

# BRITISH MUSEUM ACT 1963

## 1963 CHAPTER 24

*An Act to alter the composition of the Trustees of the British Museum, to provide for the separation from the British Museum of the British Museum (Natural History), to make new provision with respect to the regulation of the two Museums and their collections in place of that made by the British Museum Act 1753 and enactments amending or supplementing that Act, and for purposes connected with the matters aforesaid.*

**Royal Assent 10th July 1963**

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. Altered composition of British Museum Trustees**

(1) From the commencement of this Act, the body known as the Trustees of the British Museum shall continue to exist as a body corporate, with perpetual succession and a common seal, having the general management and control of the British Museum, but shall consist of twenty-five persons appointed as follows, that is to say -

- (a) one appointed by Her Majesty;
- (b) fifteen appointed by the Prime Minister;
- (c) four appointed by [the Secretary of State] on the nominations of the Presidents of the Royal Society, the Royal Academy, the British Academy and the Society of Antiquaries of London respectively; and
- (d) five appointed by the Trustees of the British Museum.

(2) The provisions of the First Schedule of this Act shall have effect with respect to the tenure of office and proceedings of the Trustees.

#### **Annotations**

Sub-s (1): in para (c), reference to Athe Secretary of State@ substituted by

virtue of the Transfer of Functions (National Heritage) Order 1992, SI 1992/1311. Art 3(1), Sch 1, Part 1 (superseding earlier amendments).

## **2 General powers of Trustees**

The Trustees of the British Museum shall have power, subject to the restrictions imposed on them by virtue of any enactment (whether contained in this Act or not), to enter into contracts and other agreements, to acquire and hold and land and other property, and to do all other things that appear to them necessary or expedient for the purposes of their functions.

## **3 Keeping and inspection of collections**

(1) Subject to the provisions of this Act, it shall be the duty of the Trustees of the British Museum to keep the objects comprised in the collections of the Museum within the authorised repositories of the Museum, except in so far as they may consider it expedient to remove them temporarily for any purpose connected with the administration of the Museum and the care of its collections.

(2) Where it appears to the Trustee that any such objects cannot conveniently be kept within the authorised repositories, they may store them at other premises in Great Britain if satisfied that they can be stored in those premises without detriment to the purposes of the Museum.

(3) It shall be the duty of the Trustees to secure, so far as appears to them to be practicable, that the objects comprised in the collections of the Museum (including objects stored under the preceding subsection) are, when required for inspection by members of the public, made available in one or other of the authorised repositories under such conditions as the Trustees think fit to impose for preserving the safety of the collections and ensuring the proper administration of the Museum.

(4) Objects vested in the Trustees as part of the collections of the Museum shall not be disposed of by them otherwise than under section 5 or 9 of this Act [or section 6 of the Museums and Galleries Act 1992].

### **Annotations**

Sub-s (4): words in square brackets added by the Museums and Galleries Act 1992, s 11(2), Sch 8, para 5.

## **4 Lending of objects**

The Trustees of the British museum may lend for public exhibition

(whether in the United Kingdom or elsewhere) any object comprised in the collections of the Museum:

Provided that in deciding whether or not to lend any such object, and in determining the time for which, and the conditions subject to which, any such objects is to be lent, the Trustees shall have regard to the interests of students and other persons visiting the Museum, to the physical condition and degree of rarity of the object in question, and to any risks to which it is likely to be exposed.

## **5 Disposal of objects**

- (1) The Trustees of the British Museum may sell, exchange, give away or otherwise dispose of any object vested in them and comprised in their collection if -
  - (a) the object is duplicate of another object, or
  - (b) the object appears to the Trustees to have been made not earlier than the year 1850, and substantially consists of printed matter of which a copy made by photography or a process akin to photography is held by the Trustees, or
  - (c) in the opinion of the Trustees the object is unfit to be retained in the collections of the Museum and can be disposed of without detriment to the interests of students:

Provided that where an object has become vested in the Trustees by virtue of a gift or bequest the powers conferred by this subsection shall not be exercisable as respects that object in a manner inconsistent with any condition attached to the gift or bequest.

- (2) The Trustees may destroy or otherwise dispose of any object vested in them and comprised in their collections if satisfied that it has become useless for the purposes of the Museum by reason of damage, physical deterioration, or infestation by destructive organisms.
- (3) Money accruing to the Trustees by virtue of an exercise of the powers conferred by this section [or section 6 of the Museums and Galleries Act 1992] shall be laid out by them in the purchase of objects to be added to the collections of the Museum.

