Canadian Cultural Property Export Review Board



2021-2022

ANNUAL REPORT



COVER PHOTO (third image of the triptych)

Meryl McMaster (b. 1988)

Between the Start of Things and the End of Things I-III, 2019-2020

Three Digital C-prints on Fuji Crystal Archive Luster paper each print 101.6 x 152.4 cm

McMichael Canadian Art Collection

Certified by CCPERB in 2021

Image captions are prepared in consultation with acquiring institutions and donors; content may vary to reflect the requirements of these parties.

This publication is available in PDF and HTML format on the CCPERB website.

Cette publication est également disponible en français.

© His Majesty the King in Right of Canada, 2022.

ISSN 2562-461X Catalogue no: CH1-42E-PDF

TABLE OF CONTENTS

OF THE CANADIAN CULTURAL PROPERTY	
EXPORT REVIEW BOARD	2
REPORT OF THE CANADIAN CULTURAL	
PROPERTY EXPORT REVIEW BOARD	4
INTRODUCTION	5
THE CANADIAN CULTURAL PROPERTY EXPORT REVIEW BOARD	5
THE CULTURAL PROPERTY EXPORT AND IMPORT ACT	6
KEY STATISTICS—2021-2022	7
REVIEW OF APPLICATIONS FOR EXPORT PERMITS	8
EXPORT REVIEW DECISIONS	9
FAIR CASH OFFERS	14
CERTIFICATION OF CULTURAL PROPERTY	15
REDETERMINATIONS	18
SELECTION OF CULTURAL PROPERTY	
CERTIFIED BY CCPERB IN 2021-2022	19
MILESTONES 2021-2022	26
STRATEGIES FOR THE MONETARY APPRAISAL OF ARCHIVAL PROPERTY	27
IMPROVED INFORMATION AND NEW RESOURCES	27
ONGOING RESPONSE TO COVID-19 PANDEMIC	27
CCPERB MEMBERS	28
MEETINGS	30
CCPERB SECRETARIAT	31
Contact the Secretariat	31

LETTER TO THE MINISTER FROM THE CHAIR OF THE CANADIAN CULTURAL PROPERTY EXPORT REVIEW BOARD



Sharilyn J. Ingram Chairperson, Canadian Cultural Property Export Review Board 344 Slater Street, 15th Floor, Suite 400 Ottawa, ON K1A 0E2

The Honourable Pascale St-Onge Minister of Canadian Heritage 15 Eddy Street Gatineau, QC K1A 0M5

Dear Minister,

It is an honour to present the Annual Report of the operations of the Canadian Cultural Property Export Review Board (CCPERB) for the fiscal year 2021-2022.

CCPERB's operations during this fiscal year affirmed the resilience of Canada's cultural property protection systems. Canadian citizens and organizations continued to rely on the incentives provided under the *Cultural Property Export and Import Act* in order to acquire, exchange, and ensure public access to objects of outstanding significance and national importance, even in the face of the persistent COVID-19 pandemic.

CCPERB reviewed 322 applications for certification during 2021-2022, which represented a foreseeable decrease as organizations incrementally resumed operations after the major disruptions experienced during 2020-2021. Nonetheless, these applications consisted of a total of 1,244 objects, collections or groups of objects. In short, CCPERB observed a very healthy expression of the value of cultural property as an indicator of Canadian innovation, creative expression, shared history, and community or personal identity.

Meanwhile, CCPERB also witnessed the resurgence of cultural property export activity during the past fiscal year. At the height of the pandemic in 2020-2021, CCPERB received no requests for review of refused export permits, but in 2021-2022, the Board received five (5) such requests (one of which, received on March 18, 2022, will receive a decision in fiscal year 2022-2023), a sign that international markets are opening up once again.

CCPERB expects an upward trend in this area of its mandate, as international travel and commercial activity adjust to post-pandemic conditions. Canada's cultural property protections have gained an added importance in this new context, and CCPERB will continue to be diligent in administering its duty with regard to objects of national importance where their loss to Canada would significantly diminish the national heritage.

During 2021-2022, CCPERB continued to hold its quarterly meetings remotely and, despite the continued constraints limiting public gatherings, the Board also was able to pursue its outreach activities through virtual means. Of note, CCPERB contributed to a presentation on "Strategies for the Monetary Appraisal of Archival Cultural Property" at the National Archival Appraisal Board's Monetary Appraisal Forum in March 2022 and, over the course of the fiscal year, continued to offer information sessions to designated institutions seeking information and guidance on the certification process.

