

# Deed of Indemnity

**Between:** **The University of New England (ABN 75 792 454 315)**  
a statutory body established under the *University of New England Act 1993*,  
having its principal place of business at Armidale NSW 2351 (**UNE**)

**And:** \_\_\_\_\_ (Full Name) of  
\_\_\_\_\_ (Address) (**You**)

## Introduction

- A. You wish to access or use Aboriginal Cultural Items in the UNE collection in Schedule A.
- B. UNE has obligations to preserve the rights of individuals and communities whose intellectual property is contained in all UNE collections, as well as the reputation of those individuals, communities and UNE
- C. You agree to enter into this Deed of Indemnity in exchange for UNE allowing you to access or use of the items in the UNE collection in Schedule A.

## Agreement

1. You agree that you will use the material listed in Schedule A (below) for the sole purpose of:
  - a. Research or study (including personal or family use) in accordance with the Aboriginal and Torres Strait Islander Cultural Material and Intellectual Property Guidelines, and you understand that access to unpublished collection materials in no way constitutes permission to publish, nor does it constitute permission to copy the materials unless otherwise indicated in Schedule A.
  - b. Publication which encompasses any public use of the collection material, and where you have sought and been granted permission by the relevant authority or authorities in accordance with the Aboriginal and Torres Strait Islander Cultural Material and Intellectual Property Guidelines.
  - c. Onsite viewing, reading or listening to sensitive collection material in accordance with the Aboriginal and Torres Strait Islander Cultural Material and Intellectual Property Guidelines, and you understand the material is subject to restrictions and confirm that you have a demonstrable connection to the material and am culturally authorised to read, listen to or see it. You understand that access to unpublished collection materials in no way constitutes permission to copy or publish.
  - d. Access to or use of sensitive materials in accordance with Aboriginal and Torres Strait Islander Cultural Material and Intellectual Property Guidelines, where authorised by and permission granted by the relevant Aboriginal or Torres Strait Islander authority or authorities.

2. In consideration of UNE allowing you the use of the collection material in Schedule A, you agree to:
  - a. only use the collection material in Schedule A in accordance with the agreed use indicated on this Deed of Indemnity and as otherwise permitted in a UNE Permission Form signed by a relevant authority;
  - b. indemnify UNE from and against any awards, expenses, costs, or any other like expenses incurred by it either directly or indirectly as a result of your use of the collection material described in Schedule A or for any purpose not authorised by UNE;
  - c. release and discharge UNE from all actions, proceedings, accounts, claims, demands, costs and expenses arising from your use of the collection material;
  - d. promptly inform UNE in writing if the collection material is, or could reasonably be considered to be, secret/sacred, personal or defamatory.
3. You understand that any permission given to use UNE collection materials is subject to the *Copyright Act 1968* (Cth), relevant deposit agreements, cultural restrictions, UNE guidelines, policies and procedures, and all relevant laws and regulations.
4. You acknowledge that you have read and understood this Deed and have had the opportunity to seek your own legal advice before signing this Deed.

**EXECUTED as a Deed**

**SIGNED SEALED AND DELIVERED** by

.....  
*Name*

.....  
*Signature*

in the presence of:

.....  
*Signature of Witness*

.....  
*Print name of Witness*

**SIGNED SEALED AND DELIVERED** by University of New England by its duly authorised representative in the presence of:

.....  
*Name*

.....  
*Signature*

in the presence of:

.....  
*Signature of Witness*

.....  
*Print name of Witness*

# DEED OF INDEMNITY

## SCHEDULE A: Material being used or accessed

Please include Item number, title or description of object, author/community of origin and access conditions

Item Number	Title/ Description of object	Author/ Community of Origin	Access Conditions

Return to: Associate Director, University Collections

Email: [njarry@une.edu.au](mailto:njarry@une.edu.au)