



Science and Technology Act 1965

1965 CHAPTER 4

An Act to make further provision with respect to the responsibility and powers in relation to scientific research and related matters of the Secretary of State, the Minister of Technology and certain chartered bodies and other organisations, and for purposes connected therewith. [23rd March 1965]

1 The Research Councils.

- (1) The following bodies established or to be established by Royal Charter shall be Research Councils for the purposes of this Act, that is to say,—
 - (a) the Agricultural Research Council and the Medical Research Council; and
 - (b) if Her Majesty is pleased to establish such a body, each of the two bodies respectively referred to in this Act as the Science Research Council and the Natural Environment Research Council; and
 - (c) any other body which is established for purposes connected with scientific research and consists of persons appointed by a Minister of the Crown and which is declared by Order in Council to be established as a Research Council for purposes of this Act.
- (2) The Science Research Council shall be a body established wholly or mainly for objects consisting of or comprised in the following, namely, the carrying out of scientific research, the facilitating, encouragement and support of scientific research by other bodies or persons or any description of bodies or persons and of instruction in the sciences and technology, and the dissemination of knowledge in the sciences and technology.
- (3) The Natural Environment Research Council shall be a body established wholly or mainly for objects consisting of or comprised in the following, namely, the carrying out of research in the earth sciences and ecology, the facilitating, encouragement and support of such research by other bodies or persons or any description of bodies or persons and of instruction in subjects related to the Council's activities, the dissemination of knowledge in the earth sciences and ecology, the provision of advice on matters related to the Council's activities,^{F1}

*Status: Point in time view as at 01/12/1991.**Changes to legislation: There are currently no known outstanding effects for the Science and Technology Act 1965. (See end of Document for details)*

- (4) No recommendation shall be made to Her Majesty to make an Order in Council declaring a body to be a Research Council under subsection (1)(c) above unless a draft of the Order, specifying the objects or principal objects of that body, has been laid before Parliament and approved by a resolution of each House of Parliament.

Textual Amendments

F1 Words repealed by [Nature Conservancy Council Act 1973 \(c. 54\)](#), **Sch. 4**

2 Expenses, accounts etc. of Research Councils.

- (1) The Secretary of State may, out of moneys provided by Parliament, pay to any of the Research Councils such sums in respect of the expenses of the Council as he may with the consent of the Treasury determine, and so far as relates to the use and expenditure of sums so paid the Council shall act in accordance with such directions as may from time to time be given to it by the Secretary of State.
- (2) The provisions of Schedule 1 to this Act shall have effect with respect to the making of returns and reports by the Research Councils to the Secretary of State, with respect to the keeping and auditing of their accounts and with respect to related matters.
- (3) Land occupied in the United Kingdom by any of the Research Councils shall be deemed, for the purposes of any rate on property, to be property occupied by or on behalf of the Crown for public purposes.
- (4) The obligations of the Medical Research Council and the Agricultural Research Council under this section in relation to the Secretary of State shall be in place of any corresponding obligations imposed on either Council by its charter or otherwise, and the Agricultural Research Fund established under the ^{M1}Agricultural Research Act 1956 shall no longer be maintained; and subject to the foregoing provisions of this subsection anything which under the charter of either of those Councils is to be done by or to a committee of the Privy Council shall instead be done by or to the Secretary of State.
- (5) Nothing in this Act or in any other enactment relating to the general functions of any of the Research Councils shall be taken as restricting the activities of a Research Council to the United Kingdom or any part thereof, nor shall the expenses in respect of which payments may be made under subsection (1) above be restricted to expenses incurred in the United Kingdom; but, in the case of Research Councils other than the Agricultural Research Council and the Medical Research Council, the expenses of the Council in respect of which payments may be so made shall not include any expenses in so far as they may be incurred for objects falling outside the objects specified in relation to the Council in section 1(2) or (3) above or in the Order in Council declaring it to be a Research Council.

Marginal Citations

M1 [1956 c. 28](#).