On behalf of the Canadian Cultural Property Export Review Board, I am proud to report on our operations for the fiscal year 2021-2022.

Sincerely,

Sharilyn J. Ingram, Chairperson

Sharely & Jagu

Canadian Cultural Property Export Review Board

REPORT OF THE CANADIAN CULTURAL PROPERTY EXPORT REVIEW BOARD

INTRODUCTION

The Canadian Cultural Property Export Review Board (CCPERB) is empowered under the *Cultural Property Export and Import Act* to provide access to justice for applicants seeking review of refused cultural property export permits, as well as to administer provisions of the Act that support the ongoing acquisition, preservation, exchange, and access to cultural property within Canada.

In this report, CCPERB presents an overview of its operations for the 2021-2022 fiscal year, both in regard to the export of cultural property and in matters of certification of cultural property for income tax purposes. This report also highlights CCPERB's efforts to improve and to clarify its policies and procedures, as well as ongoing efforts to adapt its operations to the imperatives of the COVID-19 pandemic.

THE CANADIAN CULTURAL PROPERTY EXPORT REVIEW BOARD

The Canadian Cultural Property Export Review Board is an independent, quasi-judicial administrative tribunal established under the *Cultural Property Export and Import Act*. CCPERB meets four times per year in order to:

- Review applications for cultural property export permits, upon request of the applicant, that have been refused by the Canada Border Services Agency;
- Upon request, determine the amount of a fair cash offer for an institution or a public authority to purchase cultural property; and
- Determine whether cultural property is of outstanding significance and, if so, also determine the cultural property's fair market value for the purpose of issuing a tax certificate.

CCPERB reports to Parliament through the Minister of Canadian Heritage, but operates at arm's length from its portfolio department to ensure the autonomy of its decision-making powers.

THE CULTURAL PROPERTY EXPORT AND IMPORT ACT

The Cultural Property Export and Import Act (the Act) establishes a system of controls for the export from Canada of cultural property, and supports the prevention of illicit international traffic in cultural property. The intent of the Act is to balance the rights of cultural property owners with the civic good derived from public access to objects of outstanding significance and of national importance.

Specific elements of the legislation are administered or enforced by other federal organizations, including:

- Department of Canadian Heritage;
- Canada Border Services Agency;
- Canada Revenue Agency; and
- Administrative Tribunals Support Service of Canada.

As part of its system of protections, the Act establishes a Canadian Cultural Property Export Control List, which identifies objects or classes of objects, the export of which is necessary to control in order to preserve the national heritage in Canada. Subsection 4(2) of the Act identifies inclusions in the Control List as follows:

(a) objects of any value that are of archaeological, prehistorical, historical, artistic or scientific interest and that have been recovered from the soil of Canada, the territorial sea of Canada or the inland or other internal waters of Canada;

- (b) objects that were made by, or objects referred to in paragraph (d) that relate to, the aboriginal peoples of Canada and that have a fair market value in Canada of more than five hundred dollars;
- (c) objects of decorative art, hereinafter described in this paragraph, that were made in the territory that is now Canada and are more than one hundred years old:
 - i) glassware, ceramics, textiles, woodenware and works in base metals that have a fair market value in Canada of more than five hundred dollars, and
 - furniture, sculptured works in wood, works in precious metals and other objects of decorative art that have a fair market value in Canada of more than two thousand dollars;
- (d) books, records, documents, photographic positives and negatives, sound recordings, and collections of any of those objects that have a fair market value in Canada of more than five hundred dollars:
- e) drawings, engravings, original prints and water-colours that have a fair market value in Canada of more than one thousand dollars; and
- f) any other objects that have a fair market value in Canada of more than three thousand dollars.

KEY STATISTICS — 2021-2022

EXPORT

CCPERB made five (5) reviews for applications review for export permits and no (0) fair cash offer determinations.

