



Science and Technology Act 1965

CHAPTER 4

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ELIZABETH II



1965 CHAPTER 4

An Act to make further provision with respect to the responsibility and powers in relation to scientific research and related matters of the Secretary of State, the Minister of Technology and certain chartered bodies and other organisations, and for purposes connected therewith. [23rd March 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.—(1) The following bodies established or to be established by Royal Charter shall be Research Councils for the purposes of this Act, that is to say,—

- (a) the Agricultural Research Council and the Medical Research Council ; and
- (b) if Her Majesty is pleased to establish such a body, each of the two bodies respectively referred to in this Act as the Science Research Council and the Natural Environment Research Council ; and
- (c) any other body which is established for purposes connected with scientific research and consists of persons appointed by a Minister of the Crown and which is declared by Order in Council to be established as a Research Council for purposes of this Act.

(2) The Science Research Council shall be a body established wholly or mainly for objects consisting of or comprised in the following, namely, the carrying out of scientific research, the facilitating, encouragement and support of scientific research by other bodies or persons or any description of bodies or persons and of instruction in the sciences and technology, and the dissemination of knowledge in the sciences and technology.

(3) The Natural Environment Research Council shall be a body established wholly or mainly for objects consisting of or comprised in the following, namely, the carrying out of research in the earth sciences and ecology, the facilitating, encouragement and support of such research by other bodies or persons or any description of bodies or persons and of instruction in subjects related to the Council's activities, the dissemination of knowledge in the earth sciences and ecology, the provision of advice on matters related to the Council's activities, and the establishment, maintenance and management of nature reserves.

(4) No recommendation shall be made to Her Majesty to make an Order in Council declaring a body to be a Research Council under subsection (1)(c) above unless a draft of the Order, specifying the objects or principal objects of that body, has been laid before Parliament and approved by a resolution of each House of Parliament.

Expenses,
accounts etc.
of Research
Councils.

2.—(1) The Secretary of State may, out of moneys provided by Parliament, pay to any of the Research Councils such sums in respect of the expenses of the Council as he may with the consent of the Treasury determine, and so far as relates to the use and expenditure of sums so paid the Council shall act in accordance with such directions as may from time to time be given to it by the Secretary of State.

(2) The provisions of Schedule 1 to this Act shall have effect with respect to the making of returns and reports by the Research Councils to the Secretary of State, with respect to the keeping and auditing of their accounts and with respect to related matters.

(3) Land occupied in the United Kingdom by any of the Research Councils shall be deemed, for the purposes of any rate on property, to be property occupied by or on behalf of the Crown for public purposes.

(4) The obligations of the Medical Research Council and the Agricultural Research Council under this section in relation to the Secretary of State shall be in place of any corresponding obligations imposed on either Council by its charter or otherwise, and the Agricultural Research Fund established under the Agricultural Research Act 1956 shall no longer be maintained; and subject to the foregoing provisions of this subsection anything which under the charter of either of those Councils is to be done by or to a committee of the Privy Council shall instead be done by or to the Secretary of State.

(5) Nothing in this Act or in any other enactment relating to the general functions of any of the Research Councils shall be taken as restricting the activities of a Research Council to the United Kingdom or any part thereof, nor shall the expenses in respect of which payments may be made under subsection (1)

above be restricted to expenses incurred in the United Kingdom ; but, in the case of Research Councils other than the Agricultural Research Council and the Medical Research Council, the expenses of the Council in respect of which payments may be so made shall not include any expenses in so far as they may be incurred for objects falling outside the objects specified in relation to the Council in section 1(2) or (3) above or in the Order in Council declaring it to be a Research Council.

3.—(1) The activities of the Council for Scientific and Industrial Research shall be taken over between them by such of the Research Councils as are concerned with the matters in question or by other government departments, and accordingly the Council for Scientific and Industrial Research and the Department of Scientific and Industrial Research shall be dissolved.

Re-allocation of activities connected with scientific research.

(2) The activities of the National Institute for Research in Nuclear Science shall be taken over by the Science Research Council.

