



British Museum Act 1963

1963 CHAPTER 24

An Act to alter the composition of the Trustees of the British Museum, to provide for the separation from the British Museum of the British Museum (Natural History), to make new provision with respect to the regulation of the two Museums and their collections in place of that made by the British Museum Act 1753 and enactments amending or supplementing that Act, and for purposes connected with the matters aforesaid. [10th July 1963]

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 Altered composition of British Museum Trustees

- (1) From the commencement of this Act, the body known as the Trustees of the British Museum shall continue to exist as a body corporate, with perpetual succession and a common seal, having the general management and control of the British Museum, but shall consist of twenty-five persons appointed as follows, that is to say—
 - (a) one appointed by Her Majesty ;
 - (b) fifteen appointed by the Prime Minister ;
 - (c) four appointed by the Treasury on the nominations of the Presidents of the Royal Society, the Royal Academy, the British Academy and the Society of Antiquaries of London respectively ; and
 - (d) five appointed by the Trustees of the British Museum.
- (2) The provisions of the First Schedule to this Act shall have effect with respect to the tenure of office and proceedings of the Trustees.

2 General powers of Trustees

The Trustees of the British Museum shall have power, subject to the restrictions imposed on them by virtue of any enactment (whether contained in this Act or not), to

enter into contracts and other agreements, to acquire and hold land and other property, and to do all other things that appear to them necessary or expedient for the purpose of their functions.

3 Keeping and inspection of collections

- (1) Subject to the provisions of this Act, it shall be the duty of the Trustees of the British Museum to keep the objects comprised in the collections of the Museum within the authorised repositories of the Museum, except in so far as they may consider it expedient to remove them temporarily for any purpose connected with the administration of the Museum and the care of its collections.
- (2) Where it appears to the Trustees that any such objects cannot conveniently be kept within the authorised repositories, they may store them at other premises in Great Britain if satisfied that they can be stored in those premises without detriment to the purposes of the Museum.
- (3) It shall be the duty of the Trustees to secure, so far as appears to them to be practicable, that (the objects comprised in the collections of the Museum (including objects stored under the preceding subsection) are, when required for inspection by members of the public, made available in one or other of the authorised repositories under such conditions as the Trustees think fit to impose for preserving the safety of the collections and ensuring the proper administration of the Museum.
- (4) Objects vested in the Trustees as part of the collections of the Museum shall not be disposed of by them otherwise than under section 5 or 9 of this Act.

4 Lending of objects

The Trustees of (the British Museum may lend for public exhibition (whether in the United Kingdom or elsewhere) any object comprised in the collections of the Museum:

Provided that in deciding whether or not to lend any such object, and in determining the time for which, and the conditions subject to which, any such object is to be lent, the Trustees shall have regard to the interests of students and other persons visiting the Museum, to the physical condition and degree of rarity of the object in question, and to any risks to which it is likely to be exposed.

5 Disposal of objects

- (1) The Trustees of the British Museum may sell, exchange, give away or otherwise dispose of any object vested in them and comprised in their collections if—
 - (a) the object is a duplicate of another such object, or
 - (b) the object appears to the Trustees to have been made not earlier than the year 1850, and substantially consists of printed matter of which a copy made by photography or a process akin to photography is held by the Trustees, or
 - (c) in the opinion of the Trustees the object is unfit to be retained in the collections of the Museum and can be disposed of without detriment to the interests of students:

Provided that where an object has become vested in the Trustees by virtue of a gift or bequest the powers conferred by this subsection shall not be exercisable as respects that object in a manner inconsistent with any condition attached to the gift or bequest.

- (2) The Trustees may destroy or otherwise dispose of any object vested in them and comprised in their collections if satisfied that it has become useless for the purposes of the Museum by reason of damage, physical deterioration, or infestation by destructive organisms.
- (3) Money accruing to the Trustees by virtue of an exercise of the powers conferred by this section shall be laid out by them in the purchase of objects to be added to the collections of the Museum.

