

GREATER LONDON AUTHORITY ACT 2007

EXPLANATORY NOTES

COMMENTARY

Part 9: Culture, Media and Sport

Museum of London

112. The Museum of London is a Non-Departmental Public Body, funded jointly by the Department for Culture, Media and Sport (DCMS) and the City of London Corporation. It is governed by the Museum of London Acts 1965 (the “1965 Act”) and 1986 (the “1986 Act”). The Museum is administered by a Board of 18 Governors, nine of whom are appointed by the Prime Minister and nine by the City. Sections 45 to 49 deal with the transfer to the Authority of the Government’s responsibilities for funding the Museum and appointing members of the Board.

Section 45: Transfer of power of appointment of members of Board of Governors

113. *Subsection (1)* amends section 1(2)(a) of the 1965 Act to enable the Authority to take over the Prime Minister’s power to appoint half of the members of the Museum of London’s Board of Governors.
114. *Subsection (2)* amends paragraph 4(1) of the Schedule to the 1965 Act. That paragraph sets out the procedure for Governors who wish to resign from their post. It enables them to do so by giving notice in writing to the authority responsible for appointing them which, at present, is either the Prime Minister or the City. This amendment substitutes the Authority for the Prime Minister.
115. *Subsection (3)* ensures that Governors appointed by the Prime Minister before the Act comes into force will not be affected by the provisions in this section.

Section 46: Period of appointment of Governors to the Board

116. *Subsection (1)* amends paragraph 2(1) of the Schedule to the 1965 Act. Currently, Governors may be appointed for a term of three years. The subsection amends this to a term of ‘not more than four years’.
117. *Subsection (2)* gives this amendment retrospective force. This ensures that any appointment in the past of a Governor for a period of more than three years but not more than four years will be treated as having complied with the provisions of the 1965 Act.

Section 47: The Board’s expenditure: transfer of powers and other provisions.

118. *Subsection (1)* amends section 14 of the 1965 Act. Section 14 stipulates that the approval of the Secretary of State and the Corporation of London are needed before monies received from, for example, donations may be used for any purpose other than to meet general administrative expenses of the collections. The amendments in subsection (1) substitute the Authority for the Secretary of State.

119. *Subsection (3)* amends section 15(1) of the 1965 Act, which stipulates that the Board of the Museum will be required, from time to time, to submit estimates of future expenditure to the Secretary of State and the City of London Corporation. The amendment in subsection (3) substitutes the Authority for the Secretary of State.
120. *Subsection (4)* amends section 15(2) of the 1965 Act. This sets out the mechanism by which expenditure incurred by the Museum is to be defrayed. The amendments substitute the Authority for the Secretary of State. They also allow for the Authority to make payments directly to the Museum, instead of simply reimbursing the Corporation under subsection (3) of section 15.
121. *Subsection (5)* sets out substitute provisions for section 15(3) of the 1965 Act, which stipulates that the Secretary of State must pay the Corporation of London one half of the monies paid by the Corporation to the Museum under section 15(2). The new subsections (3) and (4) maintain the position that the Corporation and the Authority are each liable for half the expenditure of the Museum (subject to agreement about an alternative proportion in relation to particular expenses) but take into account the fact that the Authority may make payments under subsection (2) directly to the Museum.

Section 48: Transfer of other powers relating to the Museum

122. *Subsection (1)* amends section 3(4) of the 1965 Act. This section requires the Museum to seek the consent of the Secretary of State and the City of London Corporation before disposing of any land or interest in land. The amendments replace references to the Secretary of State with references to the Authority.
123. *Subsection (2)* amends subsections (1), (3) and (4) of section 9 of the 1965 Act. This section gives the Board of the Museum the power to appoint a Director and other staff, subject to the consent of the Secretary of State and the City of London Corporation, and on terms and conditions approved by the Secretary of State and the Corporation. The amendments in subsection (2) replace references to the Secretary of State with references to the Authority.

Section 49: Repeal of section 5 of the Museum of London Act 1986

124. *Section 49* repeals section 5 of the 1986 Act. This section requires the Secretary of State to lay a report on the exercise of the functions of the Board of Governors of the Museum of London before each House of Parliament every three years. As the Government will no longer be directly accountable for the use of public funds by the Museum of London, this section will not be required.

Miscellaneous

Section 50: The Mayor's culture strategy: consultation

125. Section 376 of the GLA Act 1999 requires the Mayor of London to prepare and publish a culture strategy. A draft of the strategy is to be prepared by the Cultural Strategy Group for London. The Mayor is also required to consult certain bodies in revising the Cultural Strategy (section 42), but not where he considers that the revision will not materially alter the strategy in question (section 42(6)).
126. This section amends section 376. As amended, that section will require:
 - the Cultural Strategy Group for London to consult the bodies listed in the new subsection (10) (see *subsection (5)* of section 50) when proposing revisions to the Cultural Strategy, and
 - the Cultural Strategy Group for London to consult these bodies when consulted by the Mayor if he makes revisions other than those proposed by the Group

The section also gives the Secretary of State a power to amend the list of bodies to be consulted.

Section 51: The Mayor's duty to exercise certain powers of appointment

127. The Mayor is expected to gain certain rights of appointment of board members of the London Regional Council of Arts Council England; English Sports Council London Regional Sports Board; and Archives, Libraries & Museums London (which uses the trading name "MLA London"). It is expected that these new appointment powers will be given to the Mayor by amendment of the Royal Charters of the Arts Council England and the English Sports Council and of the Articles of Association of Archives, Libraries and Museums London and the Museums, Libraries and Archives Council.
128. **Section 51** inserts a new section 377A into the GLA Act 1999. This new section imposes a duty on the Mayor to exercise appointment rights he has been granted as soon as reasonably practicable after he has received a request in writing from bodies prescribed by the Secretary of State. Prescribed bodies must have functions relating to sport, culture or the arts. Section 377A also gives the Secretary of State a power to amend the list of prescribed bodies.