

Commonwealth Institute Act, 1958

6 & 7 ELIZ. 2 CH. 16

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CHAPTER 16

An Act to amend the law with respect to the Imperial Institute. [13th March, 1958]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) The organisation which exists by virtue of the Imperial Institute Act, 1925 (in this Act referred to as “the principal Act”) shall be known as the Commonwealth Institute, and the Trustees.

(2) The body which was constituted by subsection (1) of section 15 & 16 Geo. 5. nine of the Imperial Institute (Transfer) Act, 1902, under the name of the Imperial Institute Trustees and re-constituted by subsection (1) of section two of the principal Act, shall subsist under the name of the Commonwealth Institute Trustees and is in this Act referred to as “the Trustees”.

2.—(1) As from the passing of this Act, the persons who constitute the Trustees shall, in lieu of being those specified in subsection (1) of section two of the principal Act, be the Secretary of State for Commonwealth Relations, the Secretary of State for the Colonies, the Minister of Education and three persons appointed by that Minister.

(2) The Minister of Education shall be the responsible Minister for the purposes of the principal Act.

(3) Such of the persons constituting the Trustees as, on the passing of this Act, hold office by virtue of appointment under the said subsection (1) shall be deemed to have been appointed under this section.

(4) The Trustees shall be a body corporate with perpetual succession and a common seal and power to hold land without licence in mortmain.

Provisions
as to new
building.

3. Whereas by a lease dated the ninth day of January, nineteen hundred and fifty-eight (hereafter in this Act referred to as "the lease") the Right Honourable Giles Stephen Holland, Earl of Ilchester, demised to the Minister of Works certain land in the Royal Borough of Kensington (which is more particularly described in the First Schedule to this Act) for a term of nine hundred and ninety-nine years from the first day of August, nineteen hundred and fifty-seven, in consideration of the payment of a premium of two hundred and fifteen thousand pounds and the reservation of a rent of ten pounds a year:

And whereas the grant to the said Minister was made, in the contemplation of the parties to the lease, with a view to the transfer by this Act from that Minister to the Trustees of his interest in the premises demised by the lease, to the intent that the Trustees should erect thereon a building (in this section referred to as "the new building") in substitution for the Imperial Institute Building, and accordingly by the lease that Minister covenanted to erect such a building:

Now, therefore:—

- (1) on the passing of this Act, the premises demised by the lease shall vest in the Trustees for the unexpired residue of the term created thereby and thereupon the Minister of Works shall stand discharged from all obligations imposed on him by or by virtue of the lease;
- (2) the new building shall be erected in accordance with plans and specifications approved by the Minister of Education and have floor space of an area of approximately one hundred and twenty-five thousand square feet;
- (3) the premises demised by the lease (including the new building and any building erected in substitution therefor) shall be under the management of the Minister of Education.

Surrender of
Trustees' interest in
Imperial
Institute
Building.

4. The Trustees shall, at such times as the Minister of Education requires, surrender to the Minister of Works their interest in such portions of the Imperial Institute Building as are specified in the requisition, and accordingly references in the principal Act to that building shall be construed as references to as much thereof as the Trustees have for the time being an interest in.

Power of
lending and
disposing of
objects.

5.—(1) The Minister of Education may—

- (a) lend for public exhibition in the United Kingdom or elsewhere any object comprised in the collections

maintained for the purposes of the Commonwealth Institute;

- (b) sell, or otherwise dispose of, any such object as aforesaid which appears to him to have become useless for the purposes aforesaid.

(2) The said Minister may, if requested so to do by the Government of any part of the Commonwealth outside the United Kingdom, sell or give to it for exhibition in that part of the Commonwealth any such object as aforesaid, if he is of opinion that it is more appropriate for it to be exhibited there than in the United Kingdom.

(3) Any sums received by the said Minister in consequence of an exercise of the powers conferred on him by this section shall be paid into the Exchequer.

6.—(1) Any expenses incurred by the Trustees in performing the obligations imposed, or exercising the rights conferred, on them by or by virtue of the lease shall be defrayed by the Minister of Education. Expenses.

