



National Heritage Act 1980

1980 CHAPTER 17

PART III

MISCELLANEOUS AND SUPPLEMENTARY

16 Indemnities for objects on loan.

- (1) Subject to subsections (3) and (4) below, [^{F1}the Secretary of State] may, in such cases and to such extent as he may determine, undertake to indemnify any institution, body or person falling within subsection (2) below for the loss of, or damage to, any object belonging to that institution, body or person while on loan to any other institution, body or person falling within that subsection.
- (2) The institutions, bodies and persons referred to above are—
 - (a) a museum, art gallery or other similar institution in the United Kingdom which has as its purpose or one of its purposes the preservation for the public benefit of a collection of historic, artistic or scientific interest and which is maintained—
 - (i) wholly or mainly out of moneys provided by Parliament or out of moneys appropriated by Measure; or
 - (ii) by a local authority or university in the United Kingdom;
 - (b) a library which is maintained—
 - (i) wholly or mainly out of moneys provided by Parliament or out of moneys appropriated by Measure: or
 - (ii) by a library authority;
or the main function of which is to serve the needs of teaching and research at a university in the United Kingdom;
 - (c) the National Trust for Places of Historic Interest or Natural Beauty;
 - (d) the National Trust for Scotland for Places of Historic Interest or Natural Beauty; and
 - (e) any other body or person for the time being approved for the purposes of this section by [^{F1}the Secretary of State] with the consent of the Treasury.

Status: Point in time view as at 03/07/1992. This version of this part contains provisions that are not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the National Heritage Act 1980, Part III. (See end of Document for details)

- (3) [^{F2}The Secretary of State shall not] give an undertaking under this section unless he considers that the loan will facilitate public access to the object in question or contribute materially to public understanding or appreciation of it.
- (4) [^{F2}The Secretary of State shall not] give an undertaking under this section unless the loan of the object in question is made in accordance with conditions approved by him and the Treasury and [^{F1}the Secretary of State] is satisfied that appropriate arrangements have been made for the safety of the object while it is on loan.
- (5) Subsections (1) to (4) above shall apply in relation to the loan of an object belonging to an institution, body or person established or resident in Northern Ireland with the substitution for references to [^{F1}the Secretary of State] and the Treasury of references to the Department of Education for Northern Ireland and the Department of Finance for Northern Ireland respectively.
- (6) In subsection (2) above “library authority” means a library authority within the meaning of the ^{M1}Public Libraries and Museums Act 1964, a statutory library authority within the meaning of the ^{M2}Public Libraries (Scotland) Act 1955 or an Education and Library Board within the meaning of the ^{M3}Education and Libraries (Northern Ireland) Order 1972 and “university” includes a university college and a college, school or hall of a university.
- (7) References in this section to the loss of or damage to, or to the safety of, an object while on loan include references to the loss of or damage to, or the safety of, the object while being taken to or returned from the place where it is to be or has been kept while on loan.

Textual Amendments

- F1** Words in s. 16(1)(2)(e)(4)(5) substituted (3. 7. 1992) by S.I. 1992/1311, art. 12(2), **Sch. 2 para. 5(2)(b)(d)**.
- F2** Words in s. 16(3)(4) substituted (3. 7. 1992) by S.I. 1992/1311, art. 12(2), **Sch. 2 para. 5(3)**.

Marginal Citations

- M1** 1964 c. 75.
M2 1955 c. 27.
M3 S.I. 1972/1263.

16 Indemnities for objects on loan. **U.K.**

- (1) Subject to subsections (3) and (4) below, [^{F8}either of the Ministers] may, in such cases and to such extent as he may determine, undertake to indemnify any institution, body or person falling within subsection (2) below for the loss of, or damage to, any object belonging to that institution, body or person while on loan to any other institution, body or person falling within that subsection.
- (2) The institutions, bodies and persons referred to above are—
- (a) a museum, art gallery or other similar institution in the United Kingdom which has as its purpose or one of its purposes the preservation for the public benefit of a collection of historic, artistic or scientific interest and which is maintained—

