

Status: Point in time view as at 01/09/1992.

Changes to legislation: There are currently no known outstanding effects for the Museums and Galleries Act 1992, Part II. (See end of Document for details)

SCHEDULES

SCHEDULE 8

MINOR AND CONSEQUENTIAL PROVISIONS

Extent Information

- E1** Sch. 8: amendments extend to Scotland and Northern Ireland in so far as the enactments they affect also extend there, see s. 11(5)(6)

Commencement Information

- II** Sch. 8 partly in force at 1.9.1992 see s. 11(4) and S.I. 1992/1874, art. 2

PART II

MISCELLANEOUS AMENDMENTS

Commencement Information

- II** Sch. 8 Pt. II except for para. 10(2) wholly in force at 1.9.1992, see s. 11(4) and S.I. 1992/1874, art. 2

The National Galleries of Scotland Act 1906

- 6 (1) In section 4C of the ^{M1}National Galleries of Scotland Act 1906, in subsection (3) (restriction on disposal of objects comprised in the collections) for paragraph (c) (disposal to institution mentioned in subsection (4)) there shall be substituted—
- “(c) the disposal is an exercise of the power conferred by section 6 of the Museums and Galleries Act 1992, or”.
- (2) In paragraph (d) of that subsection (disposal, by way of sale, gift or exchange, with approval of Secretary of State, to an institution other than those mentioned in subsection (4)) for the words from “any institution” onwards there shall be substituted the words “ a body other than those for the time being specified in Schedule 5 to that Act, or”.

Commencement Information

- I2** Sch. 8 para. 6 wholly in force at 1.9.1992, see s. 11(4) and S.I. 1992/1874, art. 2

Marginal Citations

- M1** 1906 c. 50.

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The Imperial War Museum Act 1920

7 (1) In section 2 of the ^{M2}Imperial War Museum Act 1920 (powers and duties of the Board)—

- (a) in paragraph (b) (powers to acquire and sell land) after the word “sell” there shall be inserted the words “ or make other dispositions of ”; and
- (b) in paragraph (d) (application of moneys received) for the words “sale of any land” there shall be substituted the words “ sale or other disposition of any land ”.

(2) That section, as so amended, shall be numbered as subsection (1), and at the end of it there shall be added—

“(2) The Board may allow premises occupied or managed by them to be used by other persons (for payment or otherwise) for purposes not connected with the Board’s functions, if the Board are satisfied that to do so would not unduly conflict with those functions.”

(3) After that section there shall be inserted—

“2A Power of the Board to form companies.

(1) With the consent of the Lord President of the Council and subject to any conditions he may impose, the Board may form, or take part in forming, one or more bodies corporate which, or each of which, has as its main object or objects one or more of those mentioned in subsection (2) below.

(2) The objects referred to in subsection (1) above are—

- (a) the production and publication of books, films or other informative material relating to the Museum’s collection or theme;
- (b) the production of replicas or reproductions of objects relating to the Museum’s collection or theme, or of souvenirs;
- (c) the sale (whether or not at an hour when the collection is open to the public for viewing) of informative material relating to the Museum’s collection or theme, or of souvenirs or other goods;
- (d) the provision (whether or not at such an hour) of catering or car parking or other services or facilities for the public at any premises occupied or managed by the Board; and
- (e) any other object or objects incidental to the Board’s functions.

(3) The Board may hold interests in any such body, exercise rights conferred by the holding of interests in it, and provide financial or other assistance to or in respect of it (including assistance by way of guarantee of its obligations).

(4) This section is without prejudice to any power of the Board to undertake by virtue of section 2 above anything mentioned in subsection (2) above.”

(4) In section 4 of that Act, in subsection (1) (which provides for a Director-General and a Curator to be appointed by the Treasury on such terms and conditions as the Treasury may direct) for the words from “by the Treasury” onwards there shall be substituted the words “ by the Board with the approval of the Prime Minister and shall hold office on such terms and subject to such conditions as the Board may determine subject to such conditions as the Lord President of the Council may impose with the consent of the Treasury. ”

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- (5) In subsection (4) of that section (salaries etc. to be such as the Treasury may from time to time determine) for the words “as the Treasury may from time to time determine” there shall be substituted the words “ as the Board may determine subject to such conditions as the Lord President of the Council may impose with the consent of the Treasury ”.
- (6) Nothing in any amendment made by this paragraph shall affect the validity of any appointment, direction or determination made or given under that section by the Treasury before the coming into force of the amendment.