6 Staff

- (1) There shall be a Director of the British Museum, who shall be a person appointed by the Trustees with the approval of the Prime Minister and shall hold office on such terms and subject to such conditions as the Treasury may direct, and who shall be responsible to the Trustees for the care of all property in their possession and for the general administration of the Museum.
- (2) The Trustees may, subject to the consent of the Treasury as to numbers and conditions of service, appoint such other officers and servants as the Trustees think fit; and there shall be paid to the Director and to officers and servants so appointed such salaries, allowances and other remuneration as the Treasury may determine.
- (3) For the purposes of pensions and other superannuation benefits—
 - (a) service in an established capacity in the employment of the Trustees shall, where the person in question has been admitted into that employment with a certificate from the Civil Service Commissioners, be treated as service in the permanent civil service of the State within the meaning of section 17 of the Superannuation Act 1859; and
 - (b) service in the employment of the Trustees in any other case shall be treated as service in the civil service of the State not falling within the said section 17.

7 Reports by Trustees

The Trustees of the British Museum shall within three years after the commencement of this Act and subsequently at intervals of not more than three years prepare and lay before each House of Parliament a report on the Museum.

8 Separation of Natural History Museum

- (1) There shall be a body corporate, with perpetual succession and a common seal, known as the Trustees of the British Museum (Natural History) and hereafter in this Act referred to as "the Natural History Trustees", which from the commencement of this Act shall have the general management and control of the British Museum (Natural History); and on that commencement the functions with respect to that Museum of the Trustees of the British Museum shall cease.
- (2) The Natural History Trustees shall consist of twelve persons appointed as follows, that is to say—
 - (a) eight appointed by the Prime Minister;
 - (b) one appointed by the Treasury on the nomination of the President of the Royal Society; and
 - (c) three appointed by the Natural History Trustees.

- (3) Sections 2 to 7 of this Act and the First Schedule thereto shall apply in relation to the British Museum (Natural History) and the Trustees thereof as they apply in relation to the British Museum and the Trustees thereof, but with the following adaptations, that is to say—
- (a) section 4 shall apply as if, after the words " may lend for public exhibition " there were inserted the words " or research ";
 - (b) the First Schedule shall apply as if in paragraph 4 (which specifies the quorum at meetings) the word " four " were substituted for the word " six ".
- (4) The Second Schedule to this Act shall have effect in relation to transitional matters arising in consequence of the enactment of this section.

9 Transfers to other institutions

- (1) Any movable property vested in the Trustees of either Museum may be transferred by them to the Trustees of the other Museum, and any pictures vested in the Trustees of either Museum may be transferred by them to an institution listed in the First Schedule to the National Gallery and Tate Gallery Act 1954 (including any institution added to that Schedule under section 3 of that Act).
- (2) Where property transferred under this section became vested in the transferees by virtue of a gift or bequest it shall be dealt with by the transferees as if acquired by them under a like gift or bequest.

10 Authorised repositories

- (1) The buildings for the time being occupying the sites described in Parts I and II of the Third Schedule to this Act shall be the authorised repositories for the collections of the British Museum and the British Museum (Natural History) respectively.
- (2) The Treasury may, with the agreement of the Trustees concerned, by order amend the said Schedule by adding a reference to a further site, or deleting the reference to the whole or any part of a site, or altering the description of a site; and any such order shall be made by statutory instrument, and shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (3) A building or site vested in the Trustees of either Museum, being an authorised repository or the site of an authorised repository, shall not be sold or otherwise disposed of by them.

11 Amendment of 57 and 58 Vict. c. 34

The British Museum (Purchase of Land) Act 1894 (under which money was advanced for the purchase by the Trustees of the British Museum of certain property adjacent to Montagu House) shall be amended by the insertion of the following section after section 2—

“2A Disposal of property purchased

The said property shall not be sold or otherwise disposed of without the consent of the Treasury, and the net proceeds of any sale or other disposition thereof shall be paid into the Exchequer.”

