STATUTORY INSTRUMENTS

1983 No. 1780

MUSEUMS AND GALLERIES

The Armed Forces Museums (Designation of Institutions) Order 1983

Made - - -	*28th November* 1983
Laid before Parliament	*2nd December* 1983
Coming into Operation	*23rd December* 1983

Whereas the institution specified in this Order is of a kind mentioned in Section 30(1) of the National Heritage Act 1983(a) ("the 1983 Act") and was, immediately before the making of this Order, staffed by persons at least one of whom was employed in the civil service of the State.

Now, therefore, the Secretary of State, in exercise of the powers conferred on him by Sections 30 and 31 of and Schedule 2 to the 1983 Act and of all other powers enabling him in that behalf, hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as the Armed Forces Museums (Designation of Institutions) Order 1983 and shall come into operation on the 23rd December 1983.

Designation of institution

2. For the purposes of Section 31 of the 1983 Act there is hereby designated, as an institution to which Schedule 2 of that Act shall have effect, the following institution:—

The body corporate entitled "The Council of the National Army Museum" constituted by charter dated 8th April 1960.

Michael Heseltine,
One of Her Majesty's Principal Secretaries of State.

Dated 28th November 1983.

(a) 1983 c.47.

EXPLANATORY NOTE

(This Note is not part of the Order.)

By Schedule 2 to the National Heritage Act 1983 the governing body of an institution, which has been duly designated by the Secretary of State under that Act, is required to offer, by such date as the Secretary of State may determine, employment to each person who was immediately before the date of designation employed in the civil service of the State for the purposes of that institution.

The terms of employment offered have to be such, that taken as a whole, they are no less favourable to the employee than those held by him in the civil service, and the offer has to remain open for 3 months. If the person does so change his employment he then enjoys continuity of employment and his employment with the designated institution is included as one to which a scheme under Section 1 of the Superannuation Act 1972 (c.11) can apply, and the Schedule to that Act is accordingly construed as if it included a reference to the institution. Disputes as to whether terms taken as a whole are less favourable may be referred to the industrial tribunal.

The institution may not be designated unless it satisfies the conditions provided for by Section 31 of the Act that it has as a main object the collection, exhibition or retention of articles relating to the history and traditions of some section of the armed forces of the Crown, and that immediately prior to designation at least one of its staff was employed in the civil service.

This Order effects the necessary designation in the case of the Council of the National Army Museum.

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