STATUTORY INSTRUMENTS

1965 No. 603

MINISTERS OF THE CROWN

The Transfer of Functions (Cultural Institutions) Order 1965

Made - - - -	*24th March* 1965
Laid before Parliament	*30th March* 1965
Coming into Operation	*1st April* 1965

At the Court at Buckingham Palace, the 24th day of March 1965

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of section 1 of the Ministers of the Crown (Transfer of Functions) Act 1946(a), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows :—

Citation, interpretation and commencement

1.—(1) This Order may be cited as the Transfer of Functions (Cultural Institutions) Order 1965.

(2) The Interpretation Act 1889(b) applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

(3) In this Order—

"instrument" (without prejudice to the generality of that expression) includes in particular Orders in Council, Royal Charters, judgments, schemes, decrees, orders, rules, regulations, byelaws, awards, contracts, certificates and other documents;

"Minister" includes the Treasury;

and any reference in this Order to an enactment is a reference thereto as amended, and includes a reference thereto as applied, by or under any other enactment.

(4) This Order shall come into operation on 1st April 1965.

Transfer of functions

2.—(1) There are hereby transferred to the Secretary of State the functions of the Treasury under the enactments set out in the Schedule to this Order.

(2) The functions of the Chancellor of the Exchequer under the Charter of Incorporation of the Arts Council of Great Britain, together with the functions of the Treasury thereunder other than those relating to the terms of appointment of officers and servants of the Council, are hereby transferred to the Secretary of State for Education and Science; and the functions heretofore exercisable thereunder by the last-mentioned Minister shall in future be exercised by the Secretary of State for Wales.

(a) 9 & 10 Geo. 6. c. 31. (b) 52 & 53 Vict. c. 63.

Amendment of enactments and instruments

3.—(1) Any enactment or instrument in force at the coming into operation of this Order shall have effect, so far as may be necessary for the purpose or in consequence of the foregoing provisions of this Order, as if—

(*a*) for any reference to a Minister from whom functions are transferred by this Order (including any reference which is to be construed as such a reference) there were substituted a reference to the Minister to whom the functions are transferred ; and

(*b*) for any reference to the department or any officer of a Minister from whom functions are so transferred (including any reference which is to be construed as such a reference) there were substituted a reference to the department or an officer of the Minister to whom the functions are transferred.

Supplemental

4.—(1) This Order shall not affect the validity of anything done by or in relation to any Minister before the coming into operation of this Order ; and anything which, at the time of the coming into operation of this Order, is in process of being done by or in relation to any Minister (including in particular any legal proceedings pending to which he is a party) may, if it relates to any functions transferred by this Order, be continued by or in relation to the Minister to whom the functions are transferred.

(2) Any authority, appointment or direction given or made by any Minister in the exercise of any functions transferred by this Order shall, if in force at the coming into operation of this Order, continue in force and have effect as if similarly given or made by the Minister to whom the functions are transferred.

W. G. Agnew.

SCHEDULE

ENACTMENTS CONFERRING FUNCTIONS TRANSFERRED

10 & 11 Geo. 5. c. 16.	The Imperial War Museum Act 1920, sections 2(*b*), (*c*) and (*d*), and 3(2), and paragraph (8) of the Schedule.
15 & 16 Geo. 5. c. 73.	The National Library of Scotland Act 1925, section 2.
24 & 25 Geo. 5. c. 43.	The National Maritime Museum Act 1934, sections 2(3), 4 and 6.
12, 13 & 14 Geo. 6. c. 16.	The National Theatre Act 1949, sections 1 and 2(1).
12, 13 & 14 Geo. 6. c. 35.	The British Film