12 Expenses of additional repositories and storage premises

There shall be paid out of moneys provided by Parliament any increase in expenditure out of moneys so provided which is attributable to the provisions of this Act enabling objects comprised in the collections of the British Museum or the British Museum (Natural History) to be kept in premises additional to those in which they were required to be kept immediately before the commencement of this Act.

13 Short title, commencement, transitional provisions and repeals

- (1) This Act may be cited as the British Museum Act 1963.
- (2) Subject to the following subsection, this Act shall come into operation on such day as the Treasury may by order made by statutory instrument appoint.
- (3) The first appointments to be made under section 1(1) or 8(2) of this Act (other than appointments by the Trustees of the British Museum or the Natural History Trustees), shall, so far as may be practicable, be made so as to take effect at the commencement of this Act, and the remainder of the first appointments under either of those provisions shall be made as soon as may be practicable after that commencement.
- (4) As respects service in the employment of the Trustees of the British Museum before the commencement of this Act, section 6(3) of this Act shall be deemed always to have had effect.
- (5) The enactments specified in the first and second columns of the Fourth Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.
- (6) Bylaws, ordinances, statutes or rules in force immediately before the commencement of this Act under section 14 or 15 of the British Museum Act 1753 shall not be invalidated by the repeal of that Act but shall have effect in relation to each Museum, with such modifications as may be necessary in consequence of the provisions of this Act, as if they were rules made by the Trustees of that Museum under paragraph 5 of the First Schedule to this Act

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SCHEDULES

FIRST SCHEDULE

Sections 1 and 8.

TENURE OF OFFICE AND PROCEEDINGS OF TRUSTEES

- 1 Each trustee shall hold office for such period as is specified in the instrument by which he is appointed, but that period shall not exceed ten years, or five years in the case of a person whose appointment takes effect at or within twelve months after the end of any period for which he was previously appointed a trustee of the Museum under this Act.
- 2 A trustee may resign his office by notice in writing served on the person or body who appointed him.
- 3 The functions of the Trustees may be exercised notwithstanding vacancies in their number.
- 4 The quorum at meetings of the Trustees shall be six.
- 5 The Trustees may make rules for regulating their proceedings and for other matters relevant to the exercise of their functions.

SECOND SCHEDULE

Section 8.

TRANSITIONAL PROVISIONS AS TO SEPARATION OF NATURAL HISTORY MUSEUM

- 1 (1) The following property shall vest at the commencement of this Act in the Natural History Trustees, that is to say—
 - (a) the objects vested immediately before that commencement in the Trustees of the British Museum and comprised in the collections of the British Museum (Natural History); and
 - (b) the lands and buildings at Tring referred to in the British Museum Act 1938.
- (2) Such of the said objects as became vested in the Trustees of the British Museum by virtue of a gift or bequest shall be treated for the purposes of this Act as vested in the Natural History Trustees by virtue of a like gift or bequest.
- 2 (1) For the purposes of this paragraph there shall be constituted, as soon as may be after the commencement of this Act, a committee consisting of—
 - (a) a chairman, being a barrister or solicitor appointed by the Treasury, and
 - (b) two persons appointed by the Trustees of the British Museum, and
 - (c) two persons appointed by the Natural History Trustees.
- (2) The committee shall determine what provision should be made by means of the transfer of property, the alteration of trusts or the establishment or variation of common investment funds, or by any other means, for enabling such of the endowments of the Museums as are held (whether in trust or not) for the purposes of the British Museum (Natural History) to be conveniently administered and applied

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for those purposes after the commencement of this Act, for transferring from the Trustees of the British Museum to the Natural History Trustees such powers of appointment to offices as in the opinion of the committee should be so transferred, and for otherwise enabling the provisions of section 8(1) of this Act to be carried into full effect, and shall transmit a report of its determinations to the Treasury, who shall make an order giving effect to them.