Commencement Information

I3 Sch. 8 para. 7 wholly in force at 1.9.1992, see s. 11(4) and S.I. 1992/1874, art. 2

Marginal Citations

M2 1920 c. 16.

The National Maritime Museum Act 1934

- 8 (1) In section 5 of the ^{M3}National Maritime Museum Act 1934, in subsection (1) (which provides for a Director to be appointed by the Treasury on such terms and conditions as the Treasury may direct) for the words “by the Treasury” and “as the Treasury may direct” there shall be substituted respectively the words “ by the Board with the approval of the Prime Minister ” and “ as the Board may determine subject to such conditions as the Lord President of the Council may impose with the consent of the Treasury ”.
- (2) In subsection (2) of that section (which requires Treasury consent as to number and conditions of service of officers and servants and provides for the payment of such salaries or remuneration as the Treasury may determine)—
- (a) the words from “subject to the consent” to “conditions of service” shall be omitted; and
- (b) for the words “as the Treasury may determine” there shall be substituted the words “ as the Board may determine subject to such conditions as the Lord President of the Council may impose with the consent of the Treasury ”.
- (3) In section 6 of that Act (financial provisions)—
- (a) subsections (1), (3) and (4) shall cease to have effect; and
- (b) in subsection (2) (disposal of money received by the Board)—
- (i) for the words from “and such” to “by them” there shall be substituted the words “ may be invested by the Board ”; and
- (ii) for the words from “or, with” to “otherwise” there shall be substituted the words “ or otherwise ”.
- (4) In Schedule 2 to that Act (constitution and proceedings of the Board) for the word “Treasury” wherever occurring in paragraphs 1 and 3 there shall be substituted the words “ Prime Minister ”.
- (5) Nothing in any amendment made by this paragraph shall affect the validity of any appointment, direction, consent or determination made or given (or having effect as if made or given) under any provision of section 5 of, or Schedule 2 to, that Act by the Treasury before the coming into force of the amendment.

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Commencement Information

I4 Sch. 8 para. 8 wholly in force at 1.9.1992, see s. 11(4) and S.I. 1992/1874, art. 2

Marginal Citations

M3 1934 c. 43.

The Imperial War Museum Act 1955

- 9 (1) In section 2 of the ^{M4}Imperial War Museum Act 1955, in subsection (1) (power of Board to lend objects with the consent of the Lord President of the Council) the words “with the consent of the Lord President of the Council” shall cease to have effect.
- (2) In subsection (3) of that section (terms and conditions of loans) the words from “and any loan” onwards shall cease to have effect.

Commencement Information

I5 Sch. 8 para. 9 wholly in force at 1.9.1992, see s. 11(4) and S.I. 1992/1874, art. 2

Marginal Citations

M4 1955 c. 14.

The Charities Act 1960

- 10 (1) In Schedule 2 to the ^{M5}Charities Act 1960 (which lists the institutions which, so far as they are charities, are exempt charities within the meaning of that Act) after paragraph (cd) there shall be inserted the following—
- “(ce) the Board of Trustees of the National Gallery;
 (cf) the Board of Trustees of the Tate Gallery;
 (cg) the Board of Trustees of the National Portrait Gallery;
 (ch) the Board of Trustees of the Wallace Collection;”.
- (2) In consequence of sub-paragraph (1) above, paragraphs (da), (db), (dc) and (dd) of that Schedule (which are inserted by the ^{M6}Charities Act 1992) shall cease to have effect.

Commencement Information

I6 Sch. 8 para. 10(1) in force at 1.9.1992 by S.I. 1992/1874, art. 2

Marginal Citations

M5 1960 c. 58.

M6 1992 c. 41.

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The Museum of London Act 1965

- 11 In section 7 of the ^{M7}Museum of London Act 1965 (transfer of objects to and from other organisations)—
- (a) subsections (1), (2) and (4) shall cease to have effect; and
 - (b) in subsection (3)—
 - (i) for the words “subsection (1) of this section” there shall be substituted the words “ section 6 of the Museums and Galleries Act 1992 ”; and
 - (ii) after the word “exercisable” there shall be inserted the words “ by the Board ”.

Commencement Information

I7 Sch. 8 para. 11 wholly in force at 1.9.1992, see s. 11(4) and S.I. 1992/1874, art. 2

Marginal Citations

M7 1965 c. 17.

