



Museum of London Act 1965

1965 CHAPTER 17

An Act to establish a Board of Governors of the Museum of London; to transfer to them the collections of the London Museum and of the Guildhall Museum and the benefit of certain funds; to define the functions of that Board, and to provide for purposes connected with the matters aforesaid. [2nd June 1965]

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 Board of Governors of Museum of London

- (1) There shall be a body to be called the Board of Governors of the Museum of London (hereafter in this Act referred to as "the Board ") who shall exercise and perform the functions assigned to them by this Act.
- (2) The Board shall consist of eighteen members (hereafter in this Act referred to as " governors ") of whom—
 - (a) six shall be appointed by the Prime Minister ;
 - (b) six shall be appointed by the Corporation of the City of London (hereafter in this Act referred to as " the Corporation "); and
 - (c) six shall be appointed by the Greater London Council.
- (3) The incidental provisions contained in the Schedule to this Act shall have effect with respect to the Board.

2 Transfer to Board of collections of London and Guildhall Museums and benefit of certain funds

- (1) On such day as may, with the agreement of the Corporation and the Greater London Council, be appointed for the purposes of this section by the Secretary of State by order made by statutory instrument (hereafter in this Act referred to as " the appointed day ") the following objects, namely.—

Status: This is the original version (as it was originally enacted).

- (a) all objects which at the beginning of that day form part of the collections of the organisation known as the London Museum and are then vested in the Trustees of the London Museum ; and
- (b) all objects which at the beginning of that day form part of the collections of the organisation known as the Guildhall Museum and are then vested in the Corporation,

shall, by virtue of this section and without further assurance, vest in the Board.

- (2) As regards anything falling to be done after the appointed day—
 - (a) the will of John George Joicey (which contains provision for the application of the income of certain funds, which are now vested in the official custodian for charities, in the purchase of objects for the London Museum) shall have effect as if the said provision were one for the application of the said income in the purchase of objects for addition to the collections vested in the Board by virtue of the foregoing subsection ; and
 - (b) the scheme contained in the Schedule to the order made on the 14th May 1956 in the Chancery Division of the High Court for the administration of the charitable trusts created by the wills of Henry Thomas Mackenzie Bell and Helena Teresa Maria Bell (which scheme contains provision for the use of the funds representing the assets and property subject to the scheme, which funds are now vested in the official custodian for charities, and any income thereof for the purpose of maintaining and adding to the collections in the London Museum) shall have effect as if the said provision were one for the use of the said funds and income for the purpose of maintaining and adding to the collections vested in the Board as aforesaid.
- (3) On the appointed day—
 - (a) such rights, powers and duties in relation to any object vested in the Board by subsection (1) above as immediately before that day are exercisable by or incumbent upon the Trustees of the London Museum or, as the case may be, the Corporation ; and
 - (b) such rights, powers and duties in relation to the funds mentioned in the last foregoing subsection as immediately before that day are exercisable by or incumbent upon the said Trustees,

shall instead be exercisable by or incumbent upon the Board.

3 General powers of Board

The Board shall have the general management and control of their collections, that is to say the objects vested in them by virtue of the last foregoing section and any objects acquired by them under the provisions of this Act, and for that purpose shall, subject to the following provisions of this Act, have power to make rules for securing the due administration and preservation of their collections, to acquire, hold and manage land, and to do all such other things as appear to them necessary or expedient for the purpose of their functions.

4 Keeping of collections

- (1) The Board shall take steps to acquire premises for the purpose of maintaining their collections therein and holding exhibitions therein of their collections, or so much of those collections as from time to time they think fit, being premises situate within

the City of London and, so long as they are held by the Board, to be known as the Museum of London.