### **Annotations**

Sub-s (3): words in square brackets inserted by the Museums and Galleries

Act 1992, s 11(2), Sch 8, para 5.

## **6 Staff**

(1) There shall be a Director of the British Museum, who shall be a person appointed by the Trustees with approval of the Prime Minister and shall hold office on such terms and subject to such conditions as the Treasury may direct, and who shall be responsible to the Trustees for the care of all property in their possession and for the general administration of the Museum.

(2) The Trustees may, subject to the consent of the Treasury as to numbers and conditions of service, appoint such other officers and servants as the Trustees think fit; and there shall be paid to the Director and to officers and servants so appointed such salaries, allowances and other remuneration as the Treasury may determine.

(3) ...

### **Annotations**

Sub-s (3): repealed by the Superannuation Act 1965, s 104(2), Sch 11.

## **7 Reports by Trustees**

The Trustees of the British Museum shall within three years after the commencement of this Act and subsequently at intervals of not more than three years prepare and lay before each House of Parliament a report on the Museum.

## **8 Separation of Natural History Museum**

(1) There shall be a body corporate, with perpetual succession and a common seal, known as the Trustees of the [Natural History Museum] and hereafter in this Act referred to as the Natural History Trustees, which from the commencement of this Act shall have the general management and control of the [Natural History Museum]; and on that commencement the functions with respect to that Museum of the Trustees of the British Museum shall cease.

(2) The Natural History Trustees shall consist of twelve persons appointed as follows, that is to say -

- (a) eight appointed by the Prime Minister;
- (b) one appointed [by [the Secretary of State] on] the nomination of

the President of the Royal Society; and

(c) three appointed by the Natural History Trustees.

(3) Sections 2 to 7 of this Act and the First Schedule thereto shall apply in relation to the [Natural History Museum] and the Trustees thereof as they apply in relation to the British Museum and the Trustees thereof, but with the following adaptations, that is to say -

(a) section 4 shall apply as if, after the words *Amay lend for public exhibition* there were inserted the words *Aor research*;

(b) the First Schedule shall apply as if in paragraph 4 (which specifies the quorum at meetings) the word *Afour* were substituted for the word *Asix*.

(4) The Second Schedule to this Act shall have effect in relation to transitional matters arising in consequence of the enactment of this section.

#### **Annotations**

Sub-ss (1), (3): words in square brackets substituted by the Museums and Galleries Act 1992, s 11(2), Sch 8, para 1(3)(a).

Sub-s (2): first words in (outer) square brackets substituted by SI 1988/1836, art 2(2); words *Athe Secretary of State* substituted by virtue of the Transfer of Functions (National Heritage) Order 1992, SI 1992/1311, art 3(1), Sch 1, Part 1.

## **9 Transfers to other institutions**

(1) Any movable property vested in the Trustees of either Museum may be transferred by them to the Trustee of the other Museum, ...

(2) ...

#### **Annotations**

Sub-s (1): words omitted repealed by the Museums and Galleries Act 1992, s 11(3), Sch 9 (superseding earlier amendment).

Sub-s (2): repealed by the Museums and Galleries Act 1992, s 11(3), Sch 9.

## **10 Authorised repositories**

(1) The buildings for the time being occupying the sites described in Parts I and II of the Third Schedule to this Act shall be the authorised repositories for the collections of the British Museum and the [Natural History Museum] respectively.

(2) [The Secretary of State] may], with the agreement of the Trustees concerned, by order amend the said Schedule by adding a reference to a further site, or deleting the reference to the whole or any part of a site, or altering the description of a site: and any such order shall be made by a statutory instrument, and shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(3) A building or site vested in the Trustees of either Museum, being an authorised repository or the site of an authorised repository, shall not be sold or otherwise disposed of by them.

#### Annotations

Sub-s (1): words in square brackets substituted by the Museums and Galleries Act 1992, s 11(2), Sch 8, para 1(3)(a).

Sub-s (2): first words in (outer) square brackets substituted by SI 1988/1836, art 2(2); words "The Secretary of State" substituted by virtue of the Transfer of Functions (National Heritage) Order 1992, SI 1992/1311, art 3(1), Sch 1, Part 1.

11 *(Inserts 2A in the British Museum (Purchase of Land) Act 1984 (an enactment of local application).)*

12 *(Repealed by the Museums and Galleries Act 1992, s 11(3), Sch 9.)*

### **13 Short title, commencement, transitional provisions and repeals**

(1) This Act may be cited as the British Museum Act 1963.

