
STATUTORY INSTRUMENTS

2008 No. 1159

The Protection of Cultural Objects on Loan (Publication and Provision of Information) Regulations 2008

Provision of information: potential claimants

7.—(1) Subject to paragraphs (3) and (6) a borrowing institution must provide the information described in paragraph (5) to a person (“the claimant”) who believes that he or she has or may have a claim to possession of an object that is, or is to be included in an exhibition if that person makes a written request in accordance with paragraph (2).

(2) The claimant’s written request is in accordance with this paragraph if it includes—

- (a) the claimant’s name and address;
- (b) where the claimant claims as the heir of another person, the name and last known address of that other person or, if the claimant is unable to supply the last known address, details sufficient to identify that other person;
- (c) a short summary of their claim to the object;
- (d) a statement confirming that the borrowing institution may inform the lender of the request and supply them with the information provided by the claimant in support of his or her request.

(3) The borrowing institution need not provide the information listed in paragraph (5) if it determines that claimant’s request is unreasonable.

(4) The borrowing institution may determine that the claimant’s request is unreasonable only if—

- (a) the claimant’s claim (including any appeals or reviews) has already been rejected by a court or other authority responsible for adjudicating on or making recommendations concerning such claims;
- (b) all of the information described in paragraph (5) has already been disclosed to the claimant either by the institution or by another person or is available to members of the public free of charge from some other source; or
- (c) the institution receives the request more than twelve weeks after the end of the additional period.

(5) The information is—

- (a) the name of each lender if it is not available to the public in accordance with regulation 4 or 5;
- (b) a link to the website at which the borrowing institution has published or provided the information in accordance with regulation 4 or 5;
- (c) a written summary of the institution’s enquiries into the provenance, ownership and history of the object;
- (d) any other information held by the institution as a result of its enquiries into the provenance of the object that the institution may lawfully disclose to the claimant.

(6) A borrowing institution in Wales, if so requested by the claimant, must provide-

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) the information mentioned in paragraph (5)(a) to (c); and
 - (b) where reasonably practicable, the information mentioned in paragraph (5)(d),
in Welsh.
- (7) Except where the borrowing institution treats the claimant's request as unreasonable, the information must be supplied within 28 days of the date on which the institution received the request.
- (8) Where the borrowing institution treats the claimant's request as unreasonable the institution must inform the claimant of this decision and the reason for the decision within 28 days of the date on which the institution received the request.