



# Railway Heritage Act 1996

## 1996 CHAPTER 42

### 5 Disposal of record or artefact.

- (1) A body to which this Act applies may dispose of a designated record or artefact if, and only if—
- the committee has consented to the disposal under section 4(2) above; or
  - the disposal is made in pursuance of an offer made by the body in accordance with directions given under section 4(3) or (4) above; or
  - the body has given notice of the disposal under section 4(1) above and has made one or more offers in accordance with directions given under section 4(3) or (4) above, but the offer has not been accepted, or (as the case may be) none of the offers has been accepted, within the requisite period; or
  - the body has given notice of the disposal under section 4(1) above, but the committee has neither consented under section 4(2) above, nor given directions under section 4(3) or (4) above, within the requisite period;
- and in this subsection “the requisite period”, in relation to an offer or notice, means the period of six months beginning with the day on which the offer or notice was made or given.
- (2) Any disposal made in contravention of subsection (1) above shall be void.
- (3) Subject to paragraph 7 of Schedule 1 to the <sup>M1</sup>Public Records Act 1958 and any Orders in Council made under that paragraph, nothing in that Schedule shall cause any records disposed of in accordance with subsection (1) above to become, by reason of that or any subsequent disposal, public records within the meaning of that Act.
- (4) Any records disposed of in accordance with subsection (1) above which at any time are for the time being in the custody of the Secretary of State for Scotland may be treated for the purposes of section 5(1) of the <sup>M2</sup>Public Records (Scotland) Act 1937 as records belonging to Her Majesty.

#### Marginal Citations

M1 1958 c.51.

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*Status: Point in time view as at 18/09/1996. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Railway Heritage Act 1996, Section 5. (See end of Document for details)*

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**M2** 1937 c.43.

**Status:**

Point in time view as at 18/09/1996. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Railway Heritage Act 1996, Section 5.