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Changes to legislation: There are currently no known outstanding effects for the Science and Technology Act 1965. (See end of Document for details)

3 Re-allocation of activities connected with scientific research.

- (1) The activities of the Council for Scientific and Industrial Research shall be taken over between them by such of the Research Councils as are concerned with the matters in question or by other government departments, and accordingly the Council for Scientific and Industrial Research and the Department of Scientific and Industrial Research will be dissolved.
- (2) The activities of the National Institute for Research in Nuclear Science shall be taken over by the Science Research Council.
- [^{F2}(3) The Natural Environment Research Council shall carry on the former activities of the National Oceanographic Council.]
- (4) ^{F3}
- (5) The enactments mentioned in Schedule 2 to this Act shall have effect subject to the provisions set out in that Schedule (being provisions making minor or consequential amendments in connection with the operation of this and the foregoing sections); and the provisions of Schedule 3 to this Act shall have effect for transitional purposes connected with this section.
- (6) Where any activities of a Research Council or government department in relation to scientific research are to be taken over from it (otherwise than under this section) by any Research Council or government department, then on the transfer accordingly of responsibility for those activities the Secretary of State may by order made by statutory instrument transfer or provide for transferring property, rights, liabilities or obligations held, acquired or incurred in connection with the carrying on of the activities previously by any Research Council or government department; and a Research Council shall comply with any directions of the Secretary of State requiring it to take over from, or transfer to, any Research Council or government department the responsibility for any activities in relation to scientific research.
- (7) On any such transfer of responsibility as is mentioned in subsection (6) above the Secretary of State may by order made by statutory instrument provide, so far as appears to him necessary or expedient for giving full effect to the transfer, for the repeal or amendment of any provision in any enactment affecting a Research Council or government department concerned, and make transitional, supplemental or incidental provision in connection with any such repeal or amendment; but the statutory instrument shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (8) The provisions of this section, except subsections (6) and (7), shall not come into force until such day as Her Majesty may by Order in Council appoint, and different days may be appointed for different provisions or for different purposes of the same provision.

Textual Amendments

F2 S. 3(3) substituted by [Nature Conservancy Council Act 1973 \(c. 54\)](#), [Sch. 2 para. 2](#)

F3 S. 3(4) repealed by [Nature Conservancy Council Act 1973 \(c. 54\)](#), [Sch. 4](#)

Modifications etc. (not altering text)

C1 Power of appointment conferred by s. 3(8) fully exercised

*Status: Point in time view as at 01/12/1991.**Changes to legislation: There are currently no known outstanding effects for the Science and Technology Act 1965. (See end of Document for details)***4 Extension of research functions of Atomic Energy Authority.**

- (1) The functions of the United Kingdom Atomic Energy Authority shall include the undertaking of scientific research in such matters not connected with atomic energy as may, after consultation with the Authority, be required by the [^{F4}Secretary of State], and section 2(2) of the ^{M2}Atomic Energy Authority Act 1954 shall apply as if any such research were research into matters connected with atomic energy.
- (2) There shall be defrayed out of moneys provided by Parliament any increase attributable to subsection (1) above in the sums payable under section 4(1) of the Atomic Energy Authority Act 1954 out of moneys so provided.
- (3) Section 3(6) and (7) above shall have effect in relation to any activities carried on or to be carried on by the United Kingdom Atomic Energy Authority by virtue of this section as if the Authority were a government department.

Textual Amendments**F4** Words substituted by virtue of S.I. 1970/1537, arts. 2(2), 7(4)**Marginal Citations****M2** 1954 c. 32.**5 Further powers of Secretary of State and Minister of Technology.**

- (1) The Secretary of State . . . ^{F5} may defray out of moneys provided by Parliament any expenses which, with the consent of the Treasury, they may respectively incur—
 - (a) in carrying on or supporting scientific research or the dissemination of the results of scientific research;
 - [^{F6}(b) as regards the Secretary of State for Defence, the Secretary of State for Energy and the Secretary of State for Industry, in furthering the practical application of the results of scientific research];
 - (c) in making payments in respect of remuneration, allowances or pension benefits payable to or in respect of members of any advisory body established for the purpose of assisting the Secretary of State or Minister, as the case may be, in matters connected with scientific research.
- (2) ^{F7}
- (3) ^{F8}

Textual Amendments**F5** Words repealed by S.I. 1971/719, Sch. para. 7**F6** S. 5(1)(b) substituted by S.I. 1974/692, Sch. 2 para. 1**F7** S. 5(2) repealed by S.I. 1969/1498, Sch. 2**F8** S. 5(3) repealed by Radiological Protection Act 1970 (c. 46), Sch. 2**Modifications etc. (not altering text)****C2** S. 5 amended (E.W.S.) by Electricity Act 1989 (c. 29, SIF 44:1), ss. 99(1), 112(3), Sch. 17 para. 35(1)**C3** S. 5 modified (1.4.1992) (N.I.) by S.I. 1992/231, art. 60; S.R. 1992/117, art. 3(1)

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6 Supplementary.

