquisitions from galleries, auctions, artists and private collectors, as well as with donations and bequests of individual works from collectors and artists.

11 M+ will also commission works directly from artists as a way to produce a wide range of works that have the potential of entering the collection. These approaches clearly indicate that building the M+ Collection is and should be viewed as an organic and fluid process, which may only be partially regulated by a strategy.

B. ACQUIRING WITH FORESIGHT

12 'Buy early, or wait for historic validation?' – This is an important strategic question, but the answer is highly dependent on what has already come into the collection, not the least via donations. In general, when one studies European or American art institutions that have put together world-class museum collections, one tends to come to the conclusion that

these institutions often acquired early, taking the risk of acquiring works that may not at the time have been appear to be 'significant' from a historical perspective. The general view of this practice is that if, for instance, only ten percent of the acquired works emerges at a later stage as historically important, it is then a 'risk' worth taking. This does not mean that acquisitions should be made without exercising strict discipline in selecting and acquiring works. It should however afford a greater flexibility in relation to the geographical core of the collection (Hong Kong) than the periphery (outside Asia) as demonstrated by the model described in paragraphs 18-22.

C. COLLECTING PRIORITIES

13 M+'s collection strategy will be shaped by the following priorities consisting of (I) three strategic areas of concern relating to chronology, geography and various fields amidst the complexity of visual culture and (II) one or more of the seven criteria relating to the quality and nature of the acquired work.

(I) STRATEGIC AREAS OF CONCERN

The Collection Time Period

14 *"M+ will be a new type of cultural institution with its mission to focus on the 20th and 21st century visual culture, broadly defined, from a Hong Kong perspective, the perspective of now, and with a global vision."* (MAG Report 2006)

15 To act in accordance with focusing on "the perspective of now", as stated in the MAG paper and quoted above, the composition of the collection must be flexible in its representation of time. This implies that the issue of how far back in time the entire collection, or how comprehensive the collection for each of the fields illustrated below ought to be, should and will be determined by the respective work and discipline, as well as the preferred logic of presentation. Collecting cannot just be an end in itself, but should be determined by the functions that we expect the collection to serve.

16 Collecting with a "perspective of now" is more than collecting the most recent, but having collecting priorities be shaped by a perspective alert to emerging developments in cultural production, such that acquisitions – historic or contemporary – must be relevant to current trends, discussions, and research in contemporary culture to meet the goal of

establishing a new type of cultural institution that echoes the hybridity, contemporaneity, and urgency of its place.

17 Although employing the “perspective of now” signifies an approximate starting point for each field of the collection, their formation and development have to be weighed against numerous factors such as the overall composition of the entire collection, the strengths and needs of each category of the collection, and the contemporary relevance of works in the face of a rapidly changing cultural landscape. This ultimately makes it impossible to define these points with a precise and inflexible date or timeline. Additionally, it is essential to bear in mind that the exhibition programme is not bound to the same time configuration of the collection. The temporary exhibitions should be utilised as external elements to enhance and complement the changing historical narratives that the collection can frame and address.

The Collection Geography

18 The collection can be viewed as a number of concentric circles, which is in essence a materialisation of the corresponding relationships between different geographical zones in a globalised world. At the core of the collection will be visual culture from Hong Kong, represented by major works by artists and makers in Hong Kong to provide a rich context for the development of creativity in the city, which is a manifestation of our emphasis on physical, visual and cultural locality.

19 Hong Kong visual culture, which includes popular culture, is a collecting priority that cuts across all three collection fields as defined in paragraphs 6 as well as 32–34, and aims at expressing both the interdisciplinary and the transnational nature inherent in the creative practices specific to the locality of Hong Kong. These may represent the regional and international cultural influence of practices unique to Hong Kong, or how the international language of disciplinary practices has been expressed in Hong Kong. One important aim of building a collection of visual culture in Hong Kong at M+ is to complement those collections held in other public institutions (see paragraph 35). Where a collecting field is not represented in other public institutions in Hong Kong, specifically architecture, M+ will endeavour to collect as widely and deeply as is practicable.

20 Expanding immediately from this focal point will be a rich and comprehensive collection of visual culture from other parts of China. Naturally, and strategically, other parts of Asia will be represented substantially to reflect the connections among these regions. The museum intends to build an authoritative international collection of the visual culture of East Asia. Taking advantage of the strategic location of Hong Kong at the juncture of East Asia and Southeast and South Asia, the collection will also aim to represent the great diversity and range of our neighbouring Asian regions.

21 Expanding out from the inner circles of Hong Kong, China, East, Southeast and South Asia, the collection will reflect the historical implications of local, regional, and global networks on cultural production that bring about a more nuanced understanding of cultural hybridities across Asia, and their relationships to the rest of the world.

22 When selecting works of visual culture from outside of Asia, we will be particularly strategic and precise. This is in no way an exercise in isolation, but a more focused approach to building the collection. Thus, strong arguments and/or elaborations should be presented as to why this artist and/or that work should enter the collection. Connections to Hong Kong, surrounding regions and across Asia due to migration or resettlement can provide natural justification. Important influence on artists and makers in our regions, and inspiration received from the visual cultures and philosophies originating from Asia can function as strong reasons as well. In addition, aesthetic, formal, and philosophical parallels or affinities between visual culture in our region and certain works from outside Asia can serve as a crucial reason for acquisitions for the collection.

Fields of Focus

23 In recent years, many of the most interesting elements or works in visual culture have emerged at the intersections of the different fields of Design and Architecture, Moving Image, and Visual Art. While this interdisciplinary approach is visible in many parts of the world, it is amplified by Asia's, and especially Hong Kong's fluid creative climate, where collaborations and crossovers between different professions and fields have become the norm in many practices. This is also evident in how aspects of popular culture, vernacular material culture, print culture, and media culture, etc. with strong roots in Hong Kong have a productive relationship and overlap with one or more fields of Design and Architecture,

Moving Image, and Visual Art. By establishing Hong Kong Visual Culture as the fourth area of focus, encompassing popular culture within it, it amplifies and formalises this commitment.

24 The relationships between different types of visual cultural practices have moved into a complex territory that have restructured the preconceived, basically Western, understanding of rigid boundaries between Visual Art and other aspects of visual culture. Many forms of artistic productions or other forms of creation today can be accounted for and registered under a variety of categories. The collection should reflect the significance of the vital exchange within these interdisciplinary models.

25 M+ will deploy this recent and more global concept of 'art', coupling it with a degree of flexibility afforded by the notion of 'interdisciplinarity', to develop a collection that can function as a portal through which various aspects of visual culture may be investigated and explored, both autonomously and collectively, while retaining the specificities and histories of each genre or type of practice.

26 Given the rapid development of new concepts, technologies, and means of production today, the collectible media for all visual cultural fields will mainly consist of, but are not limited to, drawing, electronic media, film, print, installation, intangibles, painting, photography, printed matter, sculpture, models, archives and mass produced objects. Each of these entails a completely distinct set of conservation requirements that necessitate special care in the form of proper documentation.

27 It is thus imperative to also establish a clear strategy in collecting works or objects of more ephemeral character. As modes of expression have evolved rapidly in contemporary artistic production, practices such as time-based or performance art, or art made of materials that deteriorate, have emerged as major trends in shaping and defining the course of contemporary artistic history. The expectation of eternal existence of an object or an artwork has become more and more challenged. Although some museums in principle do not collect works and objects with a limited life span, M+ takes the stance that a work of art or object should be judged by its artistic and cultural importance rather than the potential length of its existence in honouring the nature of the work or object as intended at its conception, proper care must be taken in documenting any conservation needs.

28 In some specific fields of visual culture, it is likely that substantial holdings may already exist in other public institutions in Hong Kong. M+ is in favour of long and short term loan arrangements with other institutions to optimise the use of existing resources as well as avoid unnecessary duplication.

Collection Fields

29 The collection is not confined or limited to the items listed below under each field. Also, in light of the increasing interrelations between the various fields, some of the listed type of works or media are not exclusive to one field or category, but could be represented in one or more of the fields listed below.

30 The collection for each field includes archival materials that include everything from sketchbooks, printed ephemera, study models, and audio-visual materials that will play a significant role in documenting and interpreting works in the collection.

31 With the increasing expertise afforded by the M+ curatorial team, a more specific roadmap for each field will also be formulated over time.

(a) Design and Architecture

32 The Design and Architecture collection is built on the premise of 'design' and 'architecture' as categories and as processes, consisting of finished products and materials that reveal the context and dimensions of design practice spanning disciplines such as architecture, communication design, industrial design, furniture, interiors, fashion, and digital design, and their relation to socio-cultural-technological significance.

(b) Moving Image

33 The Moving Image collection comprises video, film, experimental cinema, documentary, animation, and digital media, exploring the art, history, technology, and creative use of the medium, its engagement with issues of the day, and its role as catalyst for public discourse.

(c) Visual Art

34 Spanning a wide range of media – from paintings, ink art, sculpture, installations, printed matter, drawings, and photography, to variable media and time-based art such as

performance, video, digital, and sound art – the Visual Art collection reflects decisive historical developments and the expansive terms of art-making today.

