



Historic Environment Scotland Act 2014

2014 asp 19

PART 1

HISTORIC ENVIRONMENT SCOTLAND

Functions in relation to collections and objects

7 Borrowing and lending of objects

- (1) Historic Environment Scotland may borrow or accept loans of objects for the purposes of exhibition, study or research or in connection with the exercise of any of its functions.
- (2) Historic Environment Scotland may lend any object from its collections (including any object it has created).
- (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), Historic Environment Scotland 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 that Historic Environment Scotland has.
- (5) Where an object is subject to a prohibition or restriction on lending (including one imposed by virtue of paragraph 5(5) of schedule 5), Historic Environment Scotland may lend the object under subsection (2) in a manner inconsistent with the prohibition or restriction only if—
 - (a) the person having the right to enforce the prohibition or restriction consents, or
 - (b) Historic Environment Scotland is unable, despite taking all reasonable steps, to ascertain the name and contact details of any person having that right.

Changes to legislation: There are currently no known outstanding effects for the
Historic Environment Scotland Act 2014, Section 7. (See end of Document for details)

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Commencement Information

- II** [S. 7](#) 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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