



# National Heritage Act 1983

## 1983 CHAPTER 47

### *Science Museum*

#### **9 Establishment of Board of Trustees.**

- (1) There shall be a body known as the Board of Trustees of the Science Museum.
- (2) Part II of Schedule 1 shall have effect with respect to the Board.

#### **Modifications etc. (not altering text)**

- C1** Ss. 1-16: functions of the Secretary of State transferred by [S.I. 1983/879](#), 1984/1814, 1986/600, 1992/1311 and as from 29.4.1986 to 2.7.1992 exercisable by the Lord President of the Council by virtue of [S.I. 1986/600](#), [arts. 2\(1\)](#), [7\(1\)](#), [Sch. 1 Pt. I](#) and as from 3.7.1992 again exercisable by the Secretary of State by virtue of [S.I. 1992/1311](#), [art. 3\(1\)](#), [Sch. 1 Pt. I](#) and references to the Secretary of State from 29.4.1986 to 2.7.1992 and from 3.7.1992 to be construed accordingly by virtue of [S.I. 1986/600](#), [art. 7\(1\)](#) and [S.I. 1992/1311](#), [art. 12\(4\)](#)

#### **10 The Board's general functions.**

- (1) So far as practicable and subject to the provisions of this Act, the Board shall—
  - (a) care for, preserve and add to the objects in their collections,
  - (b) secure that the objects are exhibited to the public,
  - (c) secure that the objects are available to persons seeking to inspect them in connection with study or research, and
  - (d) generally promote the public's enjoyment and understanding of science and technology and of the development of those subjects, both by means of the Board's collections and by such other means as they consider appropriate.
- (2) For those purposes the Board may, subject to the provisions of this Act—
  - (a) provide education, instruction and advice and carry out research,

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- (b) enter into contracts and other agreements (including agreements for the Board's occupation or management of the building known as the Science Museum or other premises), and
  - (c) acquire and dispose of land and other property.
- (3) Subject to the provisions of this Act, the Board may do such things (including requiring payment for admission or for other services or for goods provided by them) as they think necessary or expedient—
- (a) for preserving, and increasing the utility of, their collections,
  - (b) for securing the due administration of anything vested in or acquired by them, and any premises occupied or managed by them, under or by virtue of this Act, and
  - (c) otherwise for the purposes of their functions.
- (4) If a Minister of the Crown directs the Board to exercise functions which are exercisable by him (whether by virtue of an enactment or otherwise), which in his opinion can appropriately be exercised by the Board having regard to their functions and resources, and which are specified in the direction, the Board shall exercise them on his behalf in such manner as he may from time to time direct; but nothing in this subsection authorises the Board to exercise a function of making regulations or other instruments of a legislative character.
- (5) The Board shall not acquire or dispose of land without the Secretary of State's consent.
- (6) 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 functions mentioned in subsection (1) if the Board are satisfied that to do so would not conflict unduly with those functions.

**Modifications etc. (not altering text)**

- C2** *Ss. 1-16*: functions of the Secretary of State transferred by [S.I. 1983/879](#), 1984/1814, 1986/600, 1992/1311 and as from 29.4.1986 to 2.7.1992 exercisable by the Lord President of the Council by virtue of [S.I. 1986/600](#), [arts. 2\(1\), 7\(1\)](#), [Sch 1 Pt. I](#) and as from 3.7.1992 again exercisable by the Secretary of State by virtue of [S.I. 1992/1311](#), [art. 3\(1\)](#), [Sch. 1 Pt. I](#) and references to the Secretary of State from 29.4.1986 to 2.7.1992 and from 3.7.1992 to be construed accordingly by virtue of [S.I. 1986/600](#), [art. 7\(1\)](#) and [S.I. 1992/1311](#), [art. 12\(4\)](#)

**11 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
- [<sup>F1</sup>(a) one or more of the particular objects mentioned in subsection (2), or
  - (b) any other object or objects incidental to the Board's functions.]
- (2) The [<sup>F2</sup>particular objects ] are—
- (a) the production and publication of books, films or other informative material relating to science and technology,
  - (b) the production of replicas or reproduction of objects relating to science and technology, or of souvenirs,

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- (c) the sale of informative material relating to science and technology, or of replicas or reproductions of objects relating to science and technology, or of souvenirs, and
  - (d) the provision of catering or car parking or other services or facilities for the public at any premises occupied or managed by the Board.
- (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) In this section references to science and technology include references to the development of those subjects.
- (5) This section is without prejudice to any power of the Board to undertake anything mentioned in subsection (2) by virtue of section 10.

