



# Museums and Galleries Act 1992

## 1992 CHAPTER 44

### *The new Boards of Trustees*

#### **5 Lending and borrowing of pictures and other objects.**

- (1) The National Gallery Board, the Tate Gallery Board or the National Portrait Gallery Board may lend any relevant object the property in which is vested in the Board and which is comprised in the Board's collection (whether the loan is for purposes of public exhibition or not and whether, under the terms of the loan, the relevant object is to remain in the United Kingdom or not) but the power conferred by this subsection is subject to the requirements of subsection (2) below.
- (2) In deciding whether or not to lend a relevant object, and in determining the time for which, and the conditions subject to which, a relevant object is to be lent, a Board mentioned in subsection (1) above—
  - (a) shall give special consideration to a request for the loan of a relevant object for public exhibition; and
  - (b) subject to that, shall have regard to the interests of students and other persons visiting the Board's collection, the suitability of the prospective borrower, the purpose of the loan, the physical condition and degree of rarity of the relevant object, and any risks to which it is likely to be exposed.
- (3) Where the property in a relevant object has become vested in a Board mentioned in subsection (1) above subject to a trust or condition, the power conferred on the Board by that subsection is exercisable in a manner inconsistent with the trust or condition if either—
  - (a) 50 years have elapsed since the date on which the property became so vested in the Board or in any person through whom the Board derives title to the relevant object; or
  - (b) the person who first imposed the trust or condition has, or his personal representatives have, consented in writing to the exercise of the power in that manner.

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*Changes to legislation: There are currently no known outstanding effects for the Museums and Galleries Act 1992, Section 5. (See end of Document for details)*

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- (4) A Board mentioned in subsection (1) above may accept loans of relevant objects for the purpose (depending on the terms of the loan) of exhibiting them, or of study or research by the Board or by persons seeking to inspect them.
- (5) “Relevant object” has the same meaning in this section as it has in section 4 above.

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**Commencement Information**

**II** S. 5 wholly in force at 1.9.1992 see s. 11(4) and S.I. 1992/1874, art. 2

**Changes to legislation:**

There are currently no known outstanding effects for the Museums and Galleries Act 1992, Section 5.