(d) Hong Kong Visual Culture

35 Hong Kong Visual Culture is the fourth area complementing the three disciplines of Design and Architecture, Moving Image, and Visual Art. As per the positioning of this geographically and topically specific area in addition to the three disciplinary fields, it is important to recognise that some well-established public institutions in Hong Kong have already committed considerable resources to building collections in areas that may be defined as popular culture, which M+ sees as part and parcel of Hong Kong Visual Culture. Specifically, Hong Kong Heritage Museum, Hong Kong Museum of History, and Hong Kong Film Archive already have substantial collections related to film, popular literary figures, film celebrities, fashion, comics, printed matter, graphic design, and photography, among others. Popular culture is frequently an inherent element of M+'s three collection fields of Design and Architecture, Moving Image, and Visual Art, and many mediums included therein (see paragraphs 26 and 32-34) and is subsumed under the larger category of Hong Kong Visual Culture. By emphasising possibilities of interdisciplinary and international interpretations, as well as by situating it in a larger, more complex field of Hong Kong Visual Culture, M+ will contribute new approaches to the well-heeled topic already well covered and addressed by local sister institutions. Where there are overlapping interests with other institutions, M+ endeavours to be in regular communication and to share information relating to acquisitions in order not to duplicate efforts and resources. In addition to collection, M+ aims to develop thematic exhibitions and other public programmes that reflect the transnational nature and influence of Hong Kong Visual Culture.

(II) ACQUISITION CRITERIA

Creative & Aesthetic Excellence

36 The creative and aesthetic quality of a work of art, design, or film should be of the highest possible standard in relation to its position within its creative oeuvre, artistic or historical period, and its particular cultural tradition. The work should illustrate a significant development of a specific technique, exemplify excellence in craftsmanship or execution, and increase the understanding of a method of construction of a particular class of collected works.

Historical & Documentary Significance

37 The work should fulfil one or more of the following with regard to historical and documentary significance: it should contribute significantly to the history of the art, design, architecture, and moving-image collected by the museum; it should be a datable work by an important artist or workshop; have significant provenance, be associated with an important social, cultural, or political event; provide evidence of the workings of a specific industry and/or trade; be or have been regarded as particularly significant for reasons related to creative excellence, intellectual exploration, social commentary, and research/educational value. The work should throw light on other objects in the collection; it should provide a record of a way of life; reflect the taste of a certain period in a particularly evocative manner.

Establishing the Collection

38 Now that a solid foundation for the collection has been shaped, in large part thanks to significant, generous donations from artists, makers, and collectors, M+ aims to amplify its efforts to cultivate and secure further donations.

Capacity as a Catalyst

39 A collection's quality is not only dependent on the quality of individual works but also on how the works together, in different combinations, can tell the multiple stories of the 20th and 21st century visual culture. Building a collection is a cumulative process, where existing works also formulate what the coming works should be.

Condition

40 The physical state of the work must be the best possible for the type of work under consideration, and to the extent that there are restorations, these must not be so great as to compromise the original integrity of the work. The condition of works considered for acquisition will be assessed by the relevant curator and, when necessary, by a specialised conservator to ensure that they are fit for display and exhibition.

Attribution and Authenticity

41 It is the responsibility of the curatorial staff to establish as precisely as possible the correct attribution and authenticity of all works recommended for acquisition. Works will

not be knowingly acquired or recommended for acquisition if they have been collected or obtained under illegal circumstances.

Legal Title

42.1 The legal title of a work should be available or obtainable free and clear of restrictions or qualifications. If restrictions or qualifications are unavoidable and acceptable to the museum, they must be approved by the Board of Directors of M Plus Museum Limited (M+ Board) or the WKCDA Board, depending on the purchase price/value of the work. Every effort must be made to establish clear title and full provenance of the work under consideration. Title is deemed to be transferred on the date when a deed of gift is signed by a donor or when payment is made for work being acquired with a financial consideration. A Due Diligence procedures following the principles set out in Chapter 1.3 (see **Appendix III**) of the M+ Collections Management Policy will follow.

Licence

42.2 When the nature of certain work does not allow for the transfer of legal title upon acquisition, M+ may acquire such work by way of a licence. Such work may include but not be limited to films, videos, and other digital work. The licence shall be perpetual, irrevocable, and preferably sublicensable.

42.3 To acquire a work by way of a licence, the relevant curator shall prepare a written justification in support for acquiring the licence. Such acquisitions would be approved in accordance with the procedures set out in this policy.

PROCEDURES AND AUTHORISATION OF ACQUISITIONS

A. CONDITIONS FOR ACQUISITION

43 M+ may acquire works by purchase, gift, bequest, exchange, transfer, license, or commission – either from its own resources or from monies donated specifically for this purpose. All proposed acquisitions should be carefully reviewed and critically discussed by the Curatorial Acquisitions Group which consists of the Deputy Director and Chief Curator and other relevant M+ curators, and when necessary the Museum Director (MD). All proposed acquisitions must have the endorsement of the MD before they are presented to a higher approving authority for approval.

44 Long-term loans are often proposed as alternatives to donations. In general M+ does not accept long-term loans of works or unique objects if the object does not belong to a museum, trust, or any other similar entity that makes a sale of the object impossible. Otherwise, the museum could be in danger of becoming a 'display window' for works of art that would later surface in the market, endorsed and validated by the museum at a cost (insurance, conservation, etc.) to the institution. This restrictive view on long-term loans is a common practice in most major museums worldwide. Detailed arrangements on long-term loans are set out in Chapter 3.3 (see **Appendix IV**) of the M+ Collections Management Policy.

45 A museum should be uncompromising in its decisions with the works it acquires; it should not steer away from important or major works of art from acquisition on the basis of practical issues, such as storage limitation, installation specification, or any other similar reason.

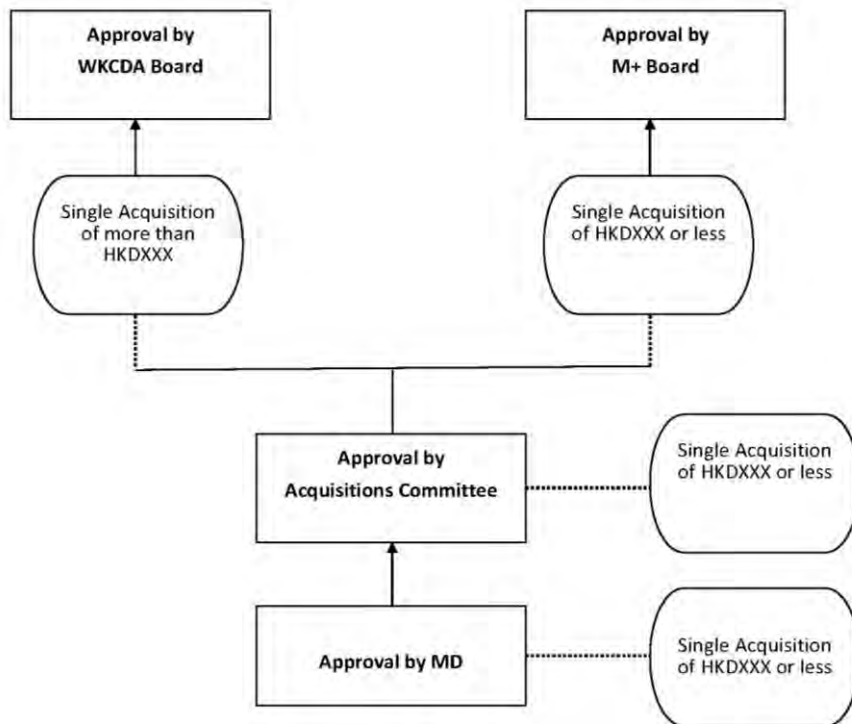
46 Authorisation and procedures vary according to the purchase price or fair market value, whereas the criteria for acquisition remain the same.

47 The development of the collection must be made on the recommendation and with the guidance of the curatorial staff and must be within the policy and functional framework of the museum. Curatorial recommendations are based on expertise and on the research presented in the written justification. Works recommended for acquisition will be judged, where appropriate, according to the criteria listed under Acquisition Criteria. Due diligence checks will be made by the curatorial staff as part of the acquisition process. In specific cases the relevant curator may prepare a case study for discussion prior to the final decision on the acquisition. The responsibility to oversee the due diligence procedures will lie with the Deputy Director and Chief Curator.

B. PROCEDURE AND AUTHORISATION OF ACQUISITIONS

48 Purchases or acquisitions by gift or bequest are approved by different tiers of authority¹ according to the purchase price or fair market value of the works of a single acquisition²:

- the MD, where the purchase price/value is HKDXXX or less. The Acquisitions Committee may from time to time set a maximum total purchase price/value of acquisitions by purchase to be approved by the MD between two meetings of the Acquisitions Committee.³
- the Acquisitions Committee where the purchase price/value is HKDXXX or less
- the M+ Board, where the purchase price/value is HKDXXX or less
- the WKCDA Board, where the purchase price/value is more than HKDXXX



¹ In accordance with the WKCDA’s Delegation of Authority Manual.

² Where works are sold individually (not as part of an inalienable set) and are individually priced, each individual work is considered a single acquisition even if two or more works by the same artist and from the same seller are simultaneously acquired in a single transaction .

³ The relevant total purchase price/value has been set as not more than HKDXXX by the Interim Acquisition Committee as at end September 2014 and then by the Acquisitions Committee on 10 May 2016.

Written Justification

49 A written justification will be required in those cases where a decision to acquire a work is to be made by the MD and where the acquisition requires the approval of the Acquisitions Committee. The MD shall report all acquisitions approved by him/her to the M+ Board and the WKCDA Board on a half-yearly basis.

