



Historic Environment Scotland Act 2014

2014 asp 19

PART 1

HISTORIC ENVIRONMENT SCOTLAND

Functions in relation to collections and objects

6 Acquisition, deposit and disposal of objects

- (1) Historic Environment Scotland may—
 - (a) acquire (by purchase, exchange or gift),
 - (b) accept on deposit,any object which it considers it is desirable to add to its collections.
- (2) The powers in subsection (1) are in addition to any other powers or means of acquisition or acceptance on deposit that Historic Environment Scotland has.
- (3) Historic Environment Scotland may dispose of any object from its collections (including any object it has created) if—
 - (a) the object is a duplicate of, or similar to, another object in the collections,
 - (b) Historic Environment Scotland considers that the object is not required for the purposes of the collections,
 - (c) because of damage, deterioration or infestation by destructive organisms, the object is no longer of use for the purposes of the collections,
 - (d) the object is hazardous,
 - (e) in any other case, the Scottish Ministers agree to the disposal.
- (4) Disposal under subsection (3) may be by sale, exchange, gift, return or destruction.
- (5) The power in subsection (3) is in addition to any other powers of disposal that Historic Environment Scotland has.
- (6) Where an object is subject to a prohibition or restriction on disposal (including one imposed by virtue of paragraph 5(5) of schedule 5), Historic Environment Scotland may dispose of the object under subsection (3) in a manner inconsistent with the prohibition or restriction only—

*Changes to legislation: There are currently no known outstanding effects for the
Historic Environment Scotland Act 2014, Section 6. (See end of Document for details)*

- (a) if the person having the right to enforce the prohibition or restriction consents,
 - (b) in the circumstances mentioned in subsection (3)(c), if Historic Environment Scotland is unable, despite taking all reasonable steps, to ascertain the name and contact details of any person having that right, or
 - (c) in the circumstances mentioned in subsection (3)(d).
- (7) In this section and in section 7, references to Historic Environment Scotland's collections are to collections which are owned by, in the custody of, or otherwise under the management and control of Historic Environment Scotland (but do not include collections in relation to which Historic Environment Scotland has functions by virtue of a delegation by the Scottish Ministers under section 8).

Commencement Information

- II** S. 6 in force at 1.10.2015 by [S.S.I. 2015/196](#), art. 2, [Sch.](#) (with transitional provisions and savings in [S.S.I. 2015/239](#), arts. 2-19)

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