

EXPLANATORY NOTES

Holocaust Memorial Act 2026

Chapter 3

£8.90

HOLOCAUST MEMORIAL ACT 2026

EXPLANATORY NOTES

What these notes do

These Explanatory Notes relate to the Holocaust Memorial Act 2026 which received Royal Assent on 22 January 2026 (c. 3).

- These Explanatory Notes have been prepared by the Ministry of Housing, Communities and Local Government in order to assist the reader to understand the Act. They do not form part of the Act and have not been endorsed by Parliament.
- These Explanatory Notes explain what each part of the Act will mean in practice; provide background information on the development of policy; and provide additional information on how the Act will affect existing legislation in this area.
- These Explanatory Notes might best be read alongside the Act. They are not, and are not intended to be, a comprehensive description of the Act.

Table of Contents

Subject	Page of these Notes
Overview of the Act	3
Policy background	3
Legal background	4
Territorial extent and application	5
Commentary on provisions of Act	6
Commencement and short title	6
Related documents	6
Annex A - Hansard References	7
Annex B - Progress of Bill Table	9

Overview of the Act

1 This Act makes provision for and in connection with expenditure by the Secretary of State on the construction, use, operation, maintenance, or improvement of a Holocaust Memorial and Learning Centre, and removes restrictions to the siting of the Holocaust Memorial and Learning Centre on certain land.

Policy background

2 In January 2014, the then Prime Minister David Cameron launched the cross-party Holocaust Commission to examine what more should be done in Britain to ensure that the memory of the Holocaust is preserved and that the lessons it teaches are never forgotten. The Commission recommended that a "striking" new Memorial should be constructed in a "prominent central London location" to show the UK's commitment to remembering the Holocaust, with a world class Learning Centre using "cutting edge technology"[1]. In January 2015, the Prime Minister accepted the Commission's recommendations and committed the Government to establish a new national Holocaust Memorial and Learning Centre.

3 The Holocaust Memorial will be a focal point for national remembrance of the Holocaust, dedicated to the six million Jewish men, women and children who were murdered and all other victims of the Nazis and their collaborators. The Learning Centre's exhibition will explore the part played by Britain's Parliament and democratic institutions in response to the persecution of the Jewish people and other groups both at the time and subsequently. It will help people understand the way the lessons of the Holocaust apply more widely, including to other genocides.

4 Following an extensive search for suitable sites, Victoria Tower Gardens was recommended to the Government as the most fitting site as its historical, emotional and political significance substantially outweighed all other locations. The Holocaust Memorial and Learning Centre was also seen to be in keeping with other memorials sited in the Gardens representing democratic struggles for equality and justice. Victoria Tower Gardens is Crown Land for which the Department for Culture, Media and Sport hold the title. The Government accepted the recommendation and announced Victoria Tower Gardens as the chosen location for the Memorial on 27 January 2016 to mark Holocaust Memorial Day.

5 Following an international competition, the winning design for the Memorial and co-located Learning Centre was announced in October 2017[2]. The design was chosen because it met an essential challenge of the brief by being visually arresting yet showing sensitivity to its location and context. The winning design was further developed to meet the requirements of the chosen site, and to ensure that the new features and landscaping improvements will benefit all users of the gardens.

---

1 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/398645/Holocaust_Commission_Report_Britains_promise_to_remember.pdf

2 https://www.gov.uk/government/news/adjaye-associates-and-ron-arad-architexts-win-uk-holocaust-memorial-international-design-competition

6 The Government's intention is that a permanent independent body should be given responsibility for the maintenance of the Memorial and the operation of the Learning Centre, as recommended by the Prime Minister's Commission in Britain's Promise to Remember. The Governing Documents for the operating body will clearly establish that the educational purpose of the Learning Centre will be education about the Holocaust and about antisemitism.

Legal background

7 The Act gives the Secretary of State Parliamentary authority to incur expenditure to construct, maintain, operate or improve the Memorial and Learning Centre, in line with the requirements of Chapter 2 of HM Treasury's document Managing Public Money.

