



OPW Oifig na
nOibreacha Poiblí
Office of Public Works

OPW State Art Collection Disposal Policy

Version 1, February 2021
Date of next full review: February 2026

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Version and Amendment Table

The following table outlines changes made to this document.

Date	Version	Amendment
17 February 2021	Original release	

1. Definitions

This policy outlines standards and procedures relating to the disposal of artworks from the OPW State Art Collection managed by the Art Management Office.

Deaccessioning is the formal decision by a governing body to remove permanently objects from its collection or to document the reasons for an involuntary removal (one required by law or due to circumstances not controlled by the OPW).

Decommissioning specifically refers to the removal from its original site of a public art commission or its destruction.

Disposal is the method of removal or transfer. In the context of this policy, disposal is also used more broadly to refer to the permanent removal of an object – whether commissioned or purchased – from the collection.

2. Introduction

The OPW State Art Collection is a significant public inheritance and is held in trust for the nation under its stated objectives of promoting public art and ensuring artistic projects funded under the Per Cent for Art Scheme are available to the OPW's clients and the public. As such, disposal will only be undertaken in very exceptional circumstances.

A decision to dispose of an artwork or decorative object will be the responsibility of the Art Management Group acting on the recommendation of the Art Adviser and professional curatorial staff. Such a decision will take into consideration other stakeholders' views such as those of the artist(s) or donor(s) concerned or of researchers and local communities.

The Art Management Office will ensure that the disposal process is carried out in an open and transparent manner. In particular, the decommissioning of public art will be governed by respect for the artist(s) in question and the communities in which the artwork is located.

The Art Management Group accepts the principle that sound curatorial reasons for disposal must be established before consideration is given to the disposal of any artworks in the OPW State Art Collection.

Disposal may only be undertaken if

- 2.1 the legal title of the item has been thoroughly researched and there is no doubt whatever with regard to the ownership of the item. If there is any doubt, legal advice should be sought;
- 2.2 it is within the framework of a clearly defined [Collection Policy](#);
- 2.3 it is on the advice of a range of staff (not one individual) and is agreed by the Art Management Group;
- 2.4 it is done with the intention that wherever possible artworks remain within the public domain;
- 2.5 it is unlikely to damage trust in the OPW State Art Collection or the OPW;
- 2.6 it is likely to increase the public benefit from the artwork;
- 2.7 it is communicated openly to the artist(s) concerned or any other relevant stakeholders.

3. Motivation for Disposal

It may be appropriate to deaccession and dispose of artworks from the OPW State Art Collection in exceptional circumstances where

- 3.1 there is found to be a lack of title or for other legal reasons including a Government decision to repatriate items acquired illegally;
- 3.2 the work falls outside the OPW State Art Collection Policy;
- 3.3 the OPW State Art Collection is unable to carry out the necessary level of remedial work owing to lack of facilities or resources. In this instance, efforts will be made for the artwork to be transferred to another State institution after deaccession or to be returned to the artist;
- 3.4 the artwork has deteriorated or has been damaged beyond repair;
- 3.5 the artwork poses a threat to health and safety;
- 3.6 the artwork poses a threat to other items in the Collection, e.g. in the case of untreatable infestation;
- 3.7 new information lessens or negates the importance of a given object;
- 3.8 it is more historically or practically appropriate to deaccession and transfer the artwork or object for display at another OPW site or for safe storage while awaiting a more appropriate home within the OPW range of properties;

All commissioning contracts issued to artists by the Art Management Office after autumn 2018 include a decommissioning clause under which public art may be decommissioned

- 3.9 after a period of ten years;
- 3.10 or if the cost of maintenance is unreasonable;
- 3.11 or if there is a significant change in the relationship of the artwork to the site.

Some site-specific works of art commissioned for, or inherited with, buildings managed by the OPW cannot physically be removed from those buildings without damaging or destroying them due to their nature or embeddedness within the building's fabric. It is therefore acknowledged that these works of art may have to be deaccessioned when such buildings are taken over by third parties, and may possibly be destroyed if the building in question is refurbished or demolished. These circumstances are largely outside the control of the OPW.

4. Limitations to Disposal

It is not the policy of the OPW to dispose of artworks from the OPW State Art Collection where it is done

- 4.1 on an ad hoc basis without reference to the [OPW State Art Collection Policy](#);
- 4.2 without consulting experts with specialist knowledge of the artwork;
- 4.3 without consulting the artist(s) concerned and the communities in which the artwork is located;
- 4.4 without taking into consideration the potential for affecting the reputation of the OPW;
- 4.5 for purely financial reasons.

Procedures in relation to the disposal or de-accessioning of an artwork must be discussed and approved at Art Management Group level.

5. Method of Disposal

Where possible, artworks should be transferred and kept within the OPW. In exceptional circumstances, the OPW may decide to transfer an artwork to another State institution or accredited museum. Legal title must also be transferred and all documentation must be updated by the Art Management Office's Registrar.

For public art commissions, the method of disposal may also include the return of the work to the artist.

When works of art are destroyed either actively under the instruction of the Art Management Office, with approval from the Art Management Group, because they are in poor condition or due to action by a third party (e.g. an accident, malicious damage, terrorist or warlike action) or to adverse environmental conditions, the Art Management Office will, where possible, seek proof of destruction through photographic evidence or through a statement by OPW staff or other Government officials present at the event or the aftermath of the event.

6. Methodology and Documentation

6.1 A written case for the deaccession of an artwork must be prepared by curatorial staff with reference to this document and the [OPW State Art Collection Policy](#).

6.2 This submission must be sent to the Art Adviser who will submit it to the Art Management Group for formal approval.

6.3 Where possible, the artist or donor of the artwork should be informed of the decision to dispose of the work in question and, if appropriate, given the opportunity to have the artwork returned to them.

6.4 All records of deaccessioning and/or disposal should be kept.

6.5 The original accession information and catalogue should be annotated to record the disposal.

6.6 Full records will be kept on file and on OPW Collections, the online collection management system, of all decisions on disposals and the artworks involved, documenting

- the reason for disposal;
- that the artwork has been disposed of;
- the method of disposal and new location of artwork, if relevant;
- the date of disposal;
- the signature of the staff member responsible;
- and a photograph of the artwork.

6.7 For works valued over €10,000, the Art Management Office notifies OPW Financial Services if the work disposed of needs to be removed from the Asset Register in accordance with [DPER Circular 21/2020](#).

7. Review

The OPW State Art Collection's Disposal Policy will be discussed by the Art Management Office on an annual basis. It will be reviewed by the Art Management Group and published at least once every five years. The next full review date is noted on the cover.