(2) Subject to the following subsection, this Act shall come into operation on such day as the Treasury may by order by statutory instrument appoint.

(3)-(5) ...

(6) Bylaws, ordinance, statutes or rules in force immediately before the commencement of this Act under section 14 or 15 of the British Museum Act 1753 shall not be invalidated by the repeal of that Act but shall have

effect in relation to each Museum, with such modifications as may be necessary in consequence of the provisions of this Act, as if they were rules made by the Trustees of that Museum under paragraph 5 of the First Schedule to this Act.

**Annotations**

Sub-s (3): repealed by the Statute Law (Repeals) Act 1978.

Sub-s (4): repealed by the Superannuation Act 1965, s 104(2), Sch 11.

Sub-s (5): repealed by the Statute Law (Repeals) Act 1974.

**FIRST SCHEDULE**  
**Tenure of Office and Proceedings of Trustees**

Sections 1, 8

1. Each trustees shall hold office for such period as is specified in the instrument by which he is appointed, but that period shall not exceed ten years, or five years in the case of a person whose appointment takes effect at or within twelve months after the end of any period for which he was previously appointed a trustee of the Museum under this Act.
2. A trustee may resign his office by notice in writing served on the person or body who appointed him.
3. The functions of the Trustees may be exercised notwithstanding vacancies in their number.
4. The quorum at meetings of the Trustees shall be six.
5. The Trustees may make rules for regulating their proceedings and for other matters relevant to the exercise of their functions.

**SECOND SCHEDULE**  
**Transitional Provisions as to Separation of Natural History Museum**  
Section 8

- 1(1) The following property shall vest at the commencement of this Act in the National History Trustees, that is to say -
  - (a) the objects vested immediately before that commencement in

the Trustees of the British Museum and comprised in the collections of the British Museum (Natural History); and

- (b) the lands and buildings at Tring referred to in the British Museum Act 1938.

(2) Such of the said objects as became vested in the Trustees of the British Museum by virtue of a gift or bequest shall be treated for the purposes of this Act as vested in the Natural History Trustees by virtue of a like gift or bequest.

2,3 ....

4. Subject to the provisions of this Act, all matters and things having effect in relation to the British Museum (Natural History) immediately before the commencement of this Act shall continue as nearly as may be to have effect in relation to [the Natural History Museum] thereafter.

**Annotations**

Para 2, 3: repealed by the Museums and Galleries Act 1992, s 11 (3), Sch 9.

Para 4: words in square brackets substituted by the Museums and Galleries Act 1992, s 11(2), Sch 8, para 1(3)(b).

THIRD SCHEDULE  
Sites of Authorised Repositories

Section 10

PART 1  
BRITISH MUSEUM

1. So much of the site in London bounded by Great Russell Street, Bloomsbury Street, Bedford Square, Montague Place, Russell Square and Montague Street as was occupied at the commencement of this Act for the purposes of the British Museum.
2. ...
- [3. No 6 Burlington Gardens, London W1.
4. Nos 38/56 inclusive (even numbers only) Orsman Road, London N1.
5. The former Post Office Savings Bank Building, Blythe Road, London W14 together with the outbuildings in its grounds.]
- [6. No 23 Blythe Road, London W14.]
- 7,8. ...

**Annotations**

Paras 2-5, 7 as originally enacted repealed by SI 1973/1126.

Paras 3-5: added by SI 1984/1181, art 2, Sch 1.

Para 6: original para 6 repealed by SI 1984/1181, art 3, Sch 2; para 6 in square brackets added by SI 1995/1124, art 2.

Para 8: repealed by SI 1984/1181, art 3, Sch 2.

PART II  
BRITISH MUSEUM (NATURAL HISTORY)

- [1. The site in London bounded by Queen=s Gate, Cromwell Road, Exhibition Road, and the premises of the Science Museum.]
2. The site in Tring Lying to the east of Akeman Street and to the north of Park Street occupied at the commencement of this Act for the purposes

of the British Museum (Natural History).

[3. The site in Trying lying to the West of Akeman Street known as 67 to 69 Akeman Street.]

[4. The site in Wandsworth known as 75 Kimber Road SW18 4NX.]

**Annotations**

Para 1: substituted by SI 1985/462, art 2.

Para 3: added by SI 1982/1238, art 2.

Para 4: added by SI 1982/1238, art 2; subsequently substituted by SI 1995/654, art 2.

**THIRD SCHEDULE**

*(Repealed by the Statute Law (Repeals) Act 1974.)*