(3) The activities of the Nature Conservancy and the National Oceanographic Council shall be taken over by the Natural Environment Research Council ; and, subject to the provisions of this Act, references to the Natural Environment Research Council shall accordingly be substituted for references to the Nature Conservancy in Part III of the National Parks and Access to the Countryside Act 1949 and in sections 84, 103(1) and (2) and 106 of that Act.

1949 c. 97.

(4) Subsection (3) above shall not apply in relation to the following provisions of the National Parks and Access to the Countryside Act 1949, that is to say, section 24 (annual report of Nature Conservancy) and section 25(2) (under which the total value of the Nature Conservancy's lands is to be subject to the limitations imposed by its charter) ; and in their application to the Natural Environment Research Council by virtue of subsection (3) above—

(a) section 25(3) of that Act (under which the Council is to be treated in relation to its land as if it were a government department) shall extend only to land managed as a nature reserve ; and

(b) section 103(1) of that Act shall have effect with the substitution of the Secretary of State for the Minister empowered by that subsection in other cases to authorise the compulsory acquisition of land under the Act.

(5) The enactments mentioned in Schedule 2 to this Act shall have effect subject to the provisions set out in that Schedule (being provisions making minor or consequential amendments in connection with the operation of this and the foregoing sections) ; and the provisions of Schedule 3 to this Act shall have effect for transitional purposes connected with this section.

(6) Where any activities of a Research Council or government department in relation to scientific research are to be taken over from it (otherwise than under this section) by any Research Council or government department, then on the transfer accordingly of responsibility for those activities the Secretary of State may by order made by statutory instrument transfer or provide for transferring property, rights, liabilities or obligations held, acquired or incurred in connection with the carrying on of the activities previously by any Research Council or government department; and a Research Council shall comply with any directions of the Secretary of State requiring it to take over from, or transfer to, any Research Council or government department the responsibility for any activities in relation to scientific research.

(7) On any such transfer of responsibility as is mentioned in subsection (6) above the Secretary of State may by order made by statutory instrument provide, so far as appears to him necessary or expedient for giving full effect to the transfer, for the repeal or amendment of any provision in any enactment affecting a Research Council or government department concerned, and make transitional, supplemental or incidental provision in connection with any such repeal or amendment; but the statutory instrument shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(8) The provisions of this section, except subsections (6) and (7), shall not come into force until such day as Her Majesty may by Order in Council appoint, and different days may be appointed for different provisions or for different purposes of the same provision.

Extension
of research
functions
of Atomic
Energy
Authority.
1954 c. 32.

4.—(1) The functions of the United Kingdom Atomic Energy Authority shall include the undertaking of scientific research in such matters not connected with atomic energy as may, after consultation with the Authority, be required by the Minister of Technology, and section 2(2) of the Atomic Energy Authority Act 1954 shall apply as if any such research were research into matters connected with atomic energy.

(2) There shall be defrayed out of moneys provided by Parliament any increase attributable to subsection (1) above in the sums payable under section 4(1) of the Atomic Energy Authority Act 1954 out of moneys so provided.

(3) Section 3(6) and (7) above shall have effect in relation to any activities carried on or to be carried on by the United Kingdom Atomic Energy Authority by virtue of this section as if the Authority were a government department.

5.—(1) The Secretary of State and the Minister of Technology Further powers of Secretary of State and Minister of Technology.
 may defray out of moneys provided by Parliament any expenses which, with the consent of the Treasury, they may respectively incur—

- (a) in carrying on or supporting scientific research or the dissemination of the results of scientific research ;
- (b) as regards the Minister, in furthering the practical application of the results of scientific research ;
- (c) in making payments in respect of remuneration, allowances or pension benefits payable to or in respect of members of any advisory body established for the purpose of assisting the Secretary of State or Minister, as the case may be, in matters connected with scientific research.

(2) The Minister of Technology, in and for the discharge of his functions falling within subsection (1)(a) and (b) above, may exercise the powers conferred by section 1 of the Statistics of Trade Act 1947 on competent authorities within the meaning of that Act, and for that purpose the Act shall apply as if he were named as a competent authority in section 17(3) of the Act. 1947 c. 39.