The British Library Act 1972

- 12 (1) In paragraph 11(4) of the Schedule to the ^{M8}British Library Act 1972 (powers of Board to dispose of articles transferred to them under section 3(1)(a) of that Act) for the words following paragraph (c) there shall be substituted the words “or
- (d) the disposal is an exercise of the power conferred by section 6 of the Museums and Galleries Act 1992.”
- (2) In paragraph 11(5) of that Schedule (restrictions on disposal of property subject to a trust or condition) in paragraph (a), after the word “condition” there shall be inserted the words “except as provided by section 6 of the Museums and Galleries Act 1992 ”.

Commencement Information

I8 Sch. 8 para. 12 wholly in force at 1.9.1992, see s. 11(4) and S.I. 1992/1874, art. 2

Marginal Citations

M8 1972 c. 54.

The National Heritage Act 1983

- 13 (1) In paragraph (c) of sections 6(3), 14(3) and 20(3) of the ^{M9}National Heritage Act 1983 (which respectively authorise the Boards of Trustees of the Victoria and Albert Museum, the Science Museum and the Armouries to dispose of objects comprised in their collections if the disposal is by way of sale or gift to, or exchange with, an institution specified in subsection (4) of the section in question) for the words from “by” to “(4)” there shall be substituted the words “ an exercise of the power conferred by section 6 of the Museums and Galleries Act 1992 ”.
- (2) In section 18 of that Act, in subsection (3) (which confers certain powers on the Board of Trustees of the Armouries) after paragraph (c) there shall be added the words “and

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- (d) with the consent of the Secretary of State and subject to such conditions as he may impose, make grants to any person for the purpose of promoting enjoyment, knowledge or understanding of arms and armour.”

(3) At the end of that section there shall be added—

“(8) The Board may, whether or not for the general purpose mentioned in subsection (1), allow premises occupied or managed by them to be used by other persons (for payment or otherwise) for purposes not connected with the functions mentioned in subsection (2), if the Board are satisfied that to do so would not unduly conflict with those functions.”

(4) After that section there shall be inserted—

“18A Power of Board to form companies.

- (1) With the consent of the Secretary of State and subject to any conditions he may impose, the Board may form or take part in forming one or more bodies corporate which (or each of which) has as its main object or objects one or more of those mentioned in subsection (2).
- (2) The objects are—
- (a) the production and publication of books, films or other informative material relating to the Board’s collection and record;
 - (b) the production of replicas or reproductions of objects comprised in their collection or of documents forming part of their record, or of souvenirs;
 - (c) the sale (whether or not at an hour when the collection is open to the public for viewing) of informative material relating to their collection or record, of replicas or reproductions of objects comprised in their collection or of documents forming part of their record, or of souvenirs or other goods;
 - (d) the provision (whether or not at such an hour) of catering or car parking or other services or facilities for the public at any premises occupied or managed by the Board; and
 - (e) any other object or objects incidental to the Board’s functions.
- (3) The Board may hold interests in any such body, exercise rights conferred by the holding of interests in it, and provide financial or other assistance to or in respect of it (including assistance by way of guarantee of its obligations).
- (4) This section is without prejudice to any power of the Board to undertake anything mentioned in subsection (2) by virtue of section 18.”

Commencement Information

I9 Sch. 8 para. 13 wholly in force at 1.9.1992, see s. 11(4) and S.I. 1992/1874, art. 2

Marginal Citations

M9 1983 c. 47.

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The National Heritage (Scotland) Act 1985

- 14 (1) In section 3(2) of the ^{M10}National Heritage (Scotland) Act 1985, in paragraph (e) (power of the Board of Trustees of the National Museums of Scotland, with the consent of the Secretary of State, to make grants to any person) after the word “grants” there shall be inserted the words “ subject to such conditions as he may require to be imposed ”.
- (2) In section 8 of that Act, in subsection (3), for paragraph (c) (which authorises the Board to dispose of objects comprised in their collections if the disposal is by way of sale or gift to, or exchange with, an institution specified in subsection (4) of that section) there shall be substituted—
- “(c) the disposal is an exercise of the power conferred by section 6 of the Museums and Galleries Act 1992, or”.
- (3) In paragraph (d) of that subsection (disposal, with consent of Secretary of State, to an institution not specified in subsection (4) of that section) for the words from “an institution” onwards there shall be substituted the words “ a body other than those for the time being specified in Schedule 5 to that Act, or ”.
- (4) In section 23 of that Act (power of Secretary of State to make grants) after the word “may” where it first occurs there shall be inserted the words “ , subject to such conditions as he thinks fit, ”.

Commencement Information

I10 Sch. 8 para. 14 wholly in force at 1.9.1992, see s. 11(4) and S.I. 1992/1874, art. 2

Marginal Citations

M10 1985 c. 16.

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