STATUTORY INSTRUMENTS

1978 No. 660 (S. 60)

MUSEUMS AND GALLERIES

The National Galleries of Scotland Order 1978

Made - - - -	*25th April* 1978
Laid before Parliament	*12th May* 1978
Coming into Operation	*2nd June* 1978

In exercise of the powers conferred on me by sections 2, 3, 6 and 8 of the National Galleries of Scotland Act 1906(**a**) and of all other powers enabling me in that behalf I hereby make the following order—

Citation and Commencement

1. This order may be cited as the National Galleries of Scotland Order 1978 and shall come into operation on 2nd June 1978.

Interpretation

2.—(1) In this order "the Act" means the National Galleries of Scotland Act 1906 as amended by the Statute Law Revision Act 1927(**b**), the National Museum of Antiquities of Scotland Act 1954(**c**) and the National Galleries of Scotland Act 1959(**d**).

(2) The Interpretation Act 1889(**e**) shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

Powers of the Board

3.—(1) Subject to the provision of paragraph (2) of this Article the Board shall have the following powers and duties to be exercised and discharged by them in any manner aftermentioned—

(*a*) to accept gifts or bequests of objects, money or other property;

(*b*) to acquire or commission objects for the purposes for which the Board are established in accordance with section 3 of the Act;

(*c*) to borrow objects for exhibition or other purposes at the National Galleries of Scotland and the Scottish National Gallery of Modern Art or elsewhere;

(*d*) to organise exhibitions or displays at the National Galleries of Scotland and Scottish National Gallery of Modern Art or at any

(**a**) 1906 c. 50. (**b**) 1927 c. 42. (**c**) 1954 c. 14.
(**d**) 1959 c. 61. (**e**) 1889 c. 63.

other building or place, being a building or place where, to the satisfaction of the Board, provision has been made—

(i) for such aspects of safety of the objects to be exhibited or displayed as the Board may in the circumstances direct;

(ii) to secure compliance with such requirements relating to such objects as may be made by or on behalf of the Board;

(*e*) to lend objects—

(i) for public exhibition whether in the United Kingdom or elsewhere;

(ii) for display in any public building, official residence or public place in the United Kingdom or elsewhere for the furnishing of which the Secretary of State is responsible; or

(iii) for display in any other building or place in the United Kingdom; where to the satisfaction of the Board provision has been made as mentioned in the immediately preceding sub-paragraph, and subject to such conditions as the Board think fit.

Provided that—

(aa) Before lending any object elsewhere than in the United Kingdom the Board shall be satisfied that it will not be exposed to any unnecessary or exceptional hazards and the Board shall have particular regard to those considerations in determining the time for which and the conditions subject to which the loan is made.

(bb) Before lending any object under sub-paragraph (ii) or (iii) above the Board shall also be satisfied that reasonable opportunities of access to the object by the public on request, will be afforded.

(*f*) to do any other thing which is calculated to facilitate or is conducive or incidental to the exercise by the Board of any power authority function or duty vested in or imposed upon the Board by virtue of any enactment including this order or any deed or other instrument.

(2) The powers conferred on the Board by virtue of sub-paragraph (1) are so conferred—

(*a*) without prejudice to any existing power authority or duty vested in or imposed upon the Board by virtue of any enactment deed or other instrument; and

(*b*) subject to any duty condition or requirement imposed upon the Board in respect of any object in relation to which the power is proposed to be exercised.

4. Notwithstanding the provisions of the National Galleries of Scotland (Application of Transferred Property) Order 1956(**a**) the capital and income of the balance of the funds held in terms of section 6(2) of the Act by the Board in the fund known as the Manufactures Fund shall also be applied in addition to the purposes prescribed in that order for purposes in connection with the managing of a Gallery of Modern Art in Edinburgh including in particular the purpose of reproduction for sale to the public of objects in the Scottish National Gallery of Modern Art and that of acquiring books and other publications for the reference library of that Gallery.

(**a**) S.I. 1956/1219.

5.—(1) Notwithstanding the provisions of Article 1 of the National Galleries of Scotland (Application of Annuity) Order 1907(**a**), the annuity of £2,000 therein mentioned shall in addition to the purposes therein mentioned be applied and the Board shall have power to apply the same for the purpose of acquiring objects for the collections of a Gallery of Modern Art in Edinburgh and subject to paragraph (2) below the conditions specified in Article 2 of that order shall apply in relation to the purpose hereby prescribed as they apply in relation to the purposes prescribed in that order.

(2) In Article 2 of that order, the words from "and they shall" to the end of paragraph (1) and paragraph (2) shall cease to have effect.

Bruce Millan,
One of Her Majesty's Principal Secretaries of State.

New St Andrew's House,
Edinburgh.

25th April 1978.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

The Order makes provision with regard to the powers available to the Board of Trustees established for the management of the National Galleries of Scotland, the Scottish National Gallery of Modern Art and other prescribed purposes.

(**a**) S.R. & O. 1907/918.

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