50 Where the approval of the Acquisitions Committee, the M+ Board, or the WKCDA Board is required, a written request for approval and a written justification for each work proposed are to be presented with a photograph or photographs of the work along with explanatory or contextual images, for discussion. Each proposed work must have been examined by a member of curatorial staff or a designated representative of the museum before being proposed for acquisition.

51 The written justification includes:

- basic catalogue information
- all criteria directly applicable to the work being considered
- biographical information (where applicable)
- a discussion of the importance of the work for the collection
- a summary of the market price of the work proposed and the negotiated reduction for the museum, or the value of the donation
- a substantiation of the price or fair market value -- in exceptional cases, such as high-price works (HKDXXX for works from secondary market and HKDXXX for works from primary market)
- an estimate of follow-on cost for conservation, storage, installation and de-installation -- in exceptional cases, such as large-scale works
- conservation report -- in exceptional cases, such as extremely fragile or environmentally sensitive works

52 Above the MD approval level, an acquisition is accepted when a simple majority of votes of the members of the approving authority present and voting are in favour of the proposed work.

53 For the purposes of the Hong Kong dollar ceilings expressed above, “purchase price” refers to the transaction price for the work(s) to be acquired, and where applicable, includes auction house commissions.

54 If the only reason for determining fair market value is for the purpose of establishing the authority required for approval, approximation of the value may be determined by the MD.

C. PROCEDURES FOR THE ACQUISITION OF WORKS OF MORE THAN HKDXXX
(SINGLE ACQUISITION)

55 All acquisitions considered by the Acquisitions Committee will be brought forward by a curator on the recommendation of the Deputy Director and Chief Curator, endorsed by the MD. The curator recommending a work to the Acquisitions Committee will provide the written justification as outlined above and will participate in the Acquisitions Committee’s full deliberations.

56 When an independent appraisal is warranted, the Acquisitions Committee will by resolution take the necessary steps to obtain it from (i) an expert advisor or (ii) a recognised art dealer or auction house provided that there are no conflicts of interests.

57 The different tiers of authority can set conditions and price ceilings for negotiation purposes. All negotiations will be conducted by a member of the M+ team as appointed by the MD in the presence of a witness who is also appointed by the MD, for example, another member of the M+ team, a senior member of other departments of the WKCD, or a member of the Acquisitions Committee, based on the price approved and the conditions and price ceilings set by the approving authority. The salient points and the results of the negotiation will be documented and reported to the approving authority and where practicable, the negotiation team should seek approval-in-principle before concluding the deal.

58 All works of more than HKDXXX and up to HKDXXX will be presented to the M+ Board and all works of more than HKDXXX will be presented to the WKCD Board after endorsement of the Acquisitions Committee. The M+ Board or the WKCD Board, as the

case may be, will then act as the “acquisition committee” in becoming the responsible authority for the acquisition.

59 For works purchased via auction, a summary justification along with an image will be sent to the Acquisitions Committee members if the amount is more than HKDXXX and up to HKDXXX; or to the M+ Board if the amount is more than HKDXXX and up to HKDXXX; or to the WKCDA Board if the amount is more than HKDXXX for determining the conditions for bidding such as the price approved and the price ceiling including all premiums and taxes. A conference call may be convened, in order to decide whether M+ will bid and to determine the conditions for bidding and where necessary, also to seek further instruction from the approving authority. The bidding will be conducted by a member of the M+ team or any person (as appointed by the MD) in the presence of a witness (who is also appointed by the MD), for example, another member of the M+ team, a senior member of other departments of the WKCDA or a member of the Acquisitions Committee, based on the conditions set by the Acquisitions Committee/M+ Board /WKCDA Board. If a professional agent is appointed by the MD to bid at auction on behalf of M Plus Museum Limited, the commission payable to the agent shall form part of the costs of the work. The bidding method to be used (whether it is via telephone, in person, absentee bids, online bidding or other means such as having museum staff physically present at the auction and give instructions via telephone to a representative who does the bidding) will be dependent on the situation and decided on a case by case basis.

60 M+ Management will report to the M+ Board and the WKCDA Board on the purchases made or donations received on a half-yearly basis, and provide an analysis of the M+ Collection by geographical region and genres at least once every year for members’ information.

D. PROCEDURES FOR THE ACQUISITION OF COMMISSIONED WORKS

61 M+ will ask for the right of first refusal for all works commissioned by the museum. The decision-making process after completion will be handled in the same way as an acquisition or gift proposal. In case a decision is made to acquire the completed commissioned work, a price will be negotiated with the artist minus the cost of production already paid by M+.

E. GOVERNANCE

62 WKCDA has established a Collections Trust to be the legal owner and to hold the collection (together with other collections and collectibles) under separate legal ownership from the legal entity responsible for the day-to-day management and conduct of M+.

F. CO-OWNERSHIP

63 M+ will consider co-ownership only on an exceptional basis. In such exceptional cases, and to avoid uncertainty, the details of the agreement and the rights and obligations of each party will be clearly documented.

DEACCESSIONING AND DISPOSAL

64 A disposal is the permanent alienation from M+ of a work in its collection and will only be undertaken under exceptional circumstances. No work may be disposed of contrary to the terms on which it was purchased, given, bequeathed, or otherwise made available to M+. Please also see Chapter 2 (**Appendix V**) of the M+ Collections Management Policy.

65 The proceeds from a sale of a work are retained by the M+ Collections Trust to be used for the purchase of works for the M+ Collection.

66 Where a work is sold that was acquired by gift or bequest, further purchases from these proceeds will be in the name of the original donor or bequeather.

67 Further, deaccessioning shall be governed by the “General Principles on Conditions of Deaccession From Museum Collections” contained in the Resolution adopted by the General Assembly of CIMAM (International Committee for Museums and Collections of Modern Art) – Mexico D.F. November 10, 2009.

ETHICS AND STANDARDS

68 In its collecting activities, M+ should act in a responsible manner to preserve humanity’s artistic and cultural heritage. Illegal, unethical or irresponsible traffic in works of art and visual culture is prohibited. M+ is especially concerned with the proper title and unquestionable provenance of the works in its collection, conforming to national and international ethical standards.

69 A work shall not be excluded from collection by M+ for reasons not related to the quality or importance of the item itself, e.g. the gender, race, political affiliation, ethnicity or religion of the artist, designer or author.

70 (i) In all collection-related activities, the MD, museum employees, members of the Acquisitions Committee, M+ Board as well as the WKCDA Board and any other persons who are in a position of responsibility, shall make every effort to anticipate and address situations in which a conflict of interest or the appearance of a conflict of interest, whether direct or indirect, exists. All interests that may be in conflict with an acquisition have to be declared in written form to M Plus Museum Limited and for acquisitions presented to the WKCDA Board, also to the WKCDA before the start of the relevant acquisition discussion. The interested person is generally not required to withdraw from the relevant meeting but he/she will be disregarded for the purpose of forming a quorum to the meeting. He/she shall not vote on any question concerning the acquisition, influence or seek to influence the decision on the acquisition, or use or seek to use any information for personal benefit or the benefit of any party other than M Plus Museum Limited and the WKCDA such that the interest of M+ is prejudiced. Where the declared interest is material (as determined by the Chairman of the approving authority) or is a direct pecuniary interest, the interested person shall withdraw from the meeting and all relevant papers circulated to him/her shall be returned to the Secretary of the approving authority. When a direct pecuniary interest or material interest is known before the meeting, the Secretary shall withhold circulation of relevant papers to the interested person. All cases of declaration of conflict of interest and the decisions made to mitigate the conflict shall be recorded in the minutes of the meeting. Any employees of M Plus Museum Limited and the WKCDA who are found to have abused his/her position or violated the conflict of interest requirement mentioned above may be subject to disciplinary action and/or summary dismissal. Any employees and board/committee members who are found to have abused his/her position or violate the conflict of interest requirement mentioned above could also be subject to criminal sanction such as the common law offence of misconduct in public office.

(ii) Private collecting of works of art by the Chief Executive Officer of WKCDA (WKCDA CEO), the MD, museum employees and WKCDA employees who have access to confidential collection-related information ("relevant WKCDA employees") is acceptable provided that no private collecting by the WKCDA CEO, the MD, museum employees or

relevant WKCDA employees conflicts in any way with the collecting interests of the museum. All museum employees and relevant WKCDA employees shall declare annually to the MD all personal art and design acquisitions worth more than HKDXXX each as well as the suppliers of these acquired works, and all personal art and design de-acquisitions worth more than HKDXXX each. The WKCDA CEO and the MD shall declare annually to the Chairman of the M+ Board all personal art and design acquisitions worth more than HKDXXX each as well as the suppliers of these acquired works, and all personal art and design de-acquisitions worth more than HKDXXX each.

71 In relation to acceptance of advantages and receipt of gifts, the MD and museum employees shall comply with the relevant provisions laid down in the Code of Conduct for Staff of WKCDA. In brief, the MD and museum employees are prohibited in their official capacity from accepting gifts or advantages from any person having business dealings with M Plus Museum Limited or WKCDA unless special permission is sought prior to the acceptance from the WKCDA Board. If the MD and museum employees are offered in their private capacity any gifts or advantages from any person who has any official dealings with M Plus Museum Limited or WKCDA, they shall seek approval from the officer delegated the authority by the WKCDA Board (“Nominated Officer”) prior to the acceptance. If the MD and museum employees are offered in their private capacity any art/museum related gifts or advantages from any person who does not have any official dealings with M Plus Museum Limited or WKCDA, they shall declare such art/museum related gifts or advantages to the Nominated Officer. The Nominated Officer is the WKCDA CEO unless he delegates the authority.