8 An application for planning consent was made by the then Secretary of State for Housing, Communities and Local Government in December 2018 for a Holocaust Memorial and accompanying underground Learning Centre. Following a public inquiry in 2020, planning consent was granted in July 2021. Subsequently in a statutory review of the planning decision the High Court concluded that certain sections of the London County Council (Improvements) Act 1900 ('the 1900 Act') which extended the existing Victoria Tower Gardens southwards and required the Commissioner of Works to maintain the land as a 'garden open to the public' were an obstacle to constructing the Holocaust Memorial and Learning Centre in the Gardens. The High Court quashed the decision to grant planning consent[3].

9 This Act means that the relevant sections of the 1900 Act do not constitute an obstacle to construction and operation of the Holocaust Memorial and Learning Centre.

10 The Act does not include planning powers to construct the Holocaust Memorial and Learning Centre at Victoria Tower Gardens: planning consent will be sought separately through the provisions of the Town and Country Planning Act 1990.

11 The Act is a hybrid Act. This means it is of general application, but it contains provisions which have a different legal effect on the private interests of particular persons. In procedural terms, this meant it was considered as a Public Bill, but was treated as similar to a Private Bill during certain stages of its passage through Parliament. The hybrid Bill procedure gives those persons who are directly and specially affected an opportunity to petition against the Bill and to be heard in Select Committee.

12 The Holocaust Memorial Bill received its second reading in the House of Commons on 28 June 2023, and was committed to a Select Committee following a motion in the House of Commons the same day. 10 petitions against the Bill were received. The Committee started sitting in January 2024 and concluded hearing petitioners in February 2024. The Committee's First Special Report, summarising their decisions, can be found here[4]. The Committee did not amend the Bill. The Government's response to the Report can be found here[5].

[3] https://www.judiciary.uk/wp-content/uploads/2022/07/LHPGT-v-Minister-for-Housing-Judgment-080422.pdf

[4] https://committees.parliament.uk/publications/44462/documents/221092/default/

[5] https://assets.publishing.service.gov.uk/media/66475d69f34f9b5a56adca0b/Holocaust_Memorial_Bill_Select_Committee_Response_WEB.pdf

13 The Bill was then committed to a Committee of the whole House on 22 May 2024 which made no amendments to the Bill, which then passed Third Reading in the House of Commons the same day. It passed its First Reading in the House of Lords on 23 May 2024 after which those directly and specially affected by the scheme could petition against the Bill until the deadline of 17 July 2024. The Bill was carried over to the new Parliament and reintroduced on 18 July 2024 and had its second reading on 4 September 2024, after which it was committed to a Lords Select Committee.

14 In the House of Lords, 18 petitions against the Bill were received. The Committee started sitting in October 2024 and concluded its sittings in December that year, publishing its Special Report on 21 January 2025, which can be found here[6]. The Committee accepted a number of assurances and an undertaking from the Government and made 4 recommendations to Government, but did not amend the Bill. The Government's response can be found here[7].

Territorial extent and application

15 This Act extends to England and Wales but applies to England only.

[6] https://publications.parliament.uk/pa/ld5901/ldselect/ldholmem/68/6802.htm

[7] https://committees.parliament.uk/publications/46856/documents/241401/default/

Commentary on provisions of Act

Section 1: Holocaust Memorial and Learning Centre

16 Section 1 provides for the Secretary of State to incur expenditure in relation to the construction, use, operation, maintenance or improvement of a new national Holocaust Memorial and Learning Centre.

Section 2: Restrictions on using certain land

17 Section 2 provides that the relevant sections of the 1900 Act (Section 8 (1) and Section 8 (8)), which require that Victoria Tower Gardens shall be maintained as a garden open to the public do not prevent the construction and subsequent use, operation, maintenance or improvement of a Holocaust Memorial and Learning Centre.

Commencement and short title

18 Section 3 provides that the Act comes into force at the end of the period of two months beginning with the day on which it is passed, and provides for the short title of the Act.

Related documents

19 The following documents are relevant to the Act and can be read at the stated locations:

- London County Council (Improvements) Act 1900 can be found here[8].