- 3 Section 451 of the Income Tax Act 1952 (which provides for exemption from income tax) shall apply in relation to the Natural History Trustees as it applies in relation to the Trustees of the British Museum, and the Charities Act 1960 shall have effect as if the reference to the British Museum in the Second Schedule to that Act (which contains a list of institutions being, so far as they are charities, exempt charities within the meaning of that Act) included a reference to the British Museum (Natural History).
- 4 Subject to the provisions of this Act, all matters and things having effect in relation to the British Museum (Natural History) immediately before the commencement of this Act shall continue as nearly as may be to have effect in relation to that Museum (thereafter).

THIRD SCHEDULE

Section 10.

SITES OF AUTHORISED REPOSITORIES

PART I

BRITISH MUSEUM

- 1 So much of the site in London bounded by Great Russell Street, Bloomsbury Street, Bedford Square, Montague Place, Russell Square and Montague Street as was occupied at the commencement of this Act for the purposes of 'the British Museum.
- 2 The site in Colindale Avenue, London, occupied at the commencement of this Act for the purposes of the British Museum.

PART II

BRITISH MUSEUM (NATURAL HISTORY)

- 1 So much of the site in London bounded by Queen's Gate, Cromwell Road, Exhibition Road and Imperial Institute Road as was occupied at the commencement of this Act for the purposes of the British Museum (Natural History).
- 2 The site in Tring lying to the east of Akeman Street and to the north of Park Street occupied at the commencement of this Act for the purposes of the British Museum (Natural History).

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FOURTH SCHEDULE

Section 12.

REPEALS

Session and Chapter	Short Title	Extent of Repeal
26 Geo. 2. c. 22.	The British Museum Act 1753.	The whole Act.
27 Geo. 2. c. 16.	—	Section 3.
7 Geo. 3. c. 18.	The British Museum Act 1767.	The whole Act.
45 Geo. 3. c. 127.	The British Museum Act 1805.	The whole Act.
47 Geo. 3. Sess. 2. c. 36.	The British Museum Act 1807.	The whole Act.
56 Geo. 3. c. 99.	The British Museum Act 1816.	The whole Act.
5 Geo. 4. c. 39.	The British Museum Act 1824.	The whole Act.
5 Geo. 4. c. 60.	The British Museum (No. 2) Act 1824.	The whole Act.
2 & 3 Will. 4. c. 46.	The British Museum Act 1832.	The whole Act.
2 & 3 Vict. c. 10.	—	The whole Act.
41 & 42 Vict. c. 55.	The British Museum Act 1878.	The whole Act.
57 & 58 Vict. c. 34.	The British Museum (Purchase of Land) Act 1894.	Section 1.
2 Edw. 7. c. 12.	The British Museum Act 1902.	The whole Act.
14 & 15 Geo. 5. c. 23.	The British Museum Act 1924.	The whole Act.
20 & 21 Geo. 5. c. 46.	The British Museum Act 1930.	The whole Act.
1 & 2 Geo. 6. c. 62.	The British Museum Act 1938.	The whole Act.
3 & 4 Eliz. 2. c.23.	The British Museum Act 1955.	The whole Act.
10 & 11 Eliz. 2. c. 18.	The British Museum Act 1962.	The whole Act.

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TABLE OF STATUTES REFERRED TO IN THIS ACT

Short Title	Session and Chapter
British Museum Act 1753	26 Geo. 2. c. 22.
Superannuation Act 1859	22 Vict. c. 26.
British Museum (Purchase of Land) Act 1894.	57 & 58 Vict. c. 34.
British Museum Act 1938	1 & 2 Geo. 6. c. 62.
Income Tax Act 1952	15 & 16 Geo. 6.& 1 Eliz. 2. c. 10.
National Gallery and Tate Gallery Act 1954	2 & 3 Eliz. 2. c. 65.
Charities Act 1960	8 & 9 Eliz. 2. c. 58.