- (1) In this Act “scientific research” means research and development in any of the sciences (including the social sciences) or in technology.
- (2) Nothing in this Act shall prejudice or affect any power to amend or revoke the charters of any Research Council, or any power of Her Majesty to grant new charters, or affect the operation of any amendment made or charter granted after the passing of this Act.
- (3) The enactments mentioned in Schedule 4 to this Act are hereby repealed to the extent specified in the third column of that Schedule, with effect in each case from such day as Her Majesty may by Order in Council appoint.

Modifications etc. (not altering text)

- C4** Power of appointment conferred by s. 6(3) not exercised in relation to unrepealed entry in Sch. 4

7 Short title.

This Act may be cited as the Science and Technology Act 1965.

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SCHEDULES

SCHEDULE 1

REPORTS, ACCOUNTS ETC. OF RESEARCH COUNCILS

Modifications etc. (not altering text)

C5 [Sch. 1](#): Functions of the Secretary of State transferred (6.7.1992) by [S.I. 1992/1296](#), [arts. 2\(1\), 3](#)

- 1 Each of the Research Councils shall furnish the Secretary of State with such returns, accounts and other information with respect to its property and activities as he may from time to time require, and shall prepare programmes and estimates of expenditure in such form and at such times as he may require.
- 2
 - (1) Each of the Research Councils shall as soon as possible after the end of each financial year make to the Secretary of State a report on the exercise and performance by the Council of its functions during that year.
 - (2) The Secretary of State shall lay a copy of any report under this paragraph before each House of Parliament, together with such comments as he may think fit to make.
- 3
 - (1) Each of the Research Councils shall keep proper accounts and other records, and shall prepare for each financial year statements of account in such form as the Secretary of State with the approval of the Treasury may direct and submit those statements of account to the Secretary of State at such time as he may direct.
 - (2) The Secretary of State shall, on or before the 30th November in any year, transmit to the Comptroller and Auditor General the statements of account of each Council for the financial year last ended.
 - (3) The Comptroller and Auditor General shall examine and certify the statements of account transmitted to him under this paragraph, and lay copies of them together with his report thereon before each House of Parliament.

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SCHEDULE 2

MINOR AND CONSEQUENTIAL AMENDMENTS

| Modifications etc. (not altering text) | |
|--|--|
| <p>C6 The text of Sch. 2 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not, except as specified, reflect any amendments or repeals which may have been made prior to 1.2.1991.</p> | |
| Act Amended | Amendment |
| <p>The M3 Geological Survey Act 1845.</p> | <p>In section 1 for the words “the United Kingdom” there shall be substituted the words “Great Britain”, and for the words “the first commissioner for the time being of her Majesty’s woods, forest, land revenues, works and buildings”, in both places, there shall be substituted the words “the Natural Environment Research Council”.</p> <p>In section 2 for the words from “for every such offence” onwards there shall be substituted the words “be liable on summary conviction to a fine not exceeding twenty pounds”.</p> <p>Sections 2 and 4 shall be omitted.</p> <p>In section 6 after the word “aforesaid” there shall be inserted the word “and”.</p> |
| <p>The M4 Mining Industry Act 1926.</p> | <p>In section 23 (including the subsection (5) substituted by the M5 Mines and Quarries Act 1954) for any reference to the Committee of the Privy Council for Scientific and Industrial Research or to the Department of Scientific and Industrial Research there shall, in relation to any period after the coming into force of this provision, be substituted a reference to the Natural Environment Research Council.</p> |
| <p>[^{F9}The ^{M6}Water Act 1945.]</p> | <p>[^{F9}In section 7 for any reference to the Committee of the Privy Council for Scientific and Industrial Research or to the Department of Scientific and Industrial Research there shall, in relation to any period after the coming into force of this provision, be substituted a reference to the Natural Environment Research Council.]</p> |
| <p>...</p> | <p>...</p> |

Status: Point in time view as at 01/12/1991.