- (2) Subject to the following provisions of this Act, it shall be the duty of the Board, as soon as practicable after they have acquired such premises as aforesaid, to keep the objects comprised in their collections in those premises, or, if those premises cease to be held by the Board, in other premises within the City of London held by them.
- (3) Nothing in the foregoing provisions of this section is to be taken as precluding the Board from exhibiting any of the objects comprised in their collections at any place, wherever situate, other than such premises as are mentioned in the last foregoing subsection, or from removing any of those objects for any purpose, other than exhibition, connected with the administration of any such premises as are so mentioned or the care of their collections.
- (4) Where it appears to the Board that any objects comprised in their collections cannot conveniently be kept within any such premises as are mentioned in subsection (2) above, they may store those objects at such other premises, wherever situate, as appear to the Board to be suitable.

5 Power of Board to acquire and dispose of objects

- (1) Subject to the following provisions of this Act, the Board shall have power to acquire any objects which in their opinion it is desirable to add to their collections.
- (2) Subject as aforesaid, the Board may sell, exchange, give away or otherwise dispose of any object vested in them and comprised in their collections if the object is a duplicate of another such object or is for any other reason not, in their opinion, required for retention in those collections.
- (3) The powers conferred by the last foregoing subsection shall not be exercisable as respects an object except with the approval of the exercise of those powers as respects that object of not less than two-thirds of the governors for the time being.
- (4) Where an object has become vested in the Board subject to any trust or condition, the powers conferred by subsection (2) above shall not be exercisable as respects that object in a manner inconsistent with that trust or condition.

6 Power of Board to lend objects

- (1) Any object vested in the Board may be lent by them, subject to the provisions of this section, on such terms and conditions as they think fit, to any person for any purpose, whether the purpose is to be carried out in the United Kingdom or elsewhere.
- (2) In exercising the power conferred by the foregoing subsection in the case of any object, the Board shall have regard to the interests of students and other persons visiting the collections vested in the Board, to the physical condition and degree of rarity of the object, and to any risks to which the object is likely to be exposed.

7 Transfer of objects to and from other organisations

- (1) Subject to the provisions of this section, any object vested in the Board may be transferred by the Board to an institution listed in Schedule 1 to the National Gallery and Tate Gallery Act 1954 (which contains a list of institutions in any of which it may be directed, under section 3(1) of that Act, that works of art falling within that

subsection shall vest instead of in the National Gallery Trustees, and to any of which the Tate Gallery Trustees are empowered, by section 5 of that Act, to transfer works of art vested in them), an institution added to that list under section 3(3) of that Act, the Tate Gallery Trustees or the National Gallery Trustees.

- (2) For the purpose of enabling works of art to be transferred to the Board under the enactments hereafter in this section mentioned instead of to the London Museum, those enactments shall have effect, as from the appointed day, subject to the following modifications:—
- (a) the said section 3(1) shall be construed as if any reference therein to an institution listed in the said Schedule 1 included a reference to the Board ;
 - (b) the said section 5 shall be construed as if the power thereby conferred on the Tate Gallery Trustees included power to transfer a work of art vested in them to the Board;
 - (c) section 9 of the British Museum Act 1963 shall be construed as if the power thereby conferred on the Trustees of the British Museum and the Trustees of the British Museum (Natural History) to transfer pictures vested in them to such an institution included power to transfer pictures so vested to the Board;
 - (d) in the said Schedule, the words " the London Museum " shall be omitted.
- (3) The power conferred by subsection (1) of this section shall not be exercisable as respects an object except with the approval of the exercise of that power as respects that object of not less than two-thirds of the governors for the time being.
- (4) Where an object transferred under subsection (1) of this section became vested in the Board subject to any trust or condition, it shall be subject to the like trust or condition in the hands of the transferees.

8 Use of premises acquired under s. 4

The Board may use any premises acquired by them in pursuance of section 4(1) of this Act, or allow those premises to be used (whether in return for payment or not), for the holding of exhibitions and meetings, the showing of films and slides, the giving of musical performances and the holding of other events of an educational or cultural nature.