[8] https://www.legislation.gov.uk/ukla/1900/269/enacted

Annex A - Hansard References

20 The following table sets out the dates and Hansard references for each stage of the Act's passage through Parliament.

Stage	Date	Hansard Reference
House of Commons		
Introduction	23 February 2023	
Hybridity examination	17 April 2023 18 April 2023 18 May 2023	Transcript AM and Transcript PM Transcript Report
Second Reading	28 June 2023	Vol. 735 Col. 321
Instruction to the Select Committee	28 June 2023	Vol. 735 Col.365
Carry-over motion House of Commons	28 June 2023	Vol. 735 Col. 368
Carry-over motion House of Lords	23 October 2023	
1st and 2nd reading	8 November 2023	
Select Committee hearings	10 January 2024 16 January 2024 17 January 2024 23 January 2024 24 January 2024 6 February 2024	Transcripts of hearings
Select Committee First Special Report of Session 2023–24	26 April 2024	Report
Promoter's response	20 May 2024	Promoter's response to Select Committee Report
Programme motion	22 May 2024	Vol. 750 Col. 932
Committee of the whole House	22 May 2024	Vol. 750 Col. 934
Third Reading	22 May 2024	Vol. 750 Col.980
Cary-over Motion	22 May 2024	Vol. 750 Col.993
House of Lords		
Introduction	23 May 2024	Vol. 838
Bill Reintroduced	18 July 2024	Vol. 839
Second Reading	4 September 2024	Vol. 839 Col. 1160
Select Committee hearings	16 October 2024 5 November 2024 6 November 2024 12 November 2024 13 November 2024	Transcripts of Hearings

	19 November 2024 10 November 2024 26 November 2024 27 November 2024 5 December 2024 10 December 2024	
Select Committee Special Report of Session 2024-25	21 January 2025	Select Committee Report
Promoter's response	24 February 2025	Promoters' response to the House of Lords Select Committee report
Grand Committee	4 March 2025 11 March 2025 20 March 2025 27 March 2025	Vol. 844 Col. 44GC Vol. 844 Col.186GC Vol. 844 Col. 380GC Vol. 844 Col. 502GC
Report	11 June 2025	Vol. 846 Col.1388 / Vol. 846 Col. 1440
Third Reading	17 June 2025	Vol. 846 Col. 1905
Commons Consideration of Lords Amendments	20 January 2026	Vol. 779 Col. 219
Lords Consideration of Commons amendments and reasons	21 January 2026	Vol. 852 Col. 361
Royal Assent	22 January 2026	Vol. 852 Col. 473

Annex B - Progress of Bill Table

21 This Annex shows how each section of the Act was numbered during the passage of the Bill through Parliament.

Section of the Act	Bill as Introduced in the Commons	Bill as introduced in the Lords	Bill as amended on Report in the Lords	Commons Consideration of Lords Amendment	Lords Consideration of Commons Amendments and / or reasons	Royal Assent
Section 1	Clause 1 – Expenditure relating to a Holocaust Memorial and Learning Centre	Clause 1 - Expenditure relating to a Holocaust Memorial and Learning Centre	Clause 1 - Expenditure relating to a Holocaust Memorial and Learning Centre	Clause 1 - Expenditure relating to a Holocaust Memorial and Learning Centre	Clause 1 - Expenditure relating to a Holocaust Memorial and Learning Centre	Clause 1 - Expenditure relating to a Holocaust Memorial and Learning Centre
Section 2	Clause 2 – Removal of restrictions on using certain land	Clause 2 – Removal of restrictions on using certain land	Clause 2 – Removal of restrictions on using certain land	Clause 2 – Removal of restrictions on using certain land	Clause 2 – Removal of restrictions on using certain land	Clause 2 – Removal of restrictions on using certain land
Section 3	Clause 3 – Extent, commencement and short title	Clause 3 - Extent, commencement and short title	Clause 3 – Learning Centre Purpose	Clause 3 – Learning Centre Purpose	Clause 3 – Extent, commencement and short title	Clause 3 - Extent, commencement and short title
			Clause 4 - Extent, commencement and short title	Clause 4 - Extent, commencement and short title		

© Crown copyright 2026

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Saul Nassé, Controller of His Majesty's Stationery Office and King's Printer of Acts of Parliament.

williams lea | tso
An RRD Company

Published by TSO (The Stationery Office), part of Williams Lea, and available from:

Online
www.tsoshop.co.uk

Mail, Telephone & E-mail
TSO
PO Box 29, Norwich, NR3 1GN
Telephone orders/General enquiries: 0333 202 5070
E-mail: customer.services@tso.co.uk
Textphone: 0333 202 5077

ISBN 978-0-10-560442-6

9 780105 604426