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STATUTORY INSTRUMENTS

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**1983 No. 879**

**The Transfer of Functions (Arts, Libraries  
and National Heritage) Order 1983**

*Transfer of functions*

**2.—(1)** The functions of the Secretary of State under the enactments listed in Part I of Schedule 1 to this Order are hereby transferred to the Lord President.

(2) The functions of the Secretary of State in relation to the institutions listed in Part II of that Schedule are hereby transferred to the Lord President.

(3) The following functions of the Secretary of State for Education and Science, namely—

- (a) his functions under the Wellington Museum Act 1947,
- (b) his functions under section 4(6) of the National Heritage Act 1983, and
- (c) his functions in relation to the Crafts Council,

are hereby transferred to the Lord President.

**3.—(1)** The following functions of the Secretary of State, namely—

- (a) his functions under sections 2(1), 7, 8(1) and 9(6) of, and paragraphs 5(2), 6 and 7(4) of Schedule 1 to, the National Heritage Act 1980<sup>(1)</sup>,
- (b) his function of nominating persons under section 9(4) of that Act,
- (c) the functions conferred on him by virtue of section 12(2) of that Act in relation to the provisions mentioned in section 8(3) of that Act, and
- (d) his functions under paragraph 17 of Schedule 4 to the Finance Act 1975<sup>(2)</sup>,

are hereby transferred to the Secretary of State and the Lord President jointly.

(2) The following functions of the Secretary of State under the said Act of 1980, namely—

- (a) his functions under sections 4(3), 5(3), 9(1), (2) and (3) and 16(1) and (2)(e), and
- (b) his function under section 9(4) of giving directions for the transfer of property,

shall be exercisable by the Lord President concurrently with the Secretary of State.

(3) The function of the Secretary of State of giving directions under subsection (4) of section 9 of the said Act of 1980 with respect to the holding or management of any property is, in the case of property transferred in pursuance of a direction under that subsection given by the Lord President or given before the coming into operation of this Order by the Secretary of State for Education and Science or the Chancellor of the Duchy of Lancaster, hereby transferred to the Lord President.

**4.—(1)** Subject to paragraph (3) below, the functions of the Secretary of State under the Public Libraries and Museums Act 1964, so far as they are exercisable in relation to England, are hereby transferred to the Lord President.

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(1) the Act was amended by , Schedule 2.

(2) paragraph 17 was amended by section 124 of the Finance Act 1976 (c. 40) and S.I. 1981/207, Schedule 2.

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(2) Without prejudice to paragraph (1) above, the functions of the Secretary of State under paragraph 4 of Schedule 1 to that Act, so far as they are exercisable on the dissolution of a joint board whose area does not include any part of Wales, are hereby transferred to the Lord President.

(3) The functions of the Secretary of State under section 9 of that Act shall be exercisable by the Lord President concurrently with the Secretary of State.

5. The functions of the Secretary of State under section 324 of the Public Health Act 1936, so far as they are exercisable by virtue of section 10(5) of the Public Libraries and Museums Act 1964 and are so exercisable in relation to England, are hereby transferred to the Lord President.

6.—(1) The Secretary of State's function of making orders under section 41 (commencement) of the National Heritage Act 1983 is hereby transferred to the Lord President so far as the bringing into force of the following provisions of that Act is concerned, namely—

- (a) sections 1 to 16 and Parts I and II of Schedule 1;
- (b) paragraphs 1, 2, 5 and 7 of Schedule 5;
- (c) paragraphs 3 and 4 of that Schedule, so far as they relate to the Science Museum or the Victoria and Albert Museum;
- (d) Schedule 6, so far as it relates to the Patents and Designs Act 1907, the National Gallery and Tate Gallery Act 1954 and the Public Records Act 1958.

(2) The Secretary of State's function of making orders under section 41 of the said Act of 1983 shall, so far as the bringing into force of section 40 of that Act is concerned, be exercisable by the Lord President concurrently with the Secretary of State.