9 Employment of staff

- (1) There shall be a Director of the Museum of London who shall be appointed by the Board with the approval of the Secretary of State, the Corporation and the Greater London Council, shall, subject to the provisions of this and the next following section, hold office on such terms and subject to such conditions as the Secretary of State, the Corporation and the Greater London Council may jointly direct, and shall be responsible to the Board for the care of all property in the possession of the Board and for the general administration of the collections vested in the Board and any place where those collections are kept.
- (2) The Board, with the consent of the Corporation, shall, from amongst the officers of the Corporation, appoint persons who shall, while remaining officers of the Corporation, act as secretary and as treasurer of the Board, and persons appointed under this subsection shall so act on such terms and such conditions as may be agreed between the Board and the Corporation, except that no salaries, allowances or other remuneration shall be paid to them by the Board, but in respect of their service to the Board, there

shall be due to the Corporation from the Board such sums as the Corporation and the Board may agree.

- (3) The Board may, subject to the consent of the Secretary of State, the Corporation and the Greater London Council as to numbers and without prejudice to the provisions of the last foregoing subsection, appoint such officers and such servants as the Board think fit; and any officer and any servant appointed under this subsection shall, subject to the provisions of this and the next following section, hold office on such terms and subject to such conditions as the Corporation may direct.
- (4) There shall be paid to the Director of the Museum of London and to any officers and servants appointed under the last foregoing subsection such salaries, allowances and other remuneration as the Corporation, with the approval of the Secretary of State and the Greater London Council, may determine ; and in making a determination under this section, the Corporation shall have regard to any recommendations that may be made by the Board.

10 Superannuation of staff

- (1) The following employees of the Board, that is to say:—
 - (a) such persons as are in the employment of the Board by virtue of an appointment made on or before the appointed day and, immediately before that appointment, either—
 - (i) are employed by the Corporation and entitled to participate in the benefits of the superannuation fund established by the Corporation under the City of London (Various Powers) Act 1931 ; or
 - (ii) are serving in an established capacity in the employment of the Trustees of the London Museum after having been admitted into that employment with a certificate from the Civil Service Commissioners ; and
 - (b) subject to the provisions of the next following subsection, such other persons in the employment of the Board as they may from time to time designate,shall, subject to the provisions of the superannuation scheme administered by the Corporation under the said Act of 1931, be entitled to participate in the benefits of the said superannuation fund, and the Local Government Superannuation Acts 1937 to 1953 and the said scheme shall have effect as if the Board were a local authority as defined in the Local Government Superannuation Act 1937 and the employees of the Board falling within paragraph (a) or (b) above were local Act contributors as so defined.
- (2) The Board shall not designate a person under subsection (1)(b) above unless he would be entitled to participate in the benefits of the said superannuation fund if, instead of his being employed by the Board, he were employed by the Corporation on the terms and conditions on which he is employed by the Board.
- (3) The Corporation shall make a scheme for modifying and adapting the said superannuation scheme to such extent, subject to the provisions of subsection (5) below, as they consider requisite or desirable in consequence of the conferring by the foregoing subsection on employees of the Board of entitlement to participate in the benefits of the said superannuation fund.
- (4) Part II and Part IV of the Local Government Superannuation (Administration) Regulations 1954 (which impose on certain local authorities and on bodies who

are parties to an agreement in force under section 15 of the Local Government Superannuation Act 1953 requirements as to the ascertainment, recording and notification of the status of their employees) as amended by any other regulation, shall apply to the Board as if they were such a body as aforesaid.

- (5) Subject to the following provisions of this section, the following provisions, that is to say—
- (a) any provision contained in the Local Government Superannuation Acts 1937 to 1953, the Superannuation (Miscellaneous Provisions) Act 1948, the National Insurance Act 1959, the City of London (Various Powers) Act 1931, or any enactment amending or extending the superannuation scheme administered by the Corporation under the said Act of 1931;
 - (b) any provision contained in an instrument made or issued under any of the said Acts before the date of the passing of this Act; and
 - (c) except as may be otherwise expressly provided therein, any provision contained in, or in an instrument made or issued under, any enactment passed after the said date whereby any of the said Acts is amended, extended or superseded, or in an instrument made or issued under any of the said Acts after the said date,

shall, in relation to an employee of the Board falling within paragraph (a) of subsection (1) above by virtue of sub-paragraph (i) of that paragraph, have effect as if his employment by the Corporation and his employment by the Board were one continuous employment.