(3) The members of the Advisory Committee under section 6 of the Radioactive Substances Act 1948 shall be appointed by the Secretary of State after consultation with such scientific, professional and technical organisations and persons as he thinks appropriate, and any notice of resignation by a member of that Committee shall be given either to the Secretary of State or (unless the member is chairman of the Committee) to that chairman ; and the Secretary of State shall appoint a member of the Committee to be chairman of it and such person as he thinks fit to be secretary of it. 1948 c. 37.

Provided that this subsection shall not affect any appointment made or notice given before this subsection comes into force.

6.—(1) In this Act “ scientific research ” means research and development in any of the sciences (including the social sciences) or in technology. Supplementary.

(2) Nothing in this Act shall prejudice or affect any power to amend or revoke the charters of any Research Council, or any power of Her Majesty to grant new charters, or affect the operation of any amendment made or charter granted after the passing of this Act.

(3) The enactments mentioned in Schedule 4 to this Act are hereby repealed to the extent specified in the third column of that Schedule, with effect in each case from such day as Her Majesty may by Order in Council appoint.

7. This Act may be cited as the Science and Technology Act 1965. Short title.

SCHEDULES

SCHEDULE 1

REPORTS, ACCOUNTS ETC. OF RESEARCH COUNCILS

1. Each of the Research Councils shall furnish the Secretary of State with such returns, accounts and other information with respect to its property and activities as he may from time to time require, and shall prepare programmes and estimates of expenditure in such form and at such times as he may require.

2.—(1) Each of the Research Councils shall as soon as possible after the end of each financial year make to the Secretary of State a report on the exercise and performance by the Council of its functions during that year.

(2) The Secretary of State shall lay a copy of any report under this paragraph before each House of Parliament, together with such comments as he may think fit to make.

3.—(1) Each of the Research Councils shall keep proper accounts and other records, and shall prepare for each financial year statements of account in such form as the Secretary of State with the approval of the Treasury may direct and submit those statements of account to the Secretary of State at such time as he may direct.

(2) The Secretary of State shall, on or before the 30th November in any year, transmit to the Comptroller and Auditor General the statements of account of each Council for the financial year last ended.

(3) The Comptroller and Auditor General shall examine and certify the statements of account transmitted to him under this paragraph, and lay copies of them together with his report thereon before each House of Parliament.

SCHEDULE 2

MINOR AND CONSEQUENTIAL AMENDMENTS

<i>Act Amended</i>	<i>Amendment</i>
The Geological Survey Act 1845. (8 & 9 Vict. c. 63.)	In section 1 for the words "the United Kingdom" there shall be substituted the words "Great Britain", and for the words "the first commissioner for the time being of her Majesty's woods, forests, land revenues, works and buildings", in both places, there shall be substituted the words "the Natural Environment Research Council". In section 2 for the words from "for every such offence" onwards there shall be substituted the words "be liable on summary conviction to a fine not exceeding twenty pounds". Sections 3 and 4 shall be omitted. In section 6 after the word "aforesaid" there shall be inserted the word "and" and the words "and the sheriff and court of deemsters of the Isle of Man" shall be omitted.