72 The monetary value of acquisitions, whether the purchase price or the fair market value for gifts and bequests, will be disclosed only by the MD.

73 In instances where a vendor, a donor or a bequeather requests that the value of the acquisition remain confidential, the MD shall seek the opinion of WKCDA’s General Counsel or where appropriate, external legal advisor.

74 M+ shall not disclose the identity of the donor or bequeather unless he/she agrees to it.

CONDITIONS OF GIFTS AND BEQUESTS

75 M+ does not accept gifts or bequests where conditions are attached, unless these conditions are approved by the M+ Board or if the amount exceeds HKDXXX, the WKCDA Board.

REVIEW OF THE ACQUISITION POLICY

76 This acquisition policy shall be reviewed by the Acquisitions Committee and M+ Board at least once every two years and any amendments to this policy shall be approved by the M+ Board (after consultation with the WKCDA Board if the amendments concern either or both of the role of the WKCDA Board in acquisitions or matters that have implications for financial control and governance). Any amendments approved shall be reported to the WKCDA Board.

REFERENCE DOCUMENTS

National Gallery of Australia - Acquisitions Policy, 2006

Museum of New Zealand Te Papa Tongarewa - Annual Report 2008/09

National Gallery of Canada - Acquisitions Policy, 2011

Professional Practices in Art Museums - Association of Art Museum Directors, USA 2011

Acquisition Policy and Procedures of the Irish Museum of Modern Art

Acquisition policy of the Musée National d'Art Moderne, Centre Pompidou, Paris

APPENDIX II

Count Giuseppe Panza di Biumo was one of the great collectors of first American Abstract Expressionism and early Pop Art as well as American Minimalism, Light/Space and Conceptual Art. His transactions with MOCA (Museum of Contemporary Art in Los Angeles) in 1984 and the Guggenheim Museum in 1991 became a model for transferring major collections from a private collector to a museum. The museums paid what had been estimated to be between 20-25% of the market value to the collector, thereby both confirming the commitment from the museum's side and reimbursing the collector for the approximate cost at the time of the original acquisition. The sums paid (USD 11 million and USD 30 million respectively) were still substantial by museum standards.

Anthony d'Offay was the owner of one of London's most prominent art galleries from 1980 to 2002. In 2006, The National Galleries of Scotland and Tate acquired a collection of 725 works from Anthony d'Offay for GBP 26.5 million – the sum d'Offay originally paid for it. The collection was valued at GBP 125 million, meaning that the museums paid 21.5% of the market value. In 2000, renowned German/ Jewish gallery owner and collector Heinz Berggruen sold his collection of modern masterpieces, including Pablo Picasso, Alberto Giacometti, Georges Braque, Paul Klee and Henri Matisse, for Euro 120 million—one-tenth of its value—to the State of Berlin, Germany. The Berggruen Collection is now part of the National Gallery of Berlin and a museum has been named after him.

1.3. Due diligence, Authenticity, Legal Title, Provenance

(See *Acquisition Policy*, Clauses 41 and 42)

In accordance with the standards set out in the ICOM *Code of Ethics (2017)* and the ICA, *Code of Ethics (1996)*, M+ Ltd. shall conduct proper due diligence to ensure that all Objects that it acquires or borrows are of clear and untainted Provenance in order to protect M+ Ltd. and ultimately the M+ Collections Trust from potential ownership disputes. Due diligence applies equally to Acquisitions and, to the best of all possible efforts, Incoming Loans.

M+ Ltd. shall make every effort to rigorously research the Provenance of an Object prior to Acquisition to determine that M+ Ltd. can obtain clear title to the Object. Such research should include, but is not necessarily limited to, determining:

- the ownership history of the Object;
- the countries in which the Object has been located and when;
- the exhibition history of the Object, if any;
- the publication history of the Object, if any;
- whether any claims to ownership of the Object have been made by any person, corporate entity or government other than the proposed seller or donor;
- whether the Object appears in relevant databases of stolen works; and
- the circumstances under which the Object is being offered to M+ Ltd.

For all Acquisitions and Incoming Loans, M+ Ltd. shall aim to obtain from sellers, donors, and Lenders all available information and accurate written documentation with respect to the ownership history of the Object prior to Acquisition or Loan approval. The documentation resulting from this research shall be used to directly inform the final decision to acquire or borrow.

Where necessary, M+ will make all possible efforts to extend its due diligence research beyond the information supplied by the seller, donor, or Lender to ascertain a full ownership history of the Object.

Not all Objects will have a full ownership history without gaps in their Provenance. This will not automatically preclude an Object from Acquisition or Loan. In these cases, the decision to acquire or borrow should be informed by the level of risk associated with the Object in the absence of ownership documentation. Clause 42 of the *Acquisition Policy* provides with regard to Acquisitions: 'If restrictions or qualifications (to legal title) are unavoidable and acceptable to the museum, they must be approved by the M+ Board or the WKCD Board, depending on the purchase price/value of the work'.

The parameters set out above shall be equally applied when considering Acquisitions of the Collection Archives. Detailed guidelines are defined in the Archives section of the Procedures Manual.

3.3 Long Term Loans

Long Term Loans are loans of several years' duration and are often proposed as alternatives to donations. Clause 44 of the Acquisition Policy describes the parameters under which a Long Term Loan may be considered.

Long Term Loans from the Collection shall follow the same conditions as all Outgoing Loans, but shall be governed by a Loan Agreement reviewed every three to five years.

To ensure that Long Term Loans are appropriately displayed and acknowledged, M+ may ask the Borrower to provide updated photographic documentation and condition reports of the Long Term Loans, at any point throughout the Loan. Site visits may also be arranged to ensure that the Object(s) the subject of a Long Term Loan are appropriately displayed and acknowledged.

M+ Ltd. shall also consider incoming Long Term Loans for a period up to ten years. The initial period of an incoming Long Term Loan should be stated in the Loan Agreement and must never be open-ended. The incoming Long Term Loan can be renewed at the end of the term if both parties agree.

2. DEACCESSIONING AND DISPOSAL

As stated in Clauses 64–67 of the Acquisition Policy: ‘A disposition is the permanent alienation from M+ of a work in its collection and will only be undertaken under exceptional circumstances’ (64) [...]. ‘Deaccession shall be governed by the “General Principles on Conditions of Deaccession from Modern and Contemporary Museum Collections” contained in the Resolution adopted by the General Assembly of CIMAM (International Committee for Museums and Collections of Modern Art) Mexico D.F., November 10, 2009 [revised June, 2011]’ (67).

Under the Management Agreement, M+ Ltd. has the right to deaccession Objects from the Collection on behalf of the Collections Trust. However, this is to be done in accordance with the provisions of the Trust Deed. Objects can only be deaccessioned from the Collections Trust with the prior written approval of WKCDA, the M+ Board, the MD and the Protector (as defined in the Trust Deed). After obtaining all of the approvals, the proposal must be passed unanimously at a board meeting of M+ Collections Ltd.

The criteria for determining whether an Object should be deaccessioned include, but are not limited to, the following:

- The Object is no longer relevant to the mission of M+ (no Objects will be considered for deaccession until the artist has deceased for 50 years.)
- The Object is redundant or is a duplicate and is not necessary for research or study purposes.
- M+ is ordered to return an Object to its original and rightful owner by a court of law; or M+ determines that the return of the Object is in the best interests of M+. M+ Ltd., M+ Collections Ltd., the Collections Trust or the Authority.
- M+ is unable to preserve the Object in a responsible manner; or the Object is unduly difficult or impossible to care for, or store properly.

Deaccessioned Objects may be disposed of by several methods, including but not limited to transfer, sale, or exchange. All funds received from deaccessioned Objects shall be used to fund the purchase of other Objects.

Terms of Reference of
M+ Budget and Finance Committee

The Terms of Reference of the M+ Budget and Finance Committee are:

- a. to review and endorse the annual Business Plan and Corporate Plan of M+ before submission to the M+ Board for approval;
- b. to review quarterly financial performance against budgets;
- c. to ensure policies are established by M+ management regarding financial oversight which should be incorporated in a financial framework;
- d. to identify material financial risks associated with the conduct of the business of M+;
- e. to review statutory financial statements for M+ prior to audit;
- f. to meet with auditors as required, to ensure material issues are addressed;
- g. to oversee any other matters of financial significance; and
- h. to provide reports to the M+ Board and other governing bodies, as required.

Terms of Reference of
M+ Enterprise and Partnerships Committee

The Terms of Reference of the M+ Enterprise and Partnerships Committee are:

- a. to endorse the overall strategy for M+ commerce inclusive of retail, food and beverage, event hire and hosting, publishing, licensing and sponsorship.
- b. to endorse merchandising policies and procedures specific to retail, food and beverage.
- c. to endorse the food and beverage partnership strategy and approach to engage partners.
- d. to endorse the strategy for the selection of a publisher(s).
- e. to endorse pricing structures for event hire and event hosting.
- f. to endorse sponsorship policy for goods and services and oversee the process for engaging sponsors.
- g. to advise the M+ Board of the establishment of a subsidiary of M Plus Museum Limited (“M+ Enterprise”), including but not limited to:
 - (i) the creation of M+ Enterprise;
 - (ii) the development of the governance structure of M+ Enterprise;
 - (iii) the preferred structure and recommended transition plan; and
 - (iv) the M+ Enterprise Articles of Association/Standing Orders for review by the M+ Board.
- h. to provide reports to the M+ Board and other governing bodies, as required.

