

ACCOMPANYING DOCUMENTS

Explanatory Notes, together with other accompanying documents, are printed separately as SP Bill 33-EN. A Promoter's Memorandum is printed separately as SP Bill 33-PM.

Burrell Collection (Lending and Borrowing) (Scotland) Bill

[AS INTRODUCED]

An Act of the Scottish Parliament to provide Glasgow City Council with additional powers to lend, including lending overseas, any items forming part of the Burrell Collection and to receive items on loan from others in both cases with agreement of the charity trustees of the Sir William Burrell Trust in accordance with a published code.

1 Powers to lend and borrow

(1) In addition to the existing powers contained in the Will and Agreement, Glasgow City Council may with the agreement in writing of the Burrell Trustees in accordance with the terms of the code published under subsection (2)—

(a) lend any items which for the time being form part of the Burrell Collection to a Borrower for such period as Glasgow City Council and the Burrell Trustees may determine; and

(b) receive on loan from any other party items which do not form part of the Burrell Collection and display them, alongside items that do, for such periods as Glasgow City Council and the Burrell Trustees may determine.

(2) Glasgow City Council must—

(a) publish a code agreed with the Burrell Trustees setting out the basis upon which the powers conferred by this section and the existing powers of lending from and borrowing for display at the Burrell Collection are to be exercised; and

(b) publish a revised code no later than one week after any such revised code has been agreed with the Burrell Trustees.

(3) Purpose IN THE LAST PLACE of the Will is modified so far as inconsistent with the provisions of this subsection and income held by the Burrell Trustees may be applied for—

(a) the purpose of obtaining such reports and advice deemed by them to be of assistance in exercising any rights and responsibilities under the code published under subsection (2); and

(b) generally for all purposes deemed by them to be necessary in relation to discharging and fulfilling their duties and obligations under the code published under subsection (2).

2 Cessation of inconsistent provisions

In so far as inconsistent with section 1, the stipulations and conditions connected to lending from and to and displaying at the Burrell Collection contained in Clause NINTH of the Agreement and purposes IN THE SEVENTH PLACE and IN THE LAST PLACE of the Will cease to have effect.

3 Interpretation

In this Act—

“the Accreditation Scheme” means the museums and galleries scheme administered by the Arts Council of England, a charity registered with the Charity Commission (1036733) and incorporated under Royal Charter;

“the Agreement” means the Agreement between Sir William and Lady Burrell and the Corporation of Glasgow (the statutory predecessor to Glasgow City Council) dated 30th March 1944 and 6th April 1944 as varied by exchange of correspondence between The Town Clerk, City Chambers, Glasgow and Messrs. Bannatyne, Kirkwood, France & Co, solicitors dated 5th and 6th January 1945, Supplementary Agreement between Sir William and Lady Burrell and the Glasgow Corporation dated 22nd and 30th November 1951 and exchange of correspondence between The Town Clerk, City Chambers, Glasgow and Messrs. Bannatyne, Kirkwood, France & Co, solicitors dated 16th April and 22nd August 1956;

“a Borrower” means a gallery or museum in any part of the world which is open to the public and is a museum or gallery participating in the Accreditation Scheme or a museum or gallery operating to standards equivalent to the Accreditation Scheme;

“the Burrell Collection” means the items gifted to the Corporation of Glasgow in terms of the Agreement and supplemented by items which have been purchased with funds made available by the Burrell Trustees;

“the Burrell Trustees” means the charity trustees acting under Will and constituting the Sir William Burrell Trust, a registered Scottish charity (SC010109);

“Glasgow City Council” means the local authority for the local government area of the City of Glasgow in terms of the Local Government etc. (Scotland) Act 1994;

“publish” and “publication” mean posting on the website of Glasgow City Council and affixing to a wall near the public entrance to the building housing the majority of items of the Burrell Collection on display; or, in the event of posting on the website not being possible, affixing to a wall near the public entrance to the building housing the majority of items of the Burrell Collection on display;

“the Will” means the Trust Disposition and Settlement by Sir William Burrell dated 23rd February 1953 and relative Codicils all registered in the Books of Council and Session on 11th April 1958.

4 Commencement

- (1) Sections 1(2)(a) and 3 to 5 come into force on the day after Royal Assent.

- (2) The other provisions of this Act come into force on the date of publication of the code under section 1(2)(a).

5 Short title

The short title of this Act is the Burrell Collection (Lending and Borrowing) (Scotland) Act 2013.

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