



# National Library of Scotland Act 2012

## 2012 asp 3

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

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

- (1) NLS 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.
- (3) NLS may dispose of any object from its collections if—
  - (a) the object is a duplicate of, or similar to, another object in the collections,
  - (b) NLS 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, in particular those conferred by—
  - (a) section 6 of the Museums and Galleries Act 1992 (c.44), and
  - (b) section 2 of the Holocaust (Return of Cultural Objects) Act 2009 (c.16).
- (6) The power in subsection (3) does not apply in relation to an object which is relevant material within the meaning of section 7 of the 2003 Act.
- (7) Where an object is subject to a prohibition or restriction on disposal, NLS may dispose of the object under subsection (3) 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

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*Status: This is the original version (as it was originally enacted).*

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- (b) in the circumstances mentioned in subsection (3)(c) or (d).