#### Textual Amendments

- F1** S. 11(1)(a)(b) substituted for words in s. 11(1) (14.2.2012) by [Public Bodies Act 2011 \(c. 24\), ss. 32\(3\)\(a\), 38\(1\)](#)
- F2** Words in s. 11(2) substituted (14.2.2012) by [Public Bodies Act 2011 \(c. 24\), ss. 32\(3\)\(b\), 38\(1\)](#)

#### Modifications etc. (not altering text)

- C3** Ss. 1-16: functions of the Secretary of State transferred by [S.I. 1983/879](#), 1984/1814, 1986/600, 1992/1311 and as from 29.4.1986 to 2.7.1992 exercisable by the Lord President of the Council by virtue of [S.I. 1986/600, arts. 2\(1\), 7\(1\), Sch 1 Pt. I](#) and as from 3.7.1992 again exercisable by the Secretary of State by virtue of [S.I. 1992/1311, art. 3\(1\), Sch. 1 Pt. I](#) and references to the Secretary of State from 29.4.1986 to 2.7.1992 and from 3.7.1992 to be construed accordingly by virtue of [S.I. 1986/600, art. 7\(1\)](#) and [S.I. 1992/1311, art. 12\(4\)](#)

## 12 Initial vesting in Board.

- (1) Subject to the provisions of this Act, where the property in an object was vested in a Minister of the Crown immediately before the vesting day, and the object—
- (a) then formed part of the collections of the institution known as the Science Museum or the institution known as the Patent Museum, or
  - (b) was then in use in respect of the collections or solely for the purposes of the administration of the institutions,
- then the property shall on that day become vested instead in the Board.
- (2) In the case of an object mentioned in subsection (1)(a), it is immaterial that, immediately before the vesting day, it was situated elsewhere than at premises managed for the purposes of the institutions (as where it was on loan).
- (3) Any interest which was vested in a Minister of the Crown immediately before the vesting day, and which then subsisted in a fund or share in a fund (whether or not of money) then held for the purposes of the institution known as the Science Museum, shall on that day become vested instead in the Board.
- (4) On the vesting day any right, power, duty or liability which was immediately before that day exercisable by or incumbent on a Minister of the Crown—
- (a) in relation to any object mentioned in subsection (1), or

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- (b) by virtue of his having any interest mentioned in subsection (3), shall instead become exercisable by or incumbent on the Board.
- (5) Subsections (1) and (4)(a) do not apply as regards an object excepted from those provisions by an order made by the Secretary of State and coming into force before the vesting day.
- (6) The power to make an order under subsection (5) shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.
- (7) In this section “the vesting day” means the day appointed under section 41(1) for the coming into force of this section (other than subsections (5) and (6)).

**Modifications etc. (not altering text)**

- C4** Ss. 1-16: functions of the Secretary of State transferred by [S.I. 1983/879](#), 1984/1814, 1986/600, 1992/1311 and as from 29.4.1986 to 2.7.1992 exercisable by the Lord President of the Council by virtue of [S.I. 1986/600](#), arts. 2(1), 7(1), [Sch 1 Pt. I](#) and as from 3.7.1992 again exercisable by the Secretary of State by virtue of [S.I. 1992/1311](#), art. 3(1), [Sch. 1 Pt.I](#) and references to the Secretary of State from 29.4.1986 to 2.7.1992 and from 3.7.1992 to be construed accordingly by virtue of [S.I. 1986/600](#), [art. 7\(1\)](#) and [S.I. 1992/1311](#), [art. 12\(4\)](#)

**13 Certain gifts vesting on or after vesting day.**

- (1) Subsection (2) applies to a gift (by will or otherwise)—
- (a) which is contained in an instrument made or executed before the vesting day but coming into effect on or after that day, and
  - (b) which would, apart from this Act, have vested an interest in property (of any nature) in a Minister of the Crown for the purposes of the institution known as the Science Museum or the institution known as the Patent Museum.
- (2) The gift shall, in the absence of any contrary intention expressed in that or another instrument made by the testator or donor, have effect so as to vest the interest in the Board in place of the Minister.
- (3) In this section “the vesting day” means the day appointed under section 41(1) for the coming into force of section 12 (other than subsections (5) and (6)).

**Modifications etc. (not altering text)**

- C5** Ss. 1-16: functions of the Secretary of State transferred by [S.I. 1983/879](#), 1984/1814, 1986/600, 1992/1311 and as from 29.4.1986 to 2.7.1992 exercisable by the Lord President of the Council by virtue of [S.I. 1986/600](#), arts. 2(1), 7(1), [Sch 1 Pt. I](#) and as from 3.7.1992 again exercisable by the Secretary of State by virtue of [S.I. 1992/1311](#), art. 3(1), [Sch. 1 Pt.I](#) and references to the Secretary of State from 29.4.1986 to 2.7.1992 and from 3.7.1992 to be construed accordingly by virtue of [S.I. 1986/600](#), [art. 7\(1\)](#) and [S.I. 1992/1311](#), [art. 12\(4\)](#)

**14 Acquisition and disposal of objects.**

- (1) The Board may acquire (whether by purchase, exchange or gift) any objects which in their opinion it is desirable to add to their collections.