- (6) Subsections (1), (2) and (5) of section 36 of the Local Government Superannuation Act 1937 (approval of schemes by the Minister of Housing and Local Government, effect of schemes on Acts and amendment of schemes) shall apply to a scheme under subsection (3) above as they apply to a scheme under that Act.
- (7) A scheme under subsection (3) above approved by the Minister of Housing and Local Government in accordance with the last foregoing subsection shall be laid before Parliament and be subject to annulment in pursuance of a resolution of either House of Parliament in like manner as if it were a statutory instrument.
- (8) Subsection (5) above shall not be construed as exempting the Board from any such requirement as is mentioned in subsection (4) above in relation to any such employee as is mentioned in the said subsection (5).
- (9) For the purposes of this section a person appointed under section 9(2) of this Act to act as secretary or treasurer of the Board shall be treated as not being an employee of the Board.

11 Board to be exempt charity for purposes of Charities Act 1960

Schedule 2 to the Charities Act 1960 (by virtue of which, together with section 4 of that Act, the institutions so far as they are charities, mentioned in the list contained in that Schedule are exempt charities within the meaning of that Act) shall have effect with the addition after paragraph (g) of that list of the following paragraph:—

“(h) the Board of Governors of the Museum of London”.

12 Substitution, in certain devises and bequests, of Board in place of London Museum and Guildhall Museum

Any devise or bequest contained in a testamentary disposition executed before the appointed day, being a devise or bequest which comes into effect on or after that day and would, if this Act had not been passed, have operated to vest any interest in the Trustees of the London Museum or, for the purposes of the Guildhall Museum, in the Corporation, shall, in the absence of any contrary intention expressed in that or any other testamentary disposition made by the testator, have effect so as to vest that interest in the Board in place of, as the case may be, those Trustees or the Corporation.

13 Power of Secretary of State to make grants for furniture and equipment

The Secretary of State may out of moneys provided by Parliament make to the Board grants not exceeding in the aggregate £150,000 in respect of the cost of furnishing and equipping any premises in which the collections vested in the . Board are, or are to be, housed.

14 Application of moneys received by the Board

- (1) Moneys received by the Board, otherwise than—
 - (a) under section 13 or the next following section of this Act; or
 - (b) in respect of the disposal of objects vested in them and comprised in their collections ; or
 - (c) by way of gift or bequest (including moneys received by virtue of section 2(2) of this Act),shall not, except with the approval of the Secretary of State, the Corporation and the Greater London Council, be applied by the Board otherwise than in defraying expenses of the general administration of their collections and of any place where those collections are, or any part thereof is, kept.
- (2) Moneys received by the Board in a way mentioned in subsection (1)(b) above shall not be applied by them, except with the approval of the Secretary of State, the Corporation and the Greater London Council, otherwise than in the exercise of the power conferred on the Board by section 5(1) of this Act.
- (3) Any interest received by the Board on the investment of any moneys received by the Board in any way shall be treated, for the purposes of the foregoing provisions of this section, as forming part of moneys received in that way.
- (4) Nothing in the foregoing provisions of this section shall be taken as authorising the application by the Board of any moneys received by them by way of gift or bequest in a manner inconsistent with any condition attached to the gift or bequest.

15 Financing of expenditure of Board by the Corporation and reimbursement by Secretary of State and Greater London Council

- (1) The Board shall from time to time submit to the Secretary of State, the Corporation and the Greater London Council an estimate of the expenditure which, during the period to which the estimate relates, the Board propose to incur in carrying this Act into effect, being expenditure which they propose should be defrayed in accordance with the provisions of this section; and such an estimate shall specify the matters in respect

of which it is proposed that the expenditure to which it relates should be incurred, and the amount proposed to be incurred in respect of those matters.