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- (i) wholly or mainly out of moneys provided by Parliament or out of moneys appropriated by Measure; or
 - (ii) by a local authority or university in the United Kingdom;
 - (b) a library which is maintained—
 - (i) wholly or mainly out of moneys provided by Parliament or out of moneys appropriated by Measure: or
 - (ii) by a library authority;
or the main function of which is to serve the needs of teaching and research at a university in the United Kingdom;
 - (c) the National Trust for Places of Historic Interest or Natural Beauty;
 - (d) the National Trust for Scotland for Places of Historic Interest or Natural Beauty; and
 - (e) any other body or person for the time being approved for the purposes of this section by [^{F8}either of the Ministers] with the consent of the Treasury.
- (3) [^{F9}Neither of the Ministers shall] give an undertaking under this section unless he considers that the loan will facilitate public access to the object in question or contribute materially to public understanding or appreciation of it.
- (4) [^{F9}Neither of the Ministers shall] give an undertaking under this section unless the loan of the object in question is made in accordance with conditions approved by him and the Treasury and [^{F10}the Minister] is satisfied that appropriate arrangements have been made for the safety of the object while it is on loan.
- (5) Subsections (1) to (4) above shall apply in relation to the loan of an object belonging to an institution, body or person established or resident in Northern Ireland with the substitution for references to [^{F8}either of the Ministers] and the Treasury of references to the Department of Education for Northern Ireland and the Department of Finance for Northern Ireland respectively.
- (6) In subsection (2) above “library authority” means a library authority within the meaning of the ^{M4}Public Libraries and Museums Act 1964, a statutory library authority within the meaning of the ^{M5}Public Libraries (Scotland) Act 1955 or an Education and Library Board within the meaning of the ^{M6}Education and Libraries (Northern Ireland) Order 1972 and “university” includes a university college and a college, school or hall of a university.
- (7) References in this section to the loss of or damage to, or to the safety of, an object while on loan include references to the loss of or damage to, or the safety of, the object while being taken to or returned from the place where it is to be or has been kept while on loan.

Textual Amendments

- F8** The words “either of the Ministers” now stand in the text by virtue of [S.I. 1983/879, art. 10, Sch. 2 para. 2\(3\)](#)
- F9** Words substituted by virtue of [S.I. 1983/879, art. 10, Sch. 2 para. 2\(8\)\(a\)](#)
- F10** Words “the Minister” now stand by virtue of [S.I. 1983/879, art. 10, Sch. 2 para. 2\(8\)\(b\)](#)

Marginal Citations

- M4** [1964 c. 75.](#)
- M5** [1955 c. 27.](#)

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M6 S.I. 1972/1263.

VALID FROM 01/09/1992

[^{F3}16A Reporting of indemnities given under section 16.

- (1) For each of the successive periods of six months ending with 31st March and 30th September in each year, [^{F4}the Secretary of State] shall prepare a report specifying—
 - (a) the number of undertakings given by him under section 16 above during that period; and
 - (b) the amount or value, expressed in sterling, of any contingent liabilities as at the end of that period in respect of such of the undertakings given by him under that section at any time as remain outstanding at the end of that period.
- (2) A report under subsection (1) above shall be laid before Parliament not later than two months after the end of the period to which it relates.
- (3) Subsections (1) and (2) above shall apply in relation to undertakings given under section 16 above by the Department of Education for Northern Ireland—
 - (a) with the substitution for references to [^{F4}the Secretary of State] of references to that Department; and
 - (b) with the substitution for the reference to Parliament in subsection (2) of a reference to the Northern Ireland Assembly.]

Textual Amendments

- F3** S. 16A inserted (1. 9. 1992) by [Museums and Galleries Act 1992 \(c. 44\), s. 10\(2\)](#); S.I. 1992/1874, [art.2](#).
- F4** Words in s. 16A(1)(3)(a) substituted (3. 7. 1992) by S.I. 1992/1311, [art. 12\(2\)](#), [Sch. 2 para. 5\(5\)](#).

17 Expenses and receipts.

Any sums required by any Minister for making payments under this Act shall be defrayed out of moneys provided by Parliament, and any sums received by any Minister under this Act shall be paid into the Consolidated Fund.

18 Short title, interpretation, repeals and extent.

- (1) This Act may be cited as the National Heritage Act 1980.
- (2) In this Act—

“financial year” means the twelve months ending with 31st March;

. . . ^{F5}

. . . ^{F6}

. . .
- (3) . . . ^{F7}
- (4) References in this Act to the making of a grant or loan or the transfer or conveyance of any property to any institution or body include references to the making of a grant or loan or the transfer or conveyance of property to trustees for that institution or body.

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(5) The enactments mentioned in Schedule 2 to this Act are hereby repealed to the extent specified in the third column of that Schedule.

(6) This Act extends to Northern Ireland.

Textual Amendments

- F5** Definition of “the Ministers” repealed by S.I. 1981/207, art. 4, **Sch. 2 para. 4(5)(c)**
- F6** Definition in s. 18(2) (which was inserted by S.I. 1983/879, art. 10, **Sch. 2 para. 2(9)**) repealed (3. 7. 1992) by S.I. 1992/1311, art. 12(2), **Sch. 2 para. 5(2)**.
- F7** S. 18(3) repealed by S.I. 1981/207, art. 4, **Sch. 2 para. 4(5)(d)**
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Modifications etc. (not altering text)

- C1** The text of ss. 15(1), 18(5), Sch. 2 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Status:

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Changes to legislation:

There are currently no known outstanding effects for the National Heritage Act 1980, Part III.