CERTIFICATION

NUMBER OF APPLICATIONS REVIEWED

322

NUMBER OF OBJECTS REVIEWED

Includes grouping of objects and collections

1,244

NUMBER OF DESIGNATED

ORGANIZATIONS that submitted applications

70

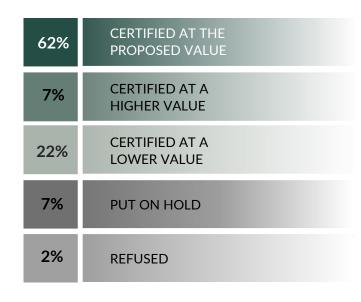
TAX CERTIFICATES ISSUED TO DONORS

294

CERTIFICATION DECISIONS

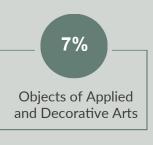


*Remaining applications were either refused by the Board or remained on hold at the end of fiscal year.



CERTIFICATION BY CULTURAL PROPERTY CLASSES









REVIEW OF APPLICATIONS FOR EXPORT PERMITS

The Cultural Property Export and Import Act describes the steps and criteria used to establish whether an object that is included in the Control List may be issued an export permit. When an application for a cultural property export permit is refused by a permit officer of the Canada Border Services Agency (based on the advice of an expert examiner), the applicant may request a review by CCPERB.

In these cases, CCPERB first must determine if the object is included in the Control List, and whether the object meets the criteria for "outstanding significance" and "national importance" set out in the Act, specifically:

- (a) Whether the object is of outstanding significance by reason of its close association with Canadian history or national life, its aesthetic qualities, or its value in the study of the arts or sciences; and
- (b) Whether the object is of such a degree of national importance that its loss to Canada would significantly diminish the national heritage.

If CCPERB determines that an object meets the above criteria, it will then form an opinion as to whether an institution or public authority in Canada might make a fair offer to purchase the object within six months after the date of its decision in the proceeding.

If so, CCPERB may establish a temporary export delay period of two to six months. These temporary export delay periods provide Canadian institutions with an opportunity to acquire significant cultural property facing export from Canada.

In 2021-2022, the Board received five (5) requests for review of refused export permits. One of these applications was received on March 18, 2022, and will be reviewed during the 2022-2023 fiscal year.

EXPORT REVIEW DECISIONS

For the full text of CCPERB's decisions in each of the following export review proceedings, please visit the Export Requests and Decisions section of the CCPERB website.

Tête de Marguerite by Henri Matisse

Application No.: 0495-20-10-23-003

On May 26, 2021, Sotheby's Canada Inc. requested a review of its application for an export permit to export the work *Tête de Marguerite*, 1905, pen and ink on paper, by Henri Matisse.

Excerpt from the CCPERB decision:

With respect to the Object's aesthetic qualities and value in the study of the arts, the Review Board notes that the work is a remarkable example of Matisse's ability as a draughtsman, executed at a pivotal moment in the artist's career – the same year as the first exhibition by a group of artists led by Matisse who would thereafter be termed "Fauves". It is also of particular significance due to its subject matter, as it is a portrait of the artist's daughter, Marguerite.

[T]he significance of the Object is underlined by the work's extensive exhibition history, having been featured in nine exhibitions, many of which were staged at multiple international venues, between 1955 and 2006.

Marguerite was one of Matisse's most frequently used models and representations of her are a fundamentally important aspect of his oeuvre. In addition, that the drawing is Modernist in style, but distinctly outside of the Fauvist aesthetic, makes it of particular interest to Matisse's artistic practice around 1905.

The Object is a sensitive and intimate portrayal of one of the artist's most important subjects, its outstanding significance highlighted by its impressive exhibition history.

The provenance of the Object is also important due to the fact that it was purchased directly from the artist by John Rewald, a prominent art historian and authority in French late nineteenth and early twentieth century art. Having once been in the collection of such a high profile scholar and contributor to the field of art history also increases the value of the Object with regards to its national importance. In addition, eight years after the artist's sale of the work to Rewald in 1953, the object was purchased by a private collector and then passed by descent to the current owner. Therefore, not only is the provenance of the Object significant, but it is also unbroken from the time of its creation to the present.

The Review Board is therefore of the view that due to the importance of the Object to the artist and its solid ownership history, the provenance of the work contributes to the value and importance of the Object to Canada.

The Board established a delay period of six months, ending on January 28, 2022. CCPERB directed the Canada Border Services Agency to issue an export permit after the delay period expired.