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- (2) Without prejudice to any power apart from this subsection, a Minister of the Crown may transfer to the Board any object (whether or not he acquired it before the Board's establishment) if in his opinion it would appropriately form part of their collections.
- (3) The Board may not dispose of an object the property in which is vested in them and which is comprised in their collection unless—
- (a) the disposal is by way of sale, exchange or gift of an object which is a duplicate of another object the property in which is so vested and which is so comprised, or
  - (b) the disposal is by way of sale, exchange or gift of an object which in the Board's opinion is unsuitable for retention in their collections and can be disposed of without detriment to the interests of students or other members of the public, or
  - (c) the disposal is [<sup>F3</sup>an exercise of the power conferred by section 6 of the Museums and Galleries Act 1992], or
  - (d) the disposal (by whatever means, including destruction) is of an object which the Board are satisfied has become useless for the purposes of their collections by reason of damage, physical deterioration, or infestation by destructive organisms.
- <sup>F4</sup>(4) . . . . .
- (5) An object may be disposed of as mentioned in subsection (3)(d) notwithstanding a trust or condition (express or implied) prohibiting or restricting the disposal of the object.
- (6) Money accruing to the Board by virtue of a disposal mentioned in this section shall be applied by the Board in the acquisition of objects to be added to their collections.

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**Textual Amendments**

- F3** Words in s. 14(3) substituted (1.9.1992) by [Museums and Galleries Act 1992 \(c. 44\), s. 11\(2\), Sch. 8 Pt. II para. 13](#) (1); S.I. 1992/1874, [art.2](#)
- F4** S. 14(4) repealed (1.9.1992) by [Museums and Galleries Act 1992 \(c. 44\), s. 11\(3\), Sch. 9](#); S.I. 1992/1874, [art. 2](#)

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**Modifications etc. (not altering text)**

- C6** [Ss. 1-16](#): functions of the Secretary of State transferred by [S.I. 1983/879](#), 1984/1814, 1986/600, 1992/1311 and as from 29.4.1986 to 2.7.1992 exercisable by the Lord President of the Council by virtue of [S.I. 1986/600, arts. 2\(1\), 7\(1\), Sch 1 Pt. I](#) and as from 3.7.1992 again exercisable by the Secretary of State by virtue of [S.I. 1992/1311, art. 3\(1\), Sch. 1 Pt. I](#) and references to the Secretary of State from 29.4.1986 to 2.7.1992 and from 3.7.1992 to be construed accordingly by virtue of [S.I. 1986/600, art. 7\(1\)](#) and [S.I. 1992/1311, art. 12\(4\)](#)

**15 Lending and borrowing of objects.**

- (1) Subject to subsection (2), the Board may lend any object the property in which is vested in them and which is comprised in their collections (whether or not the loan is for purposes of public exhibition, and whether or not under the terms of the loan the object is to remain in the United Kingdom).
- (2) In deciding whether or not to lend an object, and in determining the time for which and the conditions subject to which an object is to be lent, the Board—

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- (a) shall give special consideration to a request for the loan of an object for public exhibition, and
  - (b) subject to that, shall have regard to the interests of students and other persons visiting the Board’s collections, the suitability of the prospective borrower, the purpose of the loan, the physical condition and degree of rarity of the object, and any risks to which it is likely to be exposed.
- (3) Where the property in an object has become vested in the Board subject to a condition, the power conferred by subsection (1) is exercisable in a manner inconsistent with the condition if either—
- (a) 25 years have elapsed since the date on which the property became vested in the Board (or, where it became vested in them under section 12(1), the Minister), or
  - (b) the person who first imposed the condition or his personal representatives have consented in writing to the exercise of the power in that manner.
- (4) The Board may accept loans of objects for the purpose (depending on the terms of the loan) of exhibiting them, or of study or research by the Board or by persons seeking to inspect them.

**Modifications etc. (not altering text)**

**C7** Ss. 1-16: functions of the Secretary of State transferred by S.I. 1983/879, 1984/1814, 1986/600, 1992/1311 and as from 29.4.1986 to 2.7.1992 exercisable by the Lord President of the Council by virtue of S.I. 1986/600, arts. 2(1), 7(1), **Sch 1 Pt. I** and as from 3.7.1992 again exercisable by the Secretary of State by virtue of S.I. 1992/1311, art. 3(1), **Sch. 1 Pt.I** and references to the Secretary of State from 29.4.1986 to 2.7.1992 and from 3.7.1992 to be construed accordingly by virtue of S.I. 1986/600, **art. 7(1)** and S.I. 1992/1311, **art. 12(4)**

**F5**16 .....

**Textual Amendments**

**F5** S. 16 repealed (1.9.1992) by **Museums and Galleries Act 1992 (c. 44)**, s. 11(3), **Sch.9**; S.I. 1992/1874, **art. 2**

**Changes to legislation:**

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