(2) Any expenses defrayed by the said Minister under the foregoing subsection and any expenses incurred by him in connection with the Commonwealth Institute shall, except in so far as they are defrayed out of the income of the Endowment Fund or out of sums received by him for the purposes of the Institute or otherwise in the exercise of his powers and duties under the principal Act, be paid out of moneys provided by Parliament.

7.—(1) The provisions of the principal Act specified in the first column of the Second Schedule to this Act shall have effect subject to the amendments respectively specified in relation thereto in the second column of that Schedule (being minor amendments and amendments consequential on the foregoing provisions of this Act). Minor and consequential amendments.

(2) Part III of the First Schedule to the House of Commons Disqualification Act, 1957 (which specifies certain offices the holders of which are disqualified under that Act) shall have effect, in its application to the House of Commons of the Parliament of the United Kingdom, as if for the words "Director of the Imperial Institute" there were substituted the words "Director of the Commonwealth Institute". 5 & 6 Eliz. 2. c. 20.

8.—(1) This Act may be cited as the Commonwealth Institute Act, 1958. Short title, interpretation and repeals.

(2) In this Act "the Imperial Institute Building" means the land referred to by that name in the principal Act and "the Endowment Fund" means the fund so referred to.

9 & 10 Geo. 6.
c. 31.

(3) References in this Act to the principal Act shall be construed as references to that Act as amended by the Imperial Institute (Variation of the Act of 1925) Order, 1949, and the Imperial Institute (Variation of the Act of 1925) Order, 1953 (made under section eight of the principal Act) and by the Transfer of Functions (Imperial Institute) Order, 1949 (made under subsection (1) of section one of the Ministers of the Crown (Transfer of Functions) Act, 1946).

(4) The enactments mentioned in the first and second columns of the Third Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

SCHEDULES

FIRST SCHEDULE

Section 3.

DESCRIPTION OF LAND ON WHICH NEW BUILDING IS TO BE ERECTED

All that piece of land having an area of three and a quarter acres or thereabouts situate on the north-west side of Kensington High Street in the Royal Borough of Kensington in the County of London, bounded on the south-east by Kensington High Street and on the north-east by the entrance drive leading to Holland Park Open Space and having a frontage to Kensington High Street of one hundred and twenty-four feet or thereabouts and with a further frontage of twenty-five feet or thereabouts, being half the width of the private road adjoining Number 240 Kensington High Street.

SECOND SCHEDULE

Section 7.

MINOR AND CONSEQUENTIAL AMENDMENTS OF PRINCIPAL ACT

*Provision amended and
subject matter thereof*

Amendment

Section two (The Trustees) For the words "the Imperial Institute Trustees", wherever they occur, there shall be substituted the words "the Commonwealth Institute Trustees".

Section four (Application of property). For the words "the purposes of the Imperial Institute" there shall be substituted the words "the purposes of the Commonwealth Institute" and for the words "the Imperial Institute Trustees" there shall be substituted the words "the Commonwealth Institute Trustees".

Section five (Powers of management). For the words "the Imperial Institute" there shall be substituted the words "the Commonwealth Institute".

2ND SCH.
—cont.

*Provision amended and
subject matter thereof*

Amendment

Section eight (Power to vary provisions of Act).

For the words “the self-governing Dominions and India” there shall be substituted the words “any of the countries mentioned in subsection (2) of this section”, for the words “the Imperial Institute”, wherever they occur, there shall be substituted the words “the Commonwealth Institute”, and at the end of the section there shall be added the following subsection:—

“(2) The countries hereinbefore referred to are Canada, Australia, New Zealand, the Union of South Africa, India, Pakistan, Ceylon, Ghana and the Federation of Malaya.”

First Schedule (Purposes of the Imperial Institute).

For the words “the Imperial Institute”, wherever they occur, there shall be substituted the words “the Commonwealth Institute”.

Section 8.

THIRD SCHEDULE

ENACTMENTS REPEALED

Session and Chapter	Short Title	Extent of Repeal
2 Edw. 7. c. cxxxix.	The Imperial Institute (Transfer) Act, 1902.	The whole Act, so far as unrepealed.
15 & 16 Geo. 5. c. xvii.	The Imperial Institute Act, 1925.	Section one. In section two, subsection (1). Section six. Section seven. Section nine. In section ten, subsections (2) and (3).

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