Act Amended

Amendment

SCH. 2

- The Mining Industry Act 1926.
(16 & 17 Geo. 5. c. 28.)
- In section 23 (including the subsection (5) substituted by the Mines and Quarries Act 1954) for any reference to the Committee of the Privy Council for Scientific and Industrial Research or to the Department of Scientific and Industrial Research there shall, in relation to any period after the coming into force of this provision, be substituted a reference to the Natural Environment Research Council.
- The Ministry of Supply Act 1939.
(2 & 3 Geo. 6. c. 38.)
- In section 19 at the end of paragraph (a) of the definition of "articles required for the public service" there shall be added "or required by the Science Research Council or the Natural Environment Research Council for the purpose of the discharge of its functions".
- The Water Act 1945.
(8 & 9 Geo. 6. c. 42.)
- In section 7 for any reference to the Committee of the Privy Council for Scientific and Industrial Research or to the Department of Scientific and Industrial Research there shall, in relation to any period after the coming into force of this provision, be substituted a reference to the Natural Environment Research Council.
- The Water (Scotland) Act 1946.
(9 & 10 Geo. 6. c. 42.)
- In section 4 for any reference to the Committee of the Privy Council for Scientific and Industrial Research or to the Department of Scientific and Industrial Research there shall, in relation to any period after the coming into force of this provision, be substituted a reference to the Natural Environment Research Council.
- The Income Tax Act 1952.
(15 & 16 Geo. 6 and 1 Eliz. 2. c. 10.)
- In section 335(b) and (c) for the words "the appropriate Research Council or Committee" there shall in each case be substituted the words "the Secretary of State or Minister of Technology", but so that any approval given under either paragraph before the coming into force of this provision shall thereafter be treated as given by the Secretary of State or Minister of Technology, as may be appropriate.

SCH. 2	<i>Act Amended</i>	<i>Amendment</i>
	The Income Tax Act 1952. (15 & 16 Geo. 6 and 1 Eliz. 2. c. 10.)— <i>cont.</i>	In section 340(4) for the words “the appropriate Research Council or Committee” there shall be substituted the words “the Secretary of State or Minister of Technology as may be appropriate in relation to the activities in question”, and for the words “the decision of the Council or Committee” there shall be substituted the words “his decision”. In section 449(1)(a) for the words “the Committee of the Privy Council for Scientific and Industrial Research” there shall be substituted the words “the Minister of Technology”, but so that any approval given under the paragraph before the coming into force of this provision shall thereafter be treated as given by the Minister of Technology.
	The Protection of Birds Act 1954. (2 & 3 Eliz. 2. c. 30.)	In section 10(2)(b), and in paragraph (c) of the definition in section 14(1) of “authorised person”, for any reference to the Nature Conservancy there shall be substituted a reference to the Natural Environment Research Council, but so that any licence or authorisation granted by the Nature Conservancy before the coming into force of this provision shall have effect, and the Act shall apply in relation thereto, as if it had been granted by that Council.
	The Deer (Scotland) Act 1959. (7 & 8 Eliz. 2. c. 40.)	In section 1(4)(a) for the reference to the Nature Conservancy there shall, in relation to any appointment to be made thereunder after the coming into force of this provision, be substituted a reference to the Natural Environment Research Council.
	The Deer Act 1963 ... (1963 c. 36.)	In section 11 for any reference to the Nature Conservancy there shall be substituted a reference to the Natural Environment Research Council, but so that any licence granted thereunder before the coming into force of this provision shall have effect, and the Act shall apply in relation thereto, as if it had been granted by that Council.
	The Water Resources Act 1963. (1963 c. 38.)	In section 102 for any reference to the Nature Conservancy there shall be substituted a reference to the Natural Environment Research Council.

SCHEDULE 3

TRANSITIONAL PROVISIONS ON REDISTRIBUTION OF ACTIVITIES
OF EXISTING ORGANISATIONS

1.—(1) Subject to the following provisions of this paragraph, where in accordance with section 3(1) to (3) of this Act activities of a body (hereafter referred to as “the predecessor”) are taken over by one of the Research Councils, then on the date of that event (hereafter referred to as “the transfer date”) there shall by virtue of this Act and without further assurance be transferred to that Council all property, rights, liabilities and obligations to which immediately before the transfer date the predecessor was entitled or subject in connection with those activities.

(2) Subject as aforesaid, every agreement to which in relation to or for the purposes of the relevant activities the predecessor was a party immediately before the transfer date, whether in writing or not and whether or not of such a nature that rights, liabilities and obligations thereunder could be assigned by the predecessor, shall, unless its terms or subject-matter make it impossible that it should have effect as modified in the manner provided by this sub-paragraph, have effect as from the transfer date as if—

- (a) the Research Council had been a party to the agreement ;
- (b) for any reference (however worded and whether express or implied) to the predecessor there were substituted, as respects anything falling to be done on or after the transfer date, a reference to the Research Council ;
- (c) for any reference (however worded and whether express or implied) to any member or officer of the predecessor there were substituted, as respects anything falling to be done on or after the transfer date, a reference to such person as the Research Council may appoint, or, in default of appointment, to the member or officer of that Council who corresponds as nearly as may be to the member or officer in question of the predecessor ;
- (d) in the case of an agreement for the rendering of personal services to the predecessor, the services to which the agreement relates were, on and after the transfer date, any services under the Council, to be selected by the Council, which are reasonably equivalent services.