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F10

F10

Textual Amendments

- F9** Entry in Sch. 2 repealed (E.W.) (1.12.1991) by [Water Consolidation \(Consequential Provisions\) Act 1991](#) (c. 60, SIF 130), ss. 3(1), 4(2), **Sch.3 Pt. I** (with Sch. 2 paras, 10, 14(1), 15)
- F10** Entries repealed by [Capital Allowances Act 1968](#) (c. 3), **Sch. 11**, [Industrial Expansion Act 1968](#) (c. 32), **Sch. 4**, [Income and Corporation Taxes Act 1970](#) (c. 10), **Sch. 16**, [Water Act 1973](#) (c. 37), **Sch. 9**, [Nature Conservancy Council Act 1973](#) (c. 54), **Sch. 4** and [Statute Law \(Repeals\) Act 1974](#) (c. 22), **Sch. Pt. XI**, [Water \(Scotland\) Act 1980](#) (c. 45, SIF 130), s. 112, **Sch. 11**

Marginal Citations

- M3** 8 & 9 Vict. c. 63.
- M4** 16 & 17 Geo. 5. c. 28
- M5** [1954 c. 70](#).
- M6** 8 & 9 Geo. 6. c. 42.

SCHEDULE 3

TRANSITIONAL PROVISIONS ON REDISTRIBUTION OF ACTIVITIES OF EXISTING ORGANISATIONS

Modifications etc. (not altering text)

- C7** [Sch. 3](#): functions of the Secretary of State transferred (6.7.1992) by [S.I. 1992/1296](#), arts. 2(1), 3

- 1 (1) Subject to the following provisions of this paragraph, where in accordance with section 3(1) to (3) of this Act activities of a body (hereafter referred to as “the predecessor”) are taken over by one of the Research Councils, then on the date of that event (hereafter referred to as “the transfer date”) there shall by virtue of this Act and without further assurance be transferred to that Council all property, rights, liabilities and obligations to which immediately before the transfer date the predecessor was entitled or subject in connection with those activities.
- (2) Subject as aforesaid, every agreement to which in relation to or for the purposes of the relevant activities the predecessor was a party immediately before the transfer date, whether in writing or not and whether or not of such a nature that rights, liabilities and obligations thereunder could be assigned by the predecessor, shall, unless its terms or subject-matter make it impossible that it should have effect as modified in the manner provided by this sub-paragraph, have effect as from the transfer date as if—
 - (a) the Research Council had been a party to the agreement;
 - (b) for any reference (however worded and whether express or implied) to the predecessor there were substituted, as respects anything falling to be done on or after the transfer date, a reference to the Research Council;
 - (c) for any reference (however worded and whether express or implied) to any member or officer of the predecessor there were substituted, as respects anything falling to be done on or after the transfer date, a reference to such

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- person as the Research Council may appoint, or, in default of appointment, to the member or officer of that Council who corresponds as nearly as may be to the member or officer in question of the predecessor;
- (d) in the case of an agreement for the rendering of personal services to the predecessor, the services to which the agreement relates were, on and after the transfer date, any services under the Council, to be selected by the Council, which are reasonably equivalent services.
- (3) Other documents, not being enactments, Orders in Council or orders, rules, regulations or similar instruments having effect under an enactment, which refer, whether specifically or generally, to the predecessor in relation to or for the purposes of the relevant activities shall be construed in accordance with sub-paragraph (2) above so far as applicable.
- (4) Without prejudice to the generality of the foregoing sub-paragraphs, where, by the operation of any of them, any right, liability or obligation vests in a Research Council, the Council and all other persons shall, as from the transfer date, have the same rights, powers and remedies (and, in particular, the same rights as to the taking or resisting of legal proceedings or the making or resisting of applications to any authority) for asserting, perfecting or enforcing that right, liability or obligation as they would have had if it had at all times been a right, liability or obligation of the Research Council.
- (5) Any legal proceedings or application to any authority pending on the transfer date by or against the predecessor in relation to or for the purposes of the relevant activities may be continued on and after that date by or against the Research Council.
- (6) In relation to activities of the Council for Scientific and Industrial Research which are taken over by a government department, the foregoing sub-paragraphs shall apply with the substitution for references to a Research Council of references to that department or the Minister in charge of it, as the case requires; and on any question whether for purposes of this paragraph any matter is to be treated as referable to one branch or another of the activities of the Council for Scientific and Industrial Research, or to whom under this paragraph any property, rights, liabilities or obligations of that Council are transferred, the certificate of the Secretary of State shall be conclusive.
- (7) The Secretary of State may by order—
- (a) except from any transfer under this paragraph any books, papers or documents which in his opinion are not required in connection with the continuance of the relevant activities, and provide (if need be) for the disposal of anything so excepted; and
- (b) so far as appears to him necessary or expedient for giving full effect to a transfer of activities in accordance with section 3(1) to (3) of this Act, provide, in the case of a local Act or Act confirming a provisional order, (after such consultation with any authority or body having functions under the Act as appears to him to be appropriate) for the repeal or amendment of any provision in that Act which affects the predecessor and make transitional, supplemental or incidental provision in connection with any such repeal or amendment; and
- (c) in relation to activities of the Council for Scientific and Industrial Research make such further or other provision as appears to him to be appropriate having regard to the circumstances of that Council and the division of its activities between Research Councils and government departments.

