
STATUTORY INSTRUMENTS

2011 No. 1213

MINISTERS OF THE CROWN

**The Transfer of Functions (Museum
and Other Staff) Order 2011**

<i>Made</i>	- - - -	<i>10th May 2011</i>
<i>Laid before Parliament</i>		<i>17th May 2011</i>
<i>Coming into force</i>	- -	<i>7th June 2011</i>

At the Court at Buckingham Palace, the 10th day of May 2011

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred by section 1 of the Ministers of the Crown Act 1975(1), is pleased, by and with the advice of Her Privy Council, to order as follows:

Citation and commencement

1.—(1) This Order may be cited as the Transfer of Functions (Museum and Other Staff) Order 2011.

(2) This Order comes into force on 7th June 2011.

Transfer of certain functions relating to certain museum and other staff

2. The functions of the Treasury under the following enactments are transferred to the Secretary of State—

- (a) section 2(1)(f) of the Imperial War Museum Act 1920 (consent to appointment, and to terms and conditions, of officers of Board of Trustees of Imperial War Museum)(2);
- (b) section 6 of the British Museum Act 1963 (functions relating to appointment, and terms and conditions, of staff of British Museum and Natural History Museum)(3);

(1) 1975 c. 26. Section 1 was amended by section 20 of the Constitutional Reform Act 2005 (c. 4).
(2) 1920 c. 16. Subsection (1) of section 2 was numbered as such by the Museums and Galleries Act 1992 (c. 44), Schedule 8, paragraph 7(2).
(3) 1963 c. 24. Section 6 is applied in relation to the Natural History Museum and its Trustees by section 8(3) of the same Act. Section 8(3) was amended by the Museums and Galleries Act 1992, Schedule 8, paragraph 1(3).

- (c) paragraph 7(4) of the Schedule to the Public Lending Right Act 1979 (approval in relation to certain directions and determinations by Registrar of Public Lending Right)(4).

Supplementary

3.—(1) This Order does not affect the validity of anything done (or having effect as if done) by or in relation to the Treasury before the coming into force of this Order.

(2) Anything (including legal proceedings) which, at the coming into force of this Order, is in the process of being done by or in relation to the Treasury may, so far as it relates to a function transferred to the Secretary of State under article 2, be continued by or in relation to the Secretary of State.

(3) Anything done (or having effect as if done) by or in relation to the Treasury in connection with a function transferred to the Secretary of State under article 2 has effect, so far as is necessary for continuing its effect after the coming into force of this Order, as if done by or in relation to the Secretary of State.

(4) Any enactment or instrument passed or made before the coming into force of this Order has effect, so far as is necessary for the purposes of or in consequence of article 2, as if references to (and references which are to be read as references to) the Treasury were or included references to the Secretary of State.

(5) In paragraphs (1) to (4)—

- (a) the references to the Treasury include references to the department of Her Majesty's Treasury or an officer of the Treasury, and
- (b) the references to the Secretary of State include references to the department or an officer of the Secretary of State accordingly.

(6) In paragraph (4) “instrument” includes Royal Charters, Royal Warrants, Orders in Council, Letters Patent, judgments, decrees, orders, rules, regulations, schemes, bye-laws, awards, licences, authorisations, consents, approvals, contracts and other agreements, memoranda and articles of association, certificates, deeds and other documents.

Consequential amendments

4.—(1) In the following provisions, for “Treasury” (in each place) substitute “Secretary of State”—

- (a) section 2(1)(f) of the Imperial War Museum Act 1920 (consent to appointment, and to terms and conditions, of officers of Board of Trustees of Imperial War Museum);
- (b) section 6 of the British Museum Act 1963 (functions relating to appointment, and terms and conditions, of staff of British Museum and Natural History Museum).

(2) In paragraph 7(4) of the Schedule to the Public Lending Right Act 1979 (approval in relation to certain directions and determinations by Registrar of Public Lending Right), omit “and the Minister for the Civil Service”.

Judith Simpson
Clerk of the Privy Council

(4) 1979 c. 10. The function of the Treasury under paragraph 7(4) was transferred from the Minister for the Civil Service by S.I. 1981/1670, article 2.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order in Council is made under section 1 of the Ministers of the Crown Act 1975. It transfers certain statutory functions relating to the consent to appointment, and to the terms, conditions, remuneration and allowances, of staff of the Imperial War Museum, the British Museum, the Natural History Museum and the Registrar of Public Lending Right from the Treasury to the Secretary of State for Culture, Olympics, Media and Sport.

Article 2 of this Order effects the transfers. Article 3 makes supplemental provision in connection with article 2. Article 4 makes consequential amendments to the Imperial War Museum Act 1920 (in respect of the Imperial War Museum), the British Museum Act 1963 (in respect of the British Museum and the Natural History Museum) and the Public Lending Right Act 1979 (in respect of the Registrar of Public Lending Right).

Nothing in this Order alters the functions of the Welsh Ministers, the Scottish Ministers or the devolved authorities in Northern Ireland.

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.