Seascape with Steamer and Sailboat by Emil Nolde

Application No.: 0809-21-04-22-073

On June 2, 2021, Uno Langmann Limited requested a review of its application for an export permit to export the work *Seascape with Steamer and Sailboat*, 1946, watercolour on Japan paper, by Emil Nolde.

Excerpt from the CCPERB decision:

Although Emil Nolde was prolific in creating watercolours, the Expert Advisor concluded that the Object, as a late watercolour, reflected the aesthetics of the artist's celebrated *Unpainted Pictures* series of which only 13 percent were landscapes (including seascapes).

Furthermore, only one of the artist's works in public collections in Canada is a watercolour and that work depicts a celebrated expressionist dancer and is circa 1920. There are no late watercolours in public collections in Canada and no watercolours that are a seascape, one of the two most important subject themes of the artist.

In view of the importance of the oeuvre of Emil Nolde in the art of the 20th century, and in particular of his late watercolour works, of the rarity of late watercolour works in public collections in Canada, the Review Board concludes that the Object is of such a degree of national importance that its loss to Canada would significantly diminish the national heritage.

The Board established a delay period of three months, ending February 5, 2022. CCPERB directed the Canada Border Services Agency to issue an export permit after the delay period expired.

Curtiss P-40 Kittyhawk Aircraft RCAF 1034

Application No.: 1635-21-05-05-001

On June 2, 2021, David Maude requested a review of a refused application for an export permit, in relation to a Curtiss P-40 Kittyhawk Aircraft RCAF 1034.

Excerpt from the CCPERB decision:

The Review Board finds that the Aircraft is not included in the Control List because it is intended to be used for a commercial purpose. In view of the Review Board's decision with respect to the Control List, it is unnecessary for the Review Board to make a determination concerning the outstanding significance or national importance of the Aircraft.

The Board directed that an export permit be issued.

Chemin entre des murs à Avallon by Félix Vallotton

Application No.: 0495-20-10-01-006

On June 28, 2021, PACART requested a review of its application for an export permit to export the work *Chemin entre des murs à Avallon*, 1923, oil on canvas, by Félix Vallotton.

Excerpt from the CCPERB decision:

The Applicant has stated that the Object is representative of Vallotton's landscape technique known as paysage composé, whereby the artist relies on field sketches only as a basic canvas on which to overlay his own imagined reality and/or personal reminiscences once back in the studio. Rather than an authentic depiction of nature, the resulting landscape is therefore, as the Applicant rightly points out, "a mix of imagination and memory", that is, one that displays a strong sense of the artist's emotional connection with, and subjective vision of, the nature scene.

Vallotton, in his paysage composé, sought to disengage paintings from a literal representation of nature, to one that was rooted in memory, composition and experimentation. His approach to landscape, thus, follows a long art historical tradition of landscape as subject matter, and his work contributes to wider experiments and explorations that were central to modernist painting.

As also noted by the Applicant, Félix Vallotton is well known for his involvement with the French post-impressionist group Les Nabis, who played an important role in defining the aesthetic paradigm of Modernism.

[A]Ithough the Object was created after the active period of the movement (1888-1900), it is undoubtedly informed by its conceptual roots, while at the same time characteristic of the artist's own distinctive and consistent style. The painting's simplified, flattened forms, shallow perspective, palette with strong contrasts, and minimalist design place the work in formal continuity with its Nabis heritage, while its subject matter and composition are more reflective of Félix Vallotton's own personal approach to landscape representation.

For the above reasons, the Review Board concludes that the Object is of outstanding significance for its aesthetic qualities.

In view of the importance of the oeuvre of Félix Vallotton in the art history of the late 19th and early 20th century, the modernist approach to landscape as artform, the rarity of Vallotton's paintings in public collections in Canada, as well as the importance of the landscape tradition in Canada and the potential of the Object to enter into a meaningful dialogue with that tradition, the Review Board concludes that the Object is of such a degree of national importance that its loss to Canada would significantly diminish the national heritage.

The Board established a delay period of six months, ending June 29, 2022. CCPERB directed the Canada Border Services Agency to issue an export permit after the delay period expired.

Two Horses by Kadhim Hayder

Application No.: 0495-22-03-04-001

On March 18, 2022, Bonhams Canada requested a review of its application for an export permit to export the work *Two Horses*, 1965, oil on canvas, by Kadhim Hayder (the Object).

