



# National Heritage Act 1980

## 1980 CHAPTER 17

### PART I

#### THE NATIONAL HERITAGE MEMORIAL FUND

#### **4 Other expenditure out of the Fund.**

(1) Subject to the provisions of this section, the Trustees may apply the Fund for any purpose other than making grants or loans, being a purpose connected with the acquisition, maintenance or preservation of property falling within [<sup>F1</sup>subsection (2) below], including its acquisition, maintenance or preservation by the Trustees.

[<sup>F2</sup>(2) The property referred to in subsection (1) above is—

- (a) any land, building or structure which in the opinion of the Trustees is of outstanding scenic, historic, archaeological, aesthetic, architectural, engineering or scientific interest;
- (b) any object which in their opinion is of outstanding historic, artistic or scientific interest;
- (c) any collection or group of objects, being a collection or group which taken as a whole is in their opinion of outstanding historic, artistic or scientific interest;
- (d) any land or object not falling within paragraph (a), (b) or (c) above the acquisition, maintenance or preservation of which is in their opinion desirable by reason of its connection with land or a building or structure falling within paragraph (a) above; or
- (e) any rights in or over land the acquisition of which is in their opinion desirable for the benefit of land or a building or structure falling within paragraph (a) or (d) above.

(2A) The Trustees shall not apply the Fund for any purpose under subsection (1) above in respect of any property unless they are of the opinion, after obtaining any expert advice they consider appropriate, that the property (or, in the case of land or an object falling within paragraph (d) of subsection (2) above, the land, building or structure with which it is connected, or in the case of rights falling within paragraph (e) of that

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*Changes to legislation: There are currently no known outstanding effects for the National Heritage Act 1980, Section 4. (See end of Document for details)*

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subsection, the land, building or structure for whose benefit they are acquired) is of importance to the national heritage.

(2B) Notwithstanding that an object such as is mentioned in subsection (2)(b) above or a collection or group of objects such as is mentioned in subsection (2)(c) above is not of itself of importance to the national heritage, the Trustees may apply the Fund under subsection (1) above for any purpose connected with its acquisition if—

- (a) they are satisfied that after the acquisition it will form part of a collection or group of objects such as is mentioned in subsection (2)(c) above, and
- (b) after obtaining any expert advice they consider appropriate, they are of the opinion that that collection or group is of importance to the national heritage.

(2C) Subsection (7) of section 3 above shall have effect in relation to the application of any sums out of the Fund under this section as it has in relation to the making of a grant or loan under that section.]

(3) The Trustees shall not retain any property acquired by them under this section except in such cases and for such period as [<sup>F3</sup>the Secretary of State] may allow.

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**Textual Amendments**

- F1** Words in s. 4(1) substituted (4.3.1998) by 1997 c. 14, s. 3, **Sch. Pt. I para. 1(2)**; S.I. 1998/292, **art.2**
- F2** S. 4(2)(2A)-(2C) substituted (4.3.1998) for s. 4(2) by 1997 c. 14, s. 3, **Sch. 1 Pt. I para. 1(3)**; S.I. 1998/292, **art.2**
- F3** Words in s. 4(3) substituted (3. 7. 1992) by S.I. 1992/1311, art. 12(2), **Sch. 2 para. 5(2)(b)**.

**Changes to legislation:**

There are currently no known outstanding effects for the National Heritage Act 1980, Section 4.