- (2) Expenditure incurred in accordance with an estimate submitted under the foregoing subsection shall, if the estimate is approved by the Secretary of State, the Corporation and the Greater London Council, be defrayed in the first instance by the Corporation, but the Corporation may make payments to the Board in respect of such part of the expenditure incurred or to be incurred as aforesaid or in respect of such expenditure of a particular description, as the Corporation may determine, and in that event that part of such expenditure, or, as the case may be, such expenditure of that description, shall be defrayed by the Board themselves instead of by the Corporation.
- (3) In respect of amounts from time to time expended by the Corporation under the foregoing subsection, the Secretary of State, out of moneys provided by Parliament, and the Greater London Council shall each pay to the Corporation a sum equal to one-third of those amounts or such other proportion thereof as the Corporation, the Secretary of State and the Greater London Council may, in the case of particular amounts paid in respect of particular expenses, agree.

16 Interpretation

- (1) In this Act—

" the appointed day " has the meaning assigned to that expression by section 2(1) of this Act;

" the Board " has the meaning assigned to that expression by section 1(1) of this Act;

" the Corporation " has the meaning assigned to that expression by section 1(2) of this Act;

" Corporation of the City of London " means the mayor and commonalty and citizens of the City of London.

- (2) Any right, power or duty which by any provision of this Act is exercisable by or incumbent upon the Corporation shall be exercisable by or incumbent upon the common council of the City of London on behalf of the Corporation.
- (3) Any reference in this Act to any other enactment shall be construed as a reference to that enactment as amended by any other Act.

17 Short title

This Act may be cited as the Museum of London Act 1965.

SCHEDULE

Section 1.

INCIDENTAL PROVISIONS WITH RESPECT TO THE BOARD

- 1 The Board shall be a body corporate with perpetual succession and a common seal.
- 2 (1) A governor, not being one of the first six governors appointed by the Prime Minister, the Corporation, or the Greater London Council, shall be appointed to hold office for the period of three years.
(2) Of each of the following groups of governors, that is to say, the first six governors appointed by the Prime Minister, the first six governors appointed by the Corporation and the first six governors appointed by the Greater London Council, two governors shall be appointed to hold office for the period of one year beginning with such day as may be determined by agreement between the Prime Minister, the Corporation and the Greater London Council, two governors shall be appointed to hold office for the period of two years beginning with the said day and two governors shall be appointed to hold office for the period of three years beginning with the said day.
- 3 (1) There shall be a chairman of the Board and, except in the case of the first chairman, he shall be appointed by the governors from amongst their number to hold office as chairman for such period as they may determine.
(2) In the said excepted case, the Prime Minister shall, from amongst the first six governors appointed by him, appoint a person to be chairman of the Board, and he shall be appointed to hold office as chairman for a period of three years.
- 4 (1) A governor may resign his office at any time by notice in writing given, if he was appointed by virtue of section 1(2)(a) of this Act, to the Prime Minister, or, if he was appointed by virtue of section 1(2)(b) or (c) thereof, to the body by whom he was appointed ; and a governor (not being the chairman of the Board) who gives a notice under the foregoing provisions of this paragraph shall forthwith after doing so give a copy of the notice to the chairman of the Board.
(2) A governor appointed by virtue of section 1(2)(b) or (c) of this Act who is, at the time of his appointment, a member of the body by whom he was appointed, shall vacate his office if at any time thereafter he ceases to be a member of that body.
- 5 (1) A person appointed to fill the place of a governor which becomes vacant before the end of that governor's term of office shall hold office so long only as the vacating governor would have held office.
(2) Where the place of a governor becomes vacant before the end of his term of office and the unexpired portion of his term of office is less than six months, the vacancy need not be filled.
- 6 A person who has held office as a governor shall be eligible for reappointment.
- 7 Subject to the foregoing provisions of this Schedule, the Board may determine their own quorum and procedure.
- 8 The Board may act notwithstanding a vacancy amongst the governors, and no act of the Board shall be deemed to be invalid by reason only of a defect in the appointment of any of the governors.
- 9 The application of the seal of the Board shall be authenticated by the signatures of the chairman of the Board or some other governor authorised by the Board to authenticate the application of their seal and of the secretary or some other person authorised by the Board to act in his stead in that behalf.