(3) Other documents, not being enactments, Orders in Council or orders, rules, regulations or similar instruments having effect under an enactment, which refer, whether specifically or generally, to the predecessor in relation to or for the purposes of the relevant activities shall be construed in accordance with sub-paragraph (2) above so far as applicable.

(4) Without prejudice to the generality of the foregoing sub-paragraphs, where, by the operation of any of them, any right, liability or obligation vests in a Research Council, the Council and all other persons shall, as from the transfer date, have the same rights,

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powers and remedies (and, in particular, the same rights as to the taking or resisting of legal proceedings or the making or resisting of applications to any authority) for asserting, perfecting or enforcing that right, liability or obligation as they would have had if it had at all times been a right, liability or obligation of the Research Council.

(5) Any legal proceedings or application to any authority pending on the transfer date by or against the predecessor in relation to or for the purposes of the relevant activities may be continued on and after that date by or against the Research Council.

(6) In relation to activities of the Council for Scientific and Industrial Research which are taken over by a government department, the foregoing sub-paragraphs shall apply with the substitution for references to a Research Council of references to that department or the Minister in charge of it, as the case requires; and on any question whether for purposes of this paragraph any matter is to be treated as referable to one branch or another of the activities of the Council for Scientific and Industrial Research, or to whom under this paragraph any property, rights, liabilities or obligations of that Council are transferred, the certificate of the Secretary of State shall be conclusive.

(7) The Secretary of State may by order—

(a) except from any transfer under this paragraph any books, papers or documents which in his opinion are not required in connection with the continuance of the relevant activities, and provide (if need be) for the disposal of anything so excepted; and

(b) so far as appears to him necessary or expedient for giving full effect to a transfer of activities in accordance with section 3(1) to (3) of this Act, provide, in the case of a local Act or Act confirming a provisional order, (after such consultation with any authority or body having functions under the Act as appears to him to be appropriate) for the repeal or amendment of any provision in that Act which affects the predecessor and make transitional, supplemental or incidental provision in connection with any such repeal or amendment; and

(c) in relation to activities of the Council for Scientific and Industrial Research make such further or other provision as appears to him to be appropriate having regard to the circumstances of that Council and the division of its activities between Research Councils and government departments.

2.—(1) For purposes of the accounts of the National Institute for Research in Nuclear Science, the National Oceanographic Council and the Nature Conservancy, the financial year beginning last before the transfer date shall be treated as ending with the day before the transfer date.

(2) The Science Research Council shall be responsible for the accounts and audit of the National Institute for Research in Nuclear Science for any period before the transfer date, so far as may be

necessary for completing the accounts and audit and submitting the accounts and any report of the auditor on them to the United Kingdom Atomic Energy Authority.

(3) The Natural Environment Research Council shall be responsible for the accounts and audit of the National Oceanographic Council for any period before the transfer date, so far as may be necessary for completing the accounts and submitting them to the Comptroller and Auditor General.

(4) The Natural Environment Research Council shall be responsible for the accounts and audit of the Nature Conservancy for any period before the transfer date, so far as may be necessary for completing the accounts and submitting them to the Treasury ; and section 96(3) and (4) of the National Parks and Access to the Countryside Act 1949 (which relate to audit) shall apply to accounts prepared by the Natural Environment Research Council by virtue of this sub-paragraph as if they had been prepared by the Nature Conservancy. 1949 c. 97.

3. Where the predecessor is required to make any annual report on its activities, the first annual report under this Act of a Research Council shall deal, for any period after the one covered by the last annual report made by the predecessor before the transfer date, with any of those activities which are taken over on the transfer date by the Council.

