



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 ^{F2} . . . 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 [^{F3}which falls within subsection (2) below].
- (2) The institutions, bodies and persons [^{F4}which fall within this subsection] 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Status: Point in time view as at 30/06/1999.

Changes to legislation: There are currently no known outstanding effects for the National Heritage Act 1980, Section 16. (See end of Document for details)

- (3) [^{F5}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) [^{F5}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.
- [^{F6}(8) The power of either of the Ministers to give an undertaking under this section regarding any object lost or damaged while on loan to an institution, body or person in Scotland may be exercised separately.]

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(1) repealed (1. 9. 1992) by **Museums and Galleries Act 1992 (c. 44)**, ss. 10(1)(a), 11(3), **Sch. 9**; S.I. 1992/1874, **art. 2**.
- F3** Words in s. 16(1) substituted (1. 9. 1992) by **Museums and Galleries Act 1992 (c. 44)**, **s. 10(1)(b)**; S.I. 1992/1874, **art. 2**.
- F4** Words in s. 16(2) substituted (1. 9. 1992) by **Museums and Galleries Act 1992 (c. 44)**, **s. 10(1)**; S.I. 1992/1874, **art. 2**.
- F5** Words in s. 16(3)(4) substituted (3. 7. 1992) by S.I. 1992/1311, art. 12(2), **Sch. 2 para. 5(3)**.
- F6** S. 16(8) added (30.6.1999) by S.I. 1999/1756, arts. 1(1)(3), 2, **Sch. para. 7(2)** (with art. 8)

Modifications etc. (not altering text)

- C1** S. 16: powers transferred (1.7.1999) by virtue of S.I. 1999/1750, arts. 1(1), 2, **Sch.1**

Marginal Citations

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

Status:

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Changes to legislation:

There are currently no known outstanding effects for the National Heritage Act 1980, Section 16.