A decision will be rendered on this application in fiscal year 2022-2023.

EXPORT DECISIONS AND OUTCOMES DURING 2021-2022				
Permit Application Number	Description of cultural property	Date of Request for Review	Delay Expiry Date (if applicable)	Outcome
0495-20-10- 23-003	Henri Matisse, <i>Tête de Marguerite</i> , 1905, signed 'H Matisse', pen and ink on paper, 52.7 x 64.7 cm	May 26, 2021	January 28, 2022 (six month delay period)	CCPERB directed the Canada Border Services Agency to issue an export permit after the delay period expired.
0809-21-04- 22-073	Emil Nolde, Seascape with Steamers and Sailboat, watercolour on Japan paper, signed 'Nolde', 21.6 x 26 cm	June 2, 2021	February 5, 2022 (three month delay period)	CCPERB directed the Canada Border Services Agency to issue an export permit after the delay period expired.
1635-21-05- 05-001	Curtiss P-40 Kittyhawk Aircraft ex-RCAF 1034	June 2, 2021	No delay	
0495-20-10- 01-006	Félix Vallotton, Chemin entre des murs à Avallon, 1923, signed 'F. Vallotton', oil on canvas, 72.4 x 59.7 cm	June 28, 2021	June 29, 2022 (six month delay period)	CCPERB directed the Canada Border Services Agency to issue an export permit after the delay period expired.
0495-22-03- 04-001	Kadhim Hayder, Two Horses, from the series "The Epic of the Martyr", 1965, signed and dated, oil on canvas, 100 x 75 cm	March 18, 2022	Pending	Pending

FAIR CASH OFFERS

During an export delay period established by CCPERB, an institution or a public authority in Canada has the opportunity to acquire cultural property objects or collections that are facing export from Canada. This institution or public authority may make an offer to purchase the cultural property that is subject to the delay, and the purchase price is negotiated between the export permit applicant and the organization.

A fair cash offer can occur where an offer from an organization to purchase cultural property that is subject is not accepted either the applicant or the organization, pursuant to section 30 of the *Cultural Property Export and Import Act*, may submit a written request to CCPERB, asking that it determine an amount that would constitute a "fair cash offer to purchase."

In instances where no request to determine a fair cash offer is submitted, CCPERB will, after the expiration of the delay period and on the export permit applicant's request, direct a Canada Border Services Agency permit officer to issue an export permit forthwith in respect of the cultural property.

In 2021-2022, CCPERB made no (0) fair cash offer determinations.

CERTIFICATION OF CULTURAL PROPERTY

The Cultural Property Export and Import Act provides a system of incentives designed to not only help preserve cultural property of outstanding significance within Canada, but also to make it accessible to the public by offering tax certificates to donors or vendors who reach a disposition agreement with a designated museum, gallery, library, or archive.

In some cases, applications may be put on hold or otherwise deferred, or they may be subject to a request for redetermination; these applications may be tabled at more than one meeting during a fiscal year, or they may be carried over from a previous fiscal year. The total number of applications reviewed represents the number of applications that received a decision during the fiscal year, and were not subsequently carried forward.



Number of applications for certification reviewed

The total number of files reviewed includes applications that received a decision during the fiscal year, as well as applications that were put on hold or deferred. For a breakdown of these decisions, see the chart on page 18.



Number of objects, including collections or groups in applications for certification The 322 applications reviewed by CCPERB represented 1,244 objects, collections, or groups of objects. Individual collections or groups of objects, such as archival fonds, may in fact contain thousands of individual objects.



Tax certificates issued

By issuing tax certificates to donors of cultural property, CCPERB encourages the transfer of outstanding examples of Canada's artistic, historic, and scientific heritage from private hands to public collections.



Number of Designated Organizations that submitted applications for objects to be certified in 2021-2022 Designated institutions or public authorities may apply for certification of cultural property on behalf of the donor or vendor. These organizations meet the necessary standards to preserve cultural property and make it accessible to the public.

Although these totals are indicative of a significant volume of applications and of objects of cultural property considered for certification by CCPERB, these totals also were informed by the capacity of organizations to process acquisitions and prepare applications due to the disruptive nature of the COVID-19 pandemic.

