



# National Library of Scotland Act 2012

## 2012 asp 3

### *Acquisitions, deposits, disposal and loan of objects*

#### **4 Borrowing and lending of objects**

- (1) NLS may borrow or accept loans of objects for the purposes of exhibition, study or research.
- (2) NLS may lend any object from its collections.
- (3) In deciding whether or not to lend an object (and in determining the period for which and the conditions on which the object is to be lent), NLS is to have regard to—
  - (a) the interests of users of the collections,
  - (b) the suitability of the prospective borrower,
  - (c) the purpose of the loan,
  - (d) the physical condition and degree of rarity of the object,
  - (e) any risk to which the object is likely to be exposed and the extent to which that risk can be mitigated or indemnified.
- (4) The powers in subsections (1) and (2) are in addition to any other powers of borrowing, accepting loans or lending.
- (5) The power in subsection (2) does not apply in relation to an object which is relevant material within the meaning of section 7 of the 2003 Act.
- (6) Where an object is subject to a prohibition or restriction on lending, NLS may lend the object under subsection (2) in a manner inconsistent with the prohibition or restriction only—
  - (a) with the consent of the person having the right to enforce the prohibition or restriction, or
  - (b) where, despite taking all reasonable steps, NLS is unable to ascertain the name and contact details of any person having that right.

#### **Commencement Information**

**II** S. 4 in force at 1.2.2013 by S.S.I. 2013/1, art. 2

**Changes to legislation:**

There are currently no known outstanding effects for the National Library of Scotland Act 2012, Section 4.