M Plus Museum Limited

Collections Management Policy

First approved by the WKCDA Board on 17 February 2014

Latest review approved by the M+ Board on 11 December 2019

TABLE OF CONTENTS

DEFINITIONS

PURPOSE

BACKGROUND

OUTLINE

CHAPTERS

1. ACQUISITION AND ACCESSIONING	9
2. DEACCESSIONING/DISPOSAL	11
3. LOANS	12
4. OBJECTS PLACED IN THE CUSTODY OF THE MUSEUM	15
5. CONSERVATION/CARE AND MAINTENANCE OF THE COLLECTIONS.....	16
6. RISK MANAGEMENT/INSURANCE	17
7. DOCUMENTATION, COLLECTION RECORDS AND INVENTORIES	17
8. ACCESS TO THE COLLECTION	19
9. RIGHTS AND REPRODUCTIONS	19
10.REVIEW OF THE COLLECTIONS MANAGEMENT POLICY	20
APPENDIX I	21

DEFINITIONS

Words beginning with a capital letter in this Policy have the meaning as set out below unless the context requires otherwise.

- **Accessioning** – the process of officially accepting Objects into a museum’s collection. Formal accession occurs after Acquisition of an Object and when the transfer of physical ownership of the Object to the museum has been completed. **Accessioned** has a corresponding meaning.
- **Accessioning Date** – the date on which a purchased Object is paid for or the date the Deed of Gift for a donated Object is countersigned.
- **Acquisition** – the process by which legal title to an Object is acquired for the Collection. This includes acquisition by purchase, donation, bequest, commission, partial purchase/partial donation, promised gift, and purchases made with donor funds.
- **Acquisition File (AF File)** – a file of all information, correspondence, and documentation relating to the acquisition of an Object.
- **Acquisition Policy** – the M+ Acquisition Policy that contains the broad strategy and procedures for building the M+ Collection as approved by the Authority and as amended from time to time.
- **Authority or WKCDA** – the West Kowloon Cultural District Authority.
- **Borrower** – the party requesting to Loan an Object from the legal owner. For an Outgoing Loan, this is the institution or approved party requesting Object(s) from the Collection. For an Incoming Loan, this is M+ Ltd. requesting to borrow materials from an external party.
- **Cataloguing** – the systematic recording of data on Objects in the Collection in accordance with agreed international museum and archive standards such as those established by the ICOM or ICA.
- **Collections (or M+ Collections)** – all Accessioned Objects acquired by M+ which include M+ Collection, M+ Sigg Collection, M+ Collection Archives and M+ Library Special Collection.
- **Collection Management System** – a computer database serving as the authoritative repository of catalogue information about objects (currently The Museum System or TMS).
- **Condition Report** – a report describing the physical and conceptual integrity of an Object, establishing its physical state and assessing its vulnerability. The report should be both written and pictorial when appropriate, using standardised vocabulary and scientific documentation when possible.
- **Copyright** – the exclusive legal right of the author of a creative work to control the reproduction, performance, distribution and ‘making available to the public’ of that work.

- **Conservation** – all measures and actions aimed at safeguarding cultural heritage while ensuring its accessibility to present and future generations. Conservation embraces preventive conservation, remedial conservation and restoration. All measures and actions should respect the significance and the physical properties of the cultural heritage Object.
- **Courier** – the representative of the Lender, who is responsible for ensuring safe handling of the work during packing, transit, unpacking, re-packing and, if necessary, during installation and de-installation, and to condition check Loans for which the Courier is responsible as required.
- **Custody Agreement** – a legal contract regulating the terms of the bailment of a Custody Object.
Custody Object (Object in Custody) – an Object which is not owned by the museum but is left temporarily under its custody for different purposes, i.e. identification, research, examination or for acquisition consideration. Custody does not involve legal transfer of ownership.
- **DDCE** - the Deputy Director, Collection & Exhibition, M+
- **DDCCC** – the Deputy Director, Curatorial and Chief Curator, M+
- **Deaccessioning** – the formal and permanent removal of Accessioned Objects from the M+ Collections.
- **Deed of Gift** – the legal document which regulates the terms of an Object donation or donation of funds intended to finance Object purchases.
- **Due Diligence** – the requirement that every endeavour is made to establish the facts of a case before deciding a course of action, particularly in identifying the source and history of an Object offered for Acquisition or use before accepting it. (ICOM, *Code of Ethics*, 2013).
- **ICA** – International Council on Archives.
- **ICOM** – International Council of Museums.
- **Incoming Loan** – Objects which do not form part of the M+ Collections that are brought into M+ for the purpose of temporary exhibition, research or assessment.
- **Institutional Archives** – the institutional archive which is collected, preserved and made available by M+ Archives.
- **Intellectual Property Rights (IPR)** – a group of legal rights relating to ‘intangible’ property. The IPR’s most immediately relevant to M+/WKCD A include copyright; moral rights; publication right; trademark; design right.
- **Lender** – the institution or person who is the legal owner of the loaned Objects.
- **Letter of donation** – a letter outlining the intention to donate and the terms and conditions under which an Object is donated to the M+ Collections.
- **Licence** – an agreement by the owner of intellectual property to grant rights to another entity, subject to specific terms and conditions
- **Loan** – the temporary transfer of Object(s) from one party to another in which there is no transfer of ownership.

- **Loan Agreement** – a contract between a Lender and a Borrower of an Object(s) specifying the Object(s) and outlining the conditions of Loan and the respective responsibilities of each party.
- **Loan Moratorium** – a fixed period in which a museum does not allow its Collection to go on Loan. It generally relates to a specific situation such as the development of refurbishment works, a building expansion or temporary staff limitations.
- **Long Term Loan** – a loan of several years’ duration, generally three to five years.
- **Management Agreement** – the Deed of Management Agreement dated 30 March 2017 between M+ Collections Ltd. and M+ Ltd.
- **MDM+** – the Museum Director, M+
- **M+** – the M+ museum
- **M+ Archives** – the team within the C&E Department with responsibility for preserving, cataloguing and making accessible Collection archives and institutional archives.
- **M+ Board** – the board of M+ Ltd.
- **M+ Collection** – comprises everything in the M+ Collections outside of the M+ Sigg Collection, M+ Library Special Collection and M+ Collection Archives.
- **M+ Collection Archives** – archival material that is acquired to be part of the M+ Collections.
- **M+ Collection & Exhibition Department (or C&E Department)** – a department within M+ that includes the areas responsible for the care of the Collection, the implementation of exhibition projects, the library, and the archives. It comprises the following teams: archive & library, collections management (registration, records management, and rights & reproductions), conservation, exhibitions & displays (exhibition management, design and installation), and international relations.
- **M+ Collections Ltd.** – M Plus Collections Limited, a company limited by guarantee incorporated under the Companies Ordinance, being a wholly owned subsidiary of WKCD.
- **M+ Collections Trust** – a trust created by the Authority pursuant to the M+ Collections Trust Deed dated 28 March 2017.
- **M+ Library Special Collection** – consists of Object(s) that are in nature published works – regardless of their content or whether they are text-based, produced for commercial or open distribution – that are acquired into the M+ Collections.
- **M+ Loans Group** – a group of M+ staff who assess all Loan requests of the Collection. The M+ Loans Group includes the MDM+; DDCCC; DDCE, Head of Registration and Collections Management, Senior Registrar, Loans and Exhibitions and the relevant curatorial and conservation staff.
- **M+ Ltd.** – M Plus Museum Limited, a company limited by guarantee incorporated under the Companies Ordinance, being a wholly owned subsidiary of WKCD.
- **M+ Sigg Collection** – a collection of Chinese contemporary art from the 1970s to the present, partly donated and partly purchased from a Swiss collector.
- **Object(s)** – works of art, articles and objects, archives and published works..

- **Object File** – an organic compilation of information on an Object in the M+ Collections, and/or on the creator of the Object.
- **Object Number** – the permanent, unique identification number assigned to an Accessioned Object.
- **Outgoing Loan** – the temporary transfer of Object(s) in the M+ Collections to another institution or party for the purposes of exhibition or display.
- **Policy** – means this Collections Management Policy as amended from time to time.
- **Preventive Conservation** – all measures and actions aimed at avoiding and minimising future deterioration and damage to Objects.
- **Procedures Manual** – means the Collections Management Procedures Manual prepared by M+ as amended from time to time.
- **Proposing Curator** – the curator responsible for preparing an Acquisition proposal to be considered by the relevant approving authority. A curator is a museum professional that works directly with the Collection and is responsible for its interpretation, exhibition, research and publication.
- **Provenance** – the ownership history of an Object, the documentation of which helps establish legal title to and the authenticity of an Object.
- **Purchase Agreement (formerly referred to as an “Acquisition Agreement”)** – the legal contract that regulates the terms of an Object’s purchase.
- **Remedial Conservation** – all actions directly applied to an Object or a group of Objects aimed at arresting current damaging processes or reinforcing their structure.
- **Restoration** – all actions directly applied to a single and stable Object aimed at facilitating its appreciation, understanding and use.
- **Scientific documentation** – use of appropriate and standardised methods that result in producing accurate, complete and permanent records relating to Objects that enable ongoing monitoring of those Objects.
- **Simplified Purchase Agreement** – a simple purchase agreement for low value purchases.
- **Temporary Number** – the unique identification number assigned to all Objects under the care of M+ and to Objects which are being proposed for Acquisition. The temporary number is superseded by the Object Number when an Object is Accessioned.
- **Trust Deed** – the M+ Collections Trust Deed dated 28 March 2017.
- **Trustee** – means the M+ Collections Limited.
- **WKCD Board** – the Board of WKCD.