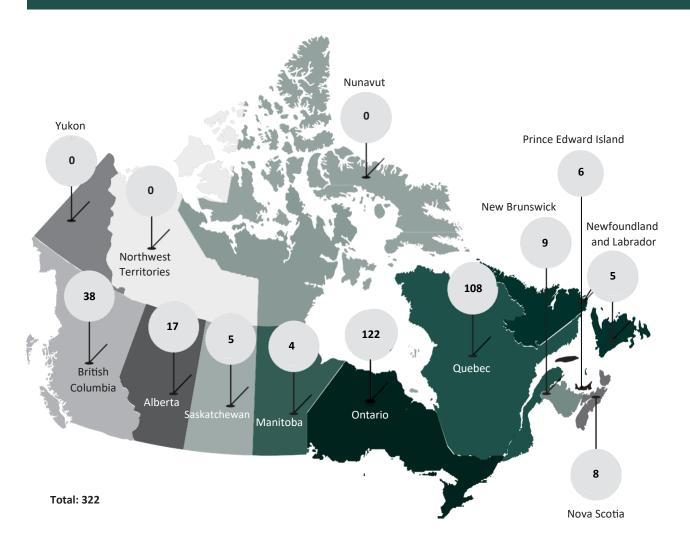
The Cultural Property Export and Import Act uses the term "object(s)" to refer to all forms of cultural property disposed of, or proposed to be disposed of, to an institution or a public authority designated under the Act.

Objects may include, for example, archival cultural property, books and ephemera, scientific specimens, objects of natural history, fine art, and any other materials recognized as cultural property under the Act.

APPLICA	ATIONS BY CULTURAL PROPERTY CLASSES	Number	Percentage
Class 1	Objects of Natural History (including fossils, minerals and other natural history objects) and Archeology	2	0.62%
Class 2	Objects of Material Ethnographic Culture	2	0.62%
Class 3	Military Objects	1	0.13%
Class 4	Objects of Applied and Decorative Arts	24	7.43%
Class 5	Objects of Fine Arts	276	85.45%
Class 6	Scientific or Technological Objects	1	0.31%
Class 7	Archival Material	17	5.26%
Class 8	Musical Instruments	0	0%
Class 9	Audiovisual Collections (film, video, new media, including digital)	0	0%
TOTAL*		323	100%

^{*}If an application contains objects of various classes, an applicant may identify more than one cultural property group for a single application. Consequently, the total number of cultural property classes identified by applicants (323) is higher than the total number of applications that received a decision (322).

Number of applications by province or territory



CCPERB DECISIONS				
Decision	Number	%	Total Fair Market Value	Approximate forgone Federal tax revenue
Certified at the proposed value ¹	201	62%	\$31,109,911.62	\$9,021,874.37
Certified at a lower value	71	22%	\$30,974,837.01	\$8,982,702.73
Certified at a higher value	22	7%	\$6,538,872.50	\$1,896,273.03
Put on hold or deferred ²	23	7%	NA	NA
Refused ³	5	2%	NA	NA
Inadmissible ⁴	0	0%	NA	NA
Total	322	100%	\$68,623,621.13	\$19,900,850.13

¹ Includes decisions where the average of more than one appraisal is taken as the fair market value.

REDETERMINATIONS

As part of the certification process, CCPERB makes determinations with respect to the fair market value of the cultural property put forward for certification. Donors or vendors who do not agree with a CCPERB determination of fair market value may request a redetermination within 12 months of the date of CCPERB's decision. Subsequently, donors or vendors who do not agree with the redetermination of fair market value may appeal the decision to the Tax Court of Canada within 90 days after the day on which the Cultural Property Income Tax Certificate is issued.

In 2021-22, CCPERB received three requests for redetermination.

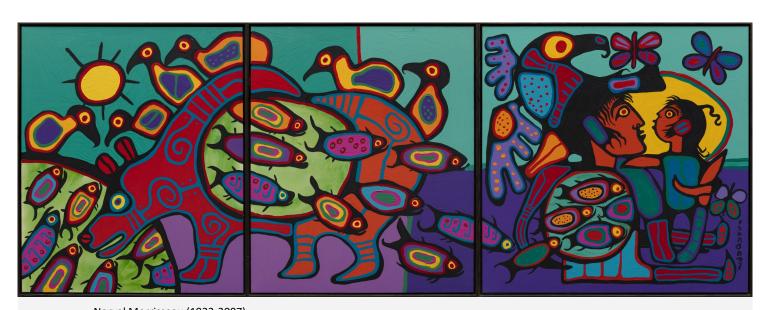
When a redetermination is made, the original tax certificate is nullified and replaced by a new tax certificate.