4.—(1) Section 2 of the Atomic Energy Authority Act 1959 (which enables pension schemes of the United Kingdom Atomic Energy Authority to extend to staff of the National Institute for Research in Nuclear Science), and, without prejudice to any power to amend the scheme, any provision included in a scheme by virtue of that section, shall 1959 c. 5. (8 & 9 Eliz. 2).

- (a) continue to apply to officers and other persons employed by the National Institute for Research in Nuclear Science who on the transfer date are by paragraph 1 above transferred to the employment of the Science Research Council ; and
- (b) apply to officers and other persons taken into the employment of the Science Research Council subsequent to the coming into force of the provisions of section 3(2) of this Act to work on activities taken over under that subsection from the National Institute for Research in Nuclear Science (whether or not while in that employment they cease to be engaged in those activities),

and shall have effect in relation to them as if their employment with the Council were employment with the Institute.

(2) The Science Research Council shall pay to the United Kingdom Atomic Energy Authority in respect of any payments falling to be made by the Authority by virtue of sub-paragraph (1) above, or in respect of the accruing liability for any such payments, such sums as may be agreed between the Council and the Authority or as, in default of agreement between them, may be determined by the Treasury.

5. The provisions of this Act relating to the Nature Conservancy and to the National Parks and Access to the Countryside Act 1949

- SCH. 3 shall not affect the validity of anything done by or in relation to the Nature Conservancy under or for the purposes of Part III of that Act before the date when those provisions come into force ; and (without prejudice to paragraph 1 above) as from that date things so done, including any regulations relating to or byelaws made by the Nature Conservancy, shall have effect, and the said Act shall apply in relation thereto, as if they had been done by or in relation to the Natural Environment Research Council and, in the case of an authority under section 103(1) of the Act, as if it had been given by the Secretary of State.

SCHEDULE 4

REPEALS

Chapter	Short Title	Extent of Repeal
8 & 9 Vict. c. 63.	The Geological Survey Act 1845.	Sections 3 and 4. In section 6, the words "and the sheriff and court of deemsters of the Isle of Man."
9 & 10 Geo. 5. c. 21.	The Ministry of Health Act 1919.	In section 3(1), proviso (i) from "but" onwards.
9 & 10 Geo. 6. c. 81.	The National Health Service Act 1946.	In section 16(1), the words from "and the" to "said Act".
11 & 12 Geo. 6. c. 37.	The Radioactive Substances Act 1948.	In section 6, subsections (2) and (3) and in subsection (4) proviso the words "to the Ministers referred to in subsection (2) of this section".
12, 13 & 14 Geo. 6. c. 97.	The National Parks and Access to the Countryside Act 1949.	Sections 24, 25(2) and 96. In section 100(a), the words "the Treasury".
15 & 16 Geo. 6. and 1 Eliz. 2. c. 10.	The Income Tax Act 1952.	In section 340(1), the definition of "the appropriate Research Council or Committee".
4 & 5 Eliz. 2. c. 28.	The Agricultural Research Act 1956.	In section 1, in subsection (1), the words from "subject to" to "appoint" and subsections (2) to (7).
4 & 5 Eliz. 2. c. 58.	The Department of Scientific and Industrial Research Act 1956.	The whole Act.
5 & 6 Eliz. 2. c. 20.	The House of Commons Disqualification Act 1957.	In Schedule 1, in Part II, and in the Part substituted for it by Schedule 3 in its application to the Senate and House of Commons of Northern Ireland, the entry for the Research Council within the meaning of the Department of Scientific and Industrial Research Act 1956.
8 & 9 Eliz. 2. c. 5.	The Atomic Energy Authority Act 1959.	In Schedule 1, in Part III, the entry for the chairman of the National Institute for Research in Nuclear Science. Section 2, except as regards persons employed with the National Institute for Research in Nuclear Science before the coming into force of this repeal.
9 & 10 Eliz. 2. c. 9.	The Agricultural Research etc. (Pensions) Act 1961.	Section 1(2) from the beginning to "this Act; and".

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