PURPOSE

1 A collections management policy covers the care of collections and their supporting documentation. Good collections management enables a museum to balance its obligations of caring for its collection, monitor any associated risks and enable the most efficient use of the collections for the benefit of the public.

2 The purpose of this Collections Management Policy (Policy) is to minimise risks to the M+ Collections by:

- setting out the principles by which M+ will care for and manage the M+ Collections; and
- identifying the staff responsible for the care of the M+ Collections.

3 This Policy is supported by the Procedures Manual which includes detailed instructions and workflows that apply this Policy to M+'s day-to-day activities.

BACKGROUND

4 The M+ Collections are owned by:

- WKCDA;
- M+ Ltd.; and
- M+ Collections Ltd., the Trustee of M+ Collections Trust

5 WKCDA was established under the West Kowloon Cultural District Authority Ordinance (Cap.601) of the Laws of Hong Kong.

6 M+ Ltd. is a wholly owned subsidiary of WKCDA. M+ Ltd. was set up to plan, design, operate, manage, maintain and otherwise deal with the arts and cultural facilities and related or ancillary facilities of M+.

7 M+ Collections Ltd., a wholly owned subsidiary of WKCDA, was set up for a number of purposes including:

- to be the trustee of the Collections Trust (see paragraph 10); and
- to hold the legal interest in the M+ Collections for the benefit of the Hong Kong community.

8 The Trustee has appointed M+ Ltd. to manage the M+ Collections on a day to day basis.

- 9 The M+ Collections Trust was created by WKCD for the following purposes:
- the development of culture with an emphasis on the development of contemporary visual culture for the benefit of the Hong Kong community;
 - the advancement of learning and education anywhere in the world; and
 - so that the Trustee can hold the legal interest in the M+ Collections in trust for the benefit of the Hong Kong community.

10 It is the intention that the M+ Collections currently owned by WKCD and M+ Ltd. will be transferred to M+ Collections Ltd., the Trustee of the M+ Collections Trust, and that transfers will continue to be made as Objects are accessioned to the M+ Collections. Under the terms of the Management Agreement made between M+ Collections Ltd. and M+ Ltd., M+ Ltd. is responsible for the day to day management of the M+ Collections.

OUTLINE

11 M+ is currently building a world-class collection representative of 20th and 21st century visual culture with a global vision from Hong Kong. This Policy is the guiding document for the management of the Collections and, with related procedures, defines and describes the processes that an Object goes through during its lifecycle in M+. Complementing the parameters set out in the Acquisition Policy with regard to the collection strategy and acquisition procedures, this Policy delineates M+'s responsibilities with regard to the management of the Collections.

12 The aim of this Policy is to ensure that all important decisions relating to the care of the Collections are made in a timely manner, and that all the necessary documentation is created or obtained promptly and adequately maintained.

13 The main collection management activities are described in this Policy under the following headings:

1. Acquisition/Accessioning
2. Deaccessioning/Disposal
3. Loans
4. Objects placed in the custody of M+
5. Conservation/care and maintenance of the Collection
6. Risk management/insurance
7. Documentation, Collections Records and inventories
8. Access to the Collection
9. Rights and reproductions

1. ACQUISITION AND ACCESSIONING

1.1. Acquisition

14 As stated in the *Acquisition Policy* 'M+ may acquire works by purchase, gift, bequest, exchange, transfer, licence or commission—either from its own resources or from monies donated specifically for this purpose'.

15 For every Object, whether it be purchased or donated, the Proposing Curator shall write a detailed report, including a description of the Object, its Provenance, condition, publication history and importance to the M+ Collections. The condition of the Object along expected care and maintenance needs should be assessed while working in collaboration with M+ Conservation and Collections Management teams.

16 All proposed Acquisitions are reviewed and discussed by the Curatorial Acquisition Group which consists of the Deputy Director, Curatorial and Chief Curator (DDCCC) and other relevant M+ curators, and when necessary the MDM+.

17 The final decision on whether to acquire an Object rests with the relevant approving authority (MDM+, Acquisitions Committee, M+ Board or WKCDA Board). Procedures for authorisation of acquisitions are set out in clauses 43–61 of the *Acquisition Policy*.

Acquisitions by Purchase

18 Purchases can be made with M+ Ltd.'s own funds, or funds donated by third parties meant to finance a purchase in part or in whole. Legal title of an Object is transferred immediately upon payment.

19 Purchases are governed by a Purchase Agreement or a Simplified Purchase Agreement; the type of agreement used is determined based on the value of the Object(s) the subject of the agreement (including risk and complexity) and the parties to the agreement. The value of purchases that can use a Simplified Purchase Agreement is reviewed from time to time by the MDM+ according to the relevant procedures in the Procedures Manual.

Acquisitions by Donations or Bequests

20 Donations are regulated by a Deed of Gift or a Letter of Donation. The decision as to which document is to be used is determined by the value of the donation, the risk and complexity of the donation and is at the discretion of the MDM+ according to the relevant procedures in the Procedures Manual.

21 In the case of gift or bequest, legal title of the Object is transferred from the Donor to M+ Ltd. either upon sealing of the Deed of Gift, countersignature of the Letter of Donation, or upon the completion of any conditions precedent to the gift taking effect which may be contained in the Deed of Gift or Letter of Donation. (See *Acquisition Policy*, clause 75)

1.2. Accessioning

22 When legal title or licence has been obtained through the Acquisition process, and physical custody has been transferred to M+ Ltd., the Object will be Accessioned into the Collection. Once Accessioned, the Object will be transferred to M+ Collections Ltd., the Trustee.

1.3. Due diligence, Authenticity, Legal Title, Provenance

(See *Acquisition Policy*, clauses 41, 42 and 47)

23 In accordance with the standards set out in the ICOM *Code of Ethics (2017)* and the ICA, *Code of Ethics (1996)*, M+ Ltd. shall conduct proper due diligence to ensure that all Objects that it acquires or borrows are of clear and untainted Provenance in order to protect M+ Ltd. and ultimately the M+ Collections Trust from potential ownership disputes. Due diligence applies equally to Acquisitions and, to the best of all possible efforts, Incoming Loans.

24 M+ Ltd. shall make every effort to rigorously research the Provenance of an Object prior to Acquisition to determine that M+ Ltd. can obtain legal title to the Object. Such research should include, but is not necessarily limited to, determining:

- the ownership history of the Object;
- the countries in which the Object has been located and when;
- the exhibition history of the Object, if any;
- the publication history of the Object, if any;
- whether any claims to ownership of the Object have been made by any person, corporate entity or government other than the proposed seller or donor;
- whether the Object appears in relevant databases of stolen works; and
- the circumstances under which the Object is being offered to M+ Ltd.

25 For all Acquisitions and Incoming Loans, M+ Ltd. shall aim to obtain from sellers, donors, and Lenders all available information and accurate written documentation with respect to the ownership history of the Object prior to Acquisition or Loan approval. The

documentation resulting from this research shall be used to directly inform the final decision to acquire or borrow.

26 Where necessary, M+ will make all possible efforts to extend its due diligence research beyond the information supplied by the seller, donor, or Lender to ascertain a full ownership history of the Object. The original due diligence information and records relating to the Acquisition or Loan of an Object shall be permanently kept on file for future reference.

27 Not all Objects will have a full ownership history without gaps in their Provenance. This will not automatically preclude an Object from Acquisition or Loan. In these cases, the decision to acquire or borrow should be informed by the level of risk associated with the Object in the absence of ownership documentation. Clause 42 of the *Acquisition Policy* provides with regard to Acquisitions: 'If restrictions or qualifications (to legal title) are unavoidable and acceptable to the museum, they must be approved by the M+ Board or the WKCD Board, depending on the purchase price/value of the work'.

28 The parameters set out above shall be equally applied when considering Acquisitions into the M+ Collection Archives and the M+ Library Special Collection. Detailed guidelines are defined in the Archives and Library sections of the Procedures Manual.

1.4. Condition Reporting

29 For all Acquisitions, after examining the Object, Conservation shall produce an incoming condition report. This document aims to provide a record of the Object's condition at the time of acquisition and a guiding reference for the Object's future care, preservation and display.

2. DEACCESSIONING AND DISPOSAL

30 As stated in clauses 64–67 of the Acquisition Policy: 'A disposition is the permanent alienation from M+ of a work in its collection and will only be undertaken under exceptional circumstances' (64) [...]. 'Deaccession shall be governed by the "General Principles on Conditions of Deaccession from Modern and Contemporary Museum Collections" contained in the Resolution adopted by the General Assembly of CIMAM (International Committee for Museums and Collections of Modern Art) Mexico D.F., November 10, 2009 [revised June, 2011]' (67).

31 Under the Management Agreement, M+ Ltd. has the right to deaccession Objects from the Collections on behalf of the M+ Collections Trust. This is to be done in accordance with the provisions of the Trust Deed. Objects can only be deaccessioned from the M+

Collections Trust with the prior written approval of WKCDA, the M+ Board, the MDM+ and the Protector (as defined in the Trust Deed). After obtaining all the approvals, the proposal must be passed unanimously at a board meeting of M+ Collections Ltd., the Trustee.