² If CCPERB needs additional information before making a decision, it will put the application on hold. CCPERB may also defer an application for administrative purposes. The total cited here represents the number of on hold or deferred files at the end of the fiscal year.

³ If CCPERB concludes that an object does not meet the criteria for outstanding significance, it will refuse the application.

⁴ If CCPERB determines that it has no jurisdiction to proceed with the review of an application (for example, if CCPERB is not satisfied that the donor or vendor was the owner of the object at the time of donation or sale), the application is deemed inadmissible.

SELECTION OF CULTURAL PROPERTY CERTIFIED BY CCPERB IN 2021-2022



Norval Morrisseau (1932-2007) Sacred Bear with Porthole, 1991 Acrylic on canvas (triptych) 122 x 325 cm Collection of the Kelowna Art Gallery Certified by CCPERB in 2021



Laurent de Brunhoff (b. 1925)

Babar's Birthday Surprise, circa 1970

Original watercolour of book illustration, pages 30-31

25.20 x 49.10 cm

City of Toronto Public Library, Special Collections

Gift of Jane Dobell

Certified by CCPERB in 2022

© Laurent de Brunhoff; Courtesy of the artist and Mary Ryan Gallery, New York.



Unknown (Plains Cree or Nakota)
Tobacco Pouch, c. 1840
Hide, quill, glass, beads
45.5 x 15.0 cm
National Gallery of Canada
Purchased in 2021
Certified by CCPERB in 2021
Photo: NGC



Rebecca Belmore (b. 1960) Wave Sound (Georgian Bay), 2017 Copper Overall: 406 cm, 22.7 kg, 48 cm Art Gallery of Ontario Certified by CCPERB in 2021



Lucie Rie (1902-1995)

Untitled Vase, c. 1968

Stoneware with glaze

Overall: 22.5 x 11 x 9.5 cm

Gardiner Museum

Certified by CCPERB in 2021



Richard Milette (b. 1960) Lécythe 11-3294, 1986 Ceramic 38.2 x 12.8 cm Montreal Museum of Fine Arts Certified by CCPERB in 2021



STRATEGIES FOR THE MONETARY APPRAISAL OF ARCHIVAL CULTURAL PROPERTY

In March 2022, CCPERB contributed to a session entitled "Strategies for the Monetary Appraisal of Archival Cultural Property" as part of the Archival Monetary Appraisal Forum convened by the Canadian Council of Archives and the National Archival Appraisal Board. CCPERB's presentation was developed in response to a request from stakeholders in the archival community for additional information resources that would support a greater understanding of how best to locate sources of market data, to extrapolate fair market value based on that data, and to formulate a reasoned justification in support of the proposed fair market value.

For this presentation, CCPERB contracted the services of an accredited monetary appraiser to draft general guidance on the considerations and best practices that contribute to the effective monetary appraisal of archival cultural property. An information resource based on the presentation will be issued by CCPERB in 2022-2023.

IMPROVED INFORMATION AND NEW RESOURCES

In order to support applicants engaged in the certification process, CCPERB continued to update and clarify its information resources. Throughout the fiscal year, CCPERB responded to stakeholder feedback and made improvements to key information resources such as the "Guide for Monetary Appraisals", as well as providing resources such as fillable declaration forms.

CCPERB also issued guidance to further support the application process, with new information resources including "Structuring a Justification of Outstanding Significance" and "Effective Applications for Archival Cultural Property".

ONGOING RESPONSE TO COVID-19 PANDEMIC

CCPERB's operations continued to be influenced by the ongoing COVID-19 pandemic. CCPERB adhered to federal, provincial, and municipal health guidelines in order to support the health and wellbeing of stakeholders, Board members, and staff. CCPERB adapted regularly to the prevailing conditions, and conducted remote meetings via teleconference and videoconference to ensure continuity of operations and an adherence to the Board's duties under the *Cultural Property Export and Import Act*.