Status: Point in time view as at 01/12/1991.

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- 2 (1) For purposes of the accounts of the National Institute for Research in Nuclear Science, the National Oceanographic Council and the Nature Conservancy, the financial year beginning last before the transfer date shall be treated as ending with the day before the transfer date.
- (2) The Science Research Council shall be responsible for the accounts and audit of the National Institute for Research in Nuclear Science for any period before the transfer date, so far as may be necessary for completing the accounts and audit and submitting the accounts and any report of the auditor on them to the United Kingdom Atomic Energy Authority.
- (3) The Natural Environment Research Council shall be responsible for the accounts and audit of the National Oceanographic Council for any period before the transfer date, so far as may be necessary for completing the accounts and submitting them to the Comptroller and Auditor General.
- (4) The Natural Environment Research Council shall be responsible for the accounts and audit of the Nature Conservancy for any period before the transfer date, so far as may be necessary for completing the accounts and submitting them to the Treasury; and section 96(3) and (4) of the National Parks and Access to the ^{M7}Countryside Act 1949 (which relate to audit) shall apply to accounts prepared by the Natural Environment Research Council by virtue of this sub-paragraph as if they had been prepared by the Nature Conservancy.

Marginal Citations

M7 1949 c. 97.

- 3 Where the predecessor is required to make any annual report on its activities, the first annual report under this Act of a Research Council shall deal, for any period after the one covered by the last annual report made by the predecessor before the transfer date, with any of those activities which are taken over on the transfer date by the Council.
- 4 (1) Section 2 of the ^{M8}Atomic Energy Authority Act 1959 (which enables pension schemes of the United Kingdom Atomic Energy Authority to extend to staff of the National Institute for Research in Nuclear Science), and, without prejudice to any power to amend the scheme, any provision included in a scheme by virtue of that section, shall
- (a) continue to apply to officers and other persons employed by the National Institute for Research in Nuclear Science who on the transfer date are by paragraph 1 above transferred to the employment of the Science Research Council; and
- (b) apply to officers and other persons taken into the employment of the Science Research Council subsequent to the coming into force of the provisions of section 3(2) of this Act to work on activities taken over under that subsection from the National Institute for Research in Nuclear Science (whether or not while in that employment they cease to be engaged in those activities),
- and shall have effect in relation to them as if their employment with the Council were employment with the Institute.
- (2) The Science Research Council shall pay to the United Kingdom Atomic Energy Authority in respect of any payments falling to be made by the Authority by virtue of

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sub-paragraph (1) above, or in respect of the accruing liability for any such payments, such sums as may be agreed between the Council and the Authority or as, in default of agreement between them, may be determined by the Treasury.

Marginal Citations
M8 1959 c. 5 (8 & 9 Eliz. 2).

5 The provisions of this Act relating to the Nature Conservancy and to the National Parks and Access to the ^{M9}Countryside Act 1949 shall not affect the validity of anything done by or in relation to the Nature Conservancy under or for the purposes of Part III of that Act before the date when those provisions come into force; and (without prejudice to paragraph 1 above) as from that date things so done, including any regulations relating to or byelaws made by the Nature Conservancy, shall have effect, and the said Act shall apply in relation thereto, as if they had been done by or in relation to the Natural Environment Research Council and, in the case of an authority under section 103(1) of the Act, as if it had been given by the Secretary of State.

Marginal Citations
M9 1949 c. 97.

SCHEDULE 4
REPEALS

| Chapter | Short Title | Extent of Repeal |
|----------------------|---------------------------------------|--|
| ... | ... | ... |
| 8 & 9 Eliz. 2. c. 5. | The Atomic Energy Authority Act 1959. | Section 2, except as regards persons employed with the National Institute for Research in Nuclear Science before the coming into force of this repeal. |
| ... | ... | ... |

Textual Amendments
F11 Entries repealed by Statute Law (Repeals) Act 1974 (c. 22), Sch. Pt. XI

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Point in time view as at 01/12/1991.

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