32 The criteria for determining whether an Object should be deaccessioned include, but are not limited to, the following:

- The Object is no longer relevant to the mission of M+ (no Objects will be considered for deaccession until the artist has deceased for 50 years.)
- The Object is redundant or is a duplicate and is not necessary for research or study purposes.
- M+ is ordered to return an Object to its original and rightful owner by a court of law; or M+ determines that the return of the Object is in the best interests of M+ Ltd., M+ Collections Ltd., the M+ Collections Trust or the Authority.
- M+ is unable to preserve the Object in a responsible manner; or the Object has deteriorated beyond repair and is unduly difficult or impossible to care for, or store properly.

33 Deaccessioned Objects may be disposed of by several methods, including but not limited to transfer, sale, or exchange. All funds received from deaccessioned Objects shall be used to fund the purchase of other Objects.

3. LOANS

34 In furtherance of its mission, M+ wishes to cooperate with other institutions through a loan programme that increases public access to Objects in the M+ Collections, provided that long-term conservation and M+'s educational, research, and exhibition needs are not compromised. Loan requests must be evaluated in light of the art-historical and scholarly value of the exhibition or public programme for which they are requested, as well as the condition of the Object and its suitability for travel and display.

3.1. Outgoing Loans

35 Outgoing Loans are reviewed and discussed by the Loans Group, chaired by the MDM+. Each request shall be considered against the criteria set out in the Loans section of the Procedures Manual with final approval by the MDM+.

36 Once a Loan is approved the Registration Team of the C&E Department shall manage the Loan in accordance with the procedures in the Procedures Manual and ensure that all

Loans are governed by written Loan Agreements.

37 A standard loan fee (administrative fee) will be applied to all Outgoing Loans, according to the relevant procedures in the Procedures Manual. The standard loan fee may be revised from time to time with the approval of the MDM+.

38 A summary report of the approved Outgoing Loans shall be provided to the M+ Board at each Board meeting and to the M+ Collections Trust quarterly as required under the Management Agreement.

39 When deciding to loan an Object to a particular exhibition, M+ shall consider the likelihood of the exhibition displaying Objects that have been stolen or illegally exported or illegally imported from their country of origin, as defined in the *UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property*, (1970).

3.1.1 Loan related costs

40 All of M+ 's expenses relating to an Outgoing Loan shall be covered by the Borrower including, but not limited to, the following:

- Loan fee
- Museum standard packing and crating
- Fine art shipping
- Customs formalities
- Any necessary framing, mounting, matting or glazing
- Duplication or migration of media
- Insurance
- Conservation (when required)
- Courier expenses (when required)
- Fees for obtaining copyright permissions from any third parties (when required)

3.2 Incoming Loans

41 Incoming Loans will be accepted for the purpose of exhibitions, public programmes or for approved research. Objects may be borrowed from institutions and individuals for a specified period, though they may be renewed or extended by mutual agreement.

42 The Curator of an M+ exhibition is responsible for selecting Incoming Loans, and undertaking research to determine the location, legal ownership, Lender's loan requirements and availability of the Objects. The selection of the Incoming Loans shall then be presented for final approval from the MDM+. Following approval, a loan request letter signed by the MDM+ shall be submitted to the Lender for consideration.

43 Incoming Loans shall be regulated by means of a Loan Agreement that sets all the conditions of the Incoming Loan and includes the necessary information on the Objects and their requirements. The Lender must provide an insurance value of the Incoming Loans for insurance purposes. The Curator of the M+ exhibition should review and agree the values provided.

44 When borrowing Objects, M+ acts as the Borrower and shall bear the loan related costs as defined by the Lender, including, but not limited to those described in paragraph 40. These costs shall form part of the exhibition or research project budget.

45 M+ should exercise the same standard of care for Objects on Loan as it does for Objects in the Collection and always as agreed with the Lender.

3.3 Long Term Loans

46 Incoming Long Term Loans are normally loans of an initial three to five year duration that is renewable and are often proposed as alternatives to donations. Clause 44 of the Acquisition Policy describes the parameters under which a Long Term Loan may be considered. The initial period of an Incoming Long Term Loan should be stated in the Loan Agreement and must never be open-ended.

47 Long Term Loans from the Collection shall follow the same conditions as all Outgoing Loans but shall be governed by a Loan Agreement reviewed every three to five years.

48 To ensure that Long Term Loans are appropriately displayed and acknowledged, M+ may ask the Borrower to provide updated photographic documentation and condition reports of the Long Term Loans, at any point throughout the loan period. Site visits may also be arranged to ensure that the Objects are appropriately displayed and acknowledged.

3.4 Unclaimed or Abandoned Loans

49 In some circumstances, M+ may be left with Objects that it is unable to return to their rightful owners. In such instances, M+ shall make all necessary efforts to contact the Lender or conduct further research on the legal status of the Objects.

3.5 Loan Moratorium

50 A Loan Moratorium is a fixed period in which a museum does not allow objects from its Collection to go on loan. It generally relates to a specific situation such as the development of refurbishment works, a building expansion or temporary staff limitations.

51 Whenever this is the case, M+ will publish the dates of the Loan Moratorium on its website and other public platforms. Loan requests received for exhibitions which fall within the dates of the Loan Moratorium shall not be considered.

4. OBJECTS PLACED IN THE CUSTODY OF THE MUSEUM

52 M+ may obtain Objects under temporary custody during their consideration for Acquisition into the Collections. The primary purpose of taking Objects into custody is to allow for a physical examination of an Object to facilitate a decision on whether to acquire it, although there may be other reasons such as research, identification or conservation.

53 The final decision as to whether to take an Object into custody lies with the DDCCC and the Head of Registration and Collections Management of the C&E Department and will take into consideration the urgency of request and availability of resources to take care of the Object. M+ Ltd. shall enter into a Custody Agreement with the owner of the Object to agree the responsibilities with regard to its care in transit to and while in custody. Ownership of the Object remains with the owner and M+ Ltd. acts merely as a bailor until legal title is transferred through Acquisition by a Purchase Agreement or Deed of Gift, or until the Object is returned to its legal owner.

54 Objects in Custody must be assigned with a temporary number and have an object record in the Collections Management System before they are taken into M+ 's possession.

55 All Objects in Custody must have supporting documentation (Custody Agreement, receipt, correspondence, etc.) and be handled through the Registration Team of the C&E Department. No Object is to be accepted into custody by M+ staff or representatives without prior approval from DDCCC and the Head of Registration and Collections Management.

5. CONSERVATION/CARE AND MAINTENANCE OF THE COLLECTIONS

56 M+ shall preserve the Collections to maintain their integrity and significance in accordance with international standards for the benefit of present and future generations. M+ shall establish a long-term conservation strategy that shall also reflect public access requirements, research and exhibition needs, funding and staff resources, and urgency of care.

57 The Collections should be stabilised for long-term preservation, housed efficiently and stored in suitable environmental conditions in order to protect them from excessive exposure to the main agents of deterioration. The condition of the Collections shall be regularly monitored on a rolling basis and a maintenance programme defined and implemented for Objects on display and in storage based on their vulnerability. Environmental conditions in both storage and galleries should be regularly measured and monitored to comply with recommended international standards. M+ will maintain high standards of handling and installation to preserve the Collections. M+'s preservation standards shall also be maintained for both Outgoing Loans and Incoming Loans.

58 The Conservation Team of C&E Department shall coordinate the development and implementation of preventive conservation measures and be responsible for all actions related to remedial conservation and restoration of Objects, including condition reporting with its associated documentation. In order to ensure best practice and compliance with international codes of ethics for conservation, conservators shall adhere to internationally accepted professional guidelines and codes of ethics, including those published by the American Institute of Conservation, the European Confederation of Conservator-Restorers' Organisations and the Canadian Association of Professional Conservators.

59 When remedial or restoration treatment is required for an Object, the Conservation Team shall respect the integrity of the cultural property by endeavouring to preserve its material composition and culturally significant qualities through minimal and retrievable intervention. The original intention, usage, history and evidence of Provenance of the Object must be respected. Conservation treatment shall be carefully documented using all relevant means, including scientific documentation whenever applicable and any other relevant investigation means.

6.RISK MANAGEMENT/INSURANCE

6.1 Risk Management and Insurance

60 Risk management requires thoughtful and continuous review of potential hazards to the M+ Collections as a whole, individual Objects and the M+ building that may cause partial or total damage or loss. M+ will take steps to avoid the likelihood of such events occurring and to minimise their impact should they occur.

61 Insurance of the Collection is an integral part of risk management. Insurance shall be provided for all Objects that are part of the M+ Collections, on loan to M+ by way of Long Term Loans or temporary loans. The C&EDepartment will ensure insurance coverage of any Object from the Collections or on Loan to M+ as set out in the relevant Acquisition Agreement or Loan Agreement.

6.2 Security

62 Physical access to the Collection shall be restricted. Staff responsible for the management of the Collections will supervise access to the Collection by other M+ and WKCDA staff and visitors.

63 Before the construction of the M+ building is finalised, the Collections will be stored in several local and international storage facilities that comply with museum standards for security and climate control. Access to the storage spaces shall be restricted and controlled by the C&E Department.

64 It is the responsibility of the C&E Department to ensure that all safeguards have been taken to minimise risks for Objects in transit between M+, storage locations, and external organisations.

