EXPLANATORY MEMORANDUM TO

THE BRITISH MUSEUM (AUTHORISED REPOSITORIES) ORDER 2021

2021 No. 499

1. Introduction

1.1 This explanatory memorandum has been prepared by the Department for Digital, Culture, Media and Sport and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

2.1 To designate the British Museum Archaeological Research Collection, Cutbush Lane East, Shinfield, Reading, RG2 9AA, as an authorised repository of the British Museum, so that it may be used to store objects currently held at Blythe House, Olympia and in other authorised repositories. The instrument would also remove 6 Burlington Gardens, London, W1S 3ET from the list of authorised repositories, because this building is no longer occupied by the British Museum.

3. Matters of special interest to Parliament

Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None.

Matters relevant to Standing Orders Nos. 83P and 83T of the Standing Orders of the House of Commons relating to Public Business (English Votes for English Laws)

3.2 As the instrument is subject to negative resolution procedure there are no matters relevant to Standing Orders Nos. 83P and 83T of the Standing Orders of the House of Commons relating to Public Business at this stage.

4. Extent and Territorial Application

4.1 The territorial extent of this instrument is the United Kingdom.

4.2 The territorial application of this instrument is England.

5. European Convention on Human Rights

5.1 Caroline Dinenage, Minister of State for Digital and Culture, has made the following statement regarding Human Rights:

"In my view the provisions of the British Museum (Authorised Repositories) Order 2021 are compatible with the Convention rights."

6. Legislative Context

6.1 The British Museum Act 1963 ("the Act") establishes the powers and duties of the Trustees of the Museum (the "Trustees"). The authorised repositories for the collections of the Museum are defined by Section 10(1) of the Act and Part 1 of Schedule 3 to the Act. Section 10(2) of the Act allows the Secretary of State to add a reference to a further site to Part 1 of Schedule 3, or to delete from it the reference to the whole or any part of a site, with the agreement of the Trustees.

6.2 This instrument is being made to add one new site to the list of the Museum's authorised repositories, and to remove a site which is no longer occupied by the Museum.

7. Policy background

What is being done and why?

7.1 The Blythe House Programme is a partnership between the Department for Digital, Culture, Media and Sport, the British Museum, the Science Museum Group and the Victoria & Albert Museum. It seeks to secure the collections currently held in unsuitable conditions at Blythe House, through the construction of new storage facilities, whilst enabling the Government to dispose of a potentially valuable asset to maximise benefits for the taxpayer.

7.2 The Government has provided £150 million to enable the occupying museums to move their collections from Blythe House to new storage facilities where they will be better conserved for the benefit of future generations. As part of this Programme, the British Museum has partnered with the University of Reading to develop a new storage facility in Shinfield, to be named the British Museum Archaeological Research Collection ("the BM_ARC").

7.3 This joint initiative will be the first of its kind between a national museum and a UK university. The BM_ARC will house ancient sculptures, mosaics, archaeological assemblages and historic cast collections, many of which will be moved from Blythe House. The BM_ARC may also contain objects moved from the Museum's main site at Bloomsbury as part of wider medium-based collections reorganisation project.

7.4 The BM_ARC will provide the University with access to its research centre, bespoke study facilities, and world-leading experts. The BM_ARC will also help to fulfil the Museum's objective to make its collection accessible to as many people as possible, and will promote collaboration with local schools, museums and the community.

7.5 Section 3(1) of the Act requires objects in the Museum's collection to be stored within the authorised repositories listed in Part 1 of Schedule 3 to the Act, subject to limited exceptions (for example, where it is necessary to temporarily remove an object to another location). Therefore, in order for the objects being moved from Blythe House to be stored permanently at the BM_ARC, it is essential that it is designated as an authorised repository.

7.6 It is considered reasonable at the same time to remove the site of 6 Burlington Gardens from Schedule 3 to the Act, because it is no longer occupied by the British Museum, and should not, therefore, be designated in primary legislation as an authorised repository.

8. European Union (Withdrawal) Act/Withdrawal of the United Kingdom from the European Union

8.1 This instrument does not relate to withdrawal from the European Union / trigger the statement requirements under the European Union (Withdrawal) Act.

9. Consolidation

9.1 Consolidation is not considered necessary.

10. Consultation outcome

10.1 Consultation is not considered necessary. The instrument is required to be made with the consent of the Trustees, which has already been obtained.

11. Guidance

11.1 Guidance is not considered necessary.

12. Impact

12.1 There is no, or no significant, impact on business, charities or voluntary bodies.

12.2 There is no, or no significant, impact on the public sector.

12.3 An Impact Assessment has not been prepared for this instrument because its impact is limited to the operation of the British Museum.

13. Regulating small business

13.1 The legislation does not apply to activities that are undertaken by small businesses.

14. Monitoring & review

14.1 Monitoring and review are not applicable. However, in due course, when the British Museum's collections have been removed from Blythe House, the reference to it can be removed from the list of authorised repositories in Schedule 3.

15. Contact

15.1 Elizabeth Foxell at the Department for Digital, Culture, Media and Sport (email: liz.foxell@dcms.gov.uk).

15.2 Dean Creamer, Deputy Director for the Blythe House Programme, at the Department for Digital, Culture, Media and Sport can confirm that this Explanatory Memorandum meets the required standard.

15.3 Caroline Dinenage, Minister of State for Digital and Culture at the Department for Digital, Culture, Media and Sport can confirm that this Explanatory Memorandum meets the required standard.