CCPERB MEMBERS

CCPERB consists of a chairperson and up to nine other members appointed by the Governor in Council on the recommendation of the Minister of Canadian Heritage.

Members are selected for their expertise in a range of fields relating to cultural property, including professional expertise gained at art galleries, museums, archives, libraries or other collecting institutions in Canada, or as dealers in or collectors of art, antiques or other objects that form part of the national heritage.

Specifically, section 18 of the *Cultural Property Export and Import Act* establishes membership as follows:

 A chairperson and one other member chosen generally from residents of Canada;

- Up to four other residents of Canada who are or have been officers, members, or employees of art galleries, museums, archives, libraries, or other collecting institutions in Canada;
- Up to four other residents of Canada who are or have been dealers in or collectors of art, antiques, or other objects that form part of the national heritage.

Under the Act, decisions must be made by no fewer than three members, at least one of whom was appointed under the institutional category, and at least one of whom was appointed under the dealer/collector category.



CCPERB Board Members

From left to right:
Paul Whitney, Jo-Ann Kane, Glen A. Bloom,
Tzu-I Chung, Sharilyn J. Ingram, Laurie Dalton,
Patricia Feheley, Madeleine Forcier

Absent: Theresa Rowat The following table identifies members with active terms during 2021-2022.

Member Category	Members in 2021-2022	Current term
Public at large	Sharilyn J. Ingram Chair Retired academic and museum professional Grimsby, ON	June 2020 - June 2023
	Glen A. Bloom Retired partner at Osler, Hoskin & Harcourt LLP Ottawa, ON	March 2020 - March 2023
Collecting institution	Tzu-I Chung Curator of History, Royal BC Museum Victoria, BC	May 2021 - May 2024
	Laurie Dalton Director/curator, Acadia University Art Gallery, Adjunct professor, Dept. of History and Classics, Acadia University Wolfville, NS	January 2021 - January 2024
	Theresa Rowat Director, The Archive of the Jesuits in Canada Montréal, QC	March 2021- March 2022
	Paul Whitney Library and policy consultant, writer, book and art collector Vancouver, BC	February 2021 - February 2024
Dealer/collector	Patricia Feheley Director, Feheley Fine Arts Toronto, ON	May 2021 - May 2023
	Madeleine Forcier Director, Graff Gallery Montréal, QC	May 2021 - May 2023
	Jo-Ann Kane Collection Management Consultant Montréal, QC	February 2022 - February 2025

MEETINGS

CCPERB meets four times per year. At these meetings, CCPERB considers requests for the review of cultural property export permits, and applications for the certification of cultural property.

Meeting dates generally are posted to the CCPERB website a minimum of one year in advance.

In 2021-2022, CCPERB held its quarterly meetings on the following dates:

- June 9-11, 2021
- September 8-10, 2021
- December 7-10, 2021
- March 22-25, 2022

Throughout 2021-2022, CCPERB published a <u>Quarterly Report</u> on its website, in order to provide the public with a statistical summary of formal business during each quarterly meeting.

CCPERB SECRETARIAT

The Secretariat to CCPERB is part of the Administrative Tribunals Support Service of Canada (ATSSC). The Secretariat supports CCPERB and its applicants by:

- Providing administrative services to facilitate CCPERB meetings, events, and planning.
- Providing services to applicants by processing applications submitted to CCPERB, as well as communicating with applicants and other stakeholders, at the direction of CCPERB, to clarify rules, standards, and information required by CCPERB to support the decisionmaking process.
- Providing executive support to CCPERB and liaising with ATSSC and other Government of Canada organizations and officials.
- Developing policies, guidelines, and communications, at the direction of CCPERB, to support consistency, transparency, and integrity in CCPERB operations, consistent with the policies and priorities of the Government of Canada.

Contact the Secretariat

CCPERB's offices are located in the National Capital Region, the traditional unceded territory of the Algonquin Anishinaabe people.

For questions about CCPERB operations or information contained in this Annual Report, please contact:

Canadian Cultural Property Export Review Board

344 Slater Street, 15th Floor, Suite 400 Ottawa, Ontario K1A 0E2

ccperb@tribunal.gc.ca

Phone: 613-943-8360

1-833-254-8944

Fax: 613-943-8841