65 The C&E Department shall be responsible for coordinating M+ 's emergency response and disaster plan for the Collections in coordination with security and building management guidelines.

7. DOCUMENTATION, COLLECTION RECORDS AND INVENTORIES

7.1 Documentation

66 As the principal collection research tool in any museum, documentation enriches the understanding of the Collections and their cultural and historical importance.

67 All Collections activities generate documentation relating to the Object history, identification, condition, location, and others. Maintaining this documentation is an ongoing responsibility of all M+ staff but in particular, the Curatorial, Registration and Collections Management, Archives and Library and Conservation Teams.

68 The main repository for documentation shall be the Collection Management System (CMS), which is the authoritative source of information on all Objects belonging to the Collection. The information on the CMS is complemented with hard-copy files that relate to the different collection management activities.

69 M+, through its Curatorial and C&E Departments, will maintain accurate and up-to-date records on the identification, location and condition of all Objects in the Collections, as well as of ongoing activities such as exhibitions, Loans, and research and correspondence with donors, artists and scholars. These records shall be kept in an organised and coherent filing system, and records suitable for transfer to the Institutional Archives should be identified, appraised and transferred on a regular basis. All original agreements relating to Acquisition, Loan or Custody of Object(s) in the M+ Collections shall be kept by the C&E Department.

70 In general, documentation in relation to the Collection will be available to view for research purposes by researchers from outside M+ and for (external or internal) audit purposes, considering any sensitivities around commercial confidentiality and the security of the Collections.

7.2 Object identification

71 All Objects in the care of M+ will have a CMS record and Object Number.

72 All Objects and archives will be catalogued according to the accepted international museum, archival and library standards.

7.3 Inventory and Location Control

73 It is the responsibility of the Registration Team to maintain an accurate inventory and location data of the Collections and Objects on Loan to M+. Inventory records shall contain an up-to-date specific record of location, whether temporary or permanent, for all Objects for which M+ Ltd. is accountable. Object location records will be retained so to create a history of locations of each Object. On a rolling basis, the Registration Team will conduct random spot checks of locations using a list generated from the CMS.

7.4 Institutional Archive

74 M+ will work towards the establishment of an Institutional Archive with the purpose to document the origin, development, activities, and achievements of M+ as an institution. In fulfilment of this mission, the Institutional Archive shall identify, preserve, and make accessible M+'s records of enduring value.

75 The Institutional Archive will be preserved, stored and catalogued according to international standards, and will be made available to M+ staff and other qualified researchers. In general, restrictions shall be imposed only on certain sensitive documents or series, particularly those relating to commercial terms of Acquisitions and donations such as those involving confidentiality provisions, Trustee activities, current transactions, and personnel matters, in order to protect personal data privacy rights and the interests of M+ Ltd., M+ Collections Ltd., the M+ Collection Trust and WKCDA.

8. ACCESS TO THE COLLECTION

76 M+ aims to make the Collections as widely available to the public as possible for present and future generations. Safe access to the Collections for research and for public enjoyment will be facilitated through permanent galleries, collections and temporary exhibitions and the research centre in M+, publications, the website and other on-line environments, and electronic media.

9. RIGHTS AND REPRODUCTIONS

77 When acquiring an Object for the Collections, M+ shall seek to ensure that copyright is either assigned or licensed to M+ Ltd. within the legal framework of the Hong Kong Copyright Ordinance (Cap. 528).

78 In addition to this, as part of the Procedures Manual, M+ will define a specific procedure to regulate issues related to the rights and reproduction of the Collections and ensure awareness of the M+ staff of their responsibilities and obligations in relation to these rights.

79 As part of management processes for the Collections, it is M+'s aim to acquire IPR and appropriate IPR licences in respect of its activities and the Objects in its care wherever possible, and otherwise to manage related risk responsibly.

80 It is M+'s aim to create a comprehensive, high-quality visual record of the Collections and

to make these images and other reproductions widely available on appropriate terms.

10. REVIEW OF THE COLLECTIONS MANAGEMENT POLICY

81 This Policy shall be reviewed by M+ every two years and any amendments to this Policy shall be approved by the M+ Board.

82 The Procedures Manual will be reviewed on an as needed basis to ensure that M+'s procedures remain consistent with this Policy and with international standards in collections management practice.

APPENDIX I

SOURCES OF INTERNATIONAL STANDARD PROVISIONS

1. ICOM – International Council of Museums
 - a. CIDOC – International Committee for Documentation
 - b. CIMAM – international Committee for Museums and Collections of Modern Art
2. ICA – International Council on Archives
3. AIC – American Institute of Conservation
4. ECCO – European Confederation of Conservator-Restorers' Organisations
5. CAPC – Canadian Association of Professional Conservators

Annex 4

Major capacity and audience building and community engagement initiatives and public programmes of M+ from January 2020 to May 2021

Programme/Initiative	Date/ Period	No. of Participants/ Beneficiaries
<i>Capacity building</i>		
M+ / Design Trust Research Fellowship Public Talks	22 and 29 Sep 2020	360 participants
M+ / Design Trust Research Fellowship 2021	Ongoing	N/A
<i>Internship and volunteer programmes</i>		
M+ Internship Programme • 2020/21	Ongoing	10 interns
Venice Biennale Internship Programme for the 58 th Venice Biennale	2019 and 2020	10 interns (for the Venice exhibition) 1 Curatorial Assistant (for the Venice exhibition and Hong Kong response exhibition)
M+ Docent Volunteer Programme	Ongoing	136 docents (in 2019) Recruitment will re-open for application in Apr 2021)
<i>Audience building</i>		
The Sigg Prize 2019 Exhibition	7 Dec 2019 to 17 May 2020	6 474 visitors
Shirley Tse: Stake and Holders	1 Jul to 1 Nov 2020	4 318 visitors

Programme/Initiative	Date/ Period	No. of Participants/ Beneficiaries
<p>M+ Screenings Online: Cinema, Disrupted</p> <ul style="list-style-type: none"> • Part One: Disrupted Views • Part Two: Interrupted Legacies 	<p>11 to 21 Mar 2021</p> <p>6 to 16 May 2021</p>	<p>Part One: (Films) 566 viewers (Talks) 195 viewers</p> <p>N/A</p>
<p>M+ Matters and M+ International: Archigram Cities:</p> <ul style="list-style-type: none"> • Archigram Cities Online Symposium • M+ Matters: Archigram Cities – It’s Archigram! • M+ International x Power Station of Art: Archigram Cities 	<p>(Zoom 1: Inhabitations) 4 Nov 2020 (Zoom 2: Figurations) 6 Nov 2020 (Zoom 3: Transmissions) 10 Nov 2020</p> <p>13 Nov 2020</p> <p>21 Nov 2020</p>	<p>2 668 registration 2 146 live online viewers</p> <p>1 323 registration 644 live online viewers</p> <p>Peak number of online viewers reached 12 551</p>
<p>M+ Matters Keynote: Understanding Museum Audiences in China</p>	<p>29 Mar 2021</p>	<p>26 321 views</p>

Art+Feminism: Wikipedia Edit-a-thon 2020	7 Mar 2020	38 participants (31 in-person and 7 online)
Art+Feminism: Wikipedia Edit-a-thon 2021	13 Mar 2021	52 participants (all online)
Wikipedia Asian Month 2020: Edit-a-thon on Exhibition Histories	28 Nov 2020	30 participants (17 in-person and 13 online)
M+ Online Hackathon – City of Objects	1 to 15 Aug 2020	30 participants
How Did You Two Meet? – Online Talks	28 May to 24 Sep 2020	561 Live Participants 2 728 YouTube Views as of 23 April
M+ International x National Gallery Singapore: How Can Museums Matter Today?	23 to 24 Feb 2021	428 participants
M+ Sigg Fellowship for Chinese Art Research 2020 Public Talk: Diffused Religion and the Origins of Chinese Avant-Garde Art	2 Mar 2021	16 321 online viewers
‘Open Up: Museum Learning in the 21st Century’ Talk Series	Ongoing	N/A
<i>Public, Community and Youth Engagement</i>		
School programme		
<ul style="list-style-type: none"> M+ Rover: Travelling Creative Studio (Due to COVID-19 outbreak, the programme which was originally planned to visit schools and communities between July 20 and Feb 2021, changed to a series of online educational resources) 	Ongoing	86 956 online engagement

<p>Family Programme</p> <ul style="list-style-type: none"> • Create My Museum Series • Creative Recipes Series 	<p>Aug to Dec 2020</p>	<p>17 872 online engagement</p> <p>9 179 online engagement views as of March 2021</p>
<p>Youth Programme</p> <ul style="list-style-type: none"> • M+M21 Chat It Up on Creativity 	<p>Sep 2020 to Feb 2021</p>	<p>200 072 online engagement</p>
<p>M+ Online Teacher Programme</p> <ul style="list-style-type: none"> • Experimental Teaching – A Conversation between Teacher and Artist • Art Learning in the Age of Pandemic • Breaking the Silence – From Discussion to Co-Learning • Water and Apple – What can be Done in Art Learning? • Live Sketching as an Art Learning Experience 	<p>30 Jul 2020</p> <p>31 Jul 2020</p> <p>1 Aug 2020</p> <p>22 Aug 2020</p> <p>19 Dec 2020</p>	<p>64</p> <p>77</p> <p>21</p> <p>53</p> <p>55</p>
<p>M+ Stories</p>	<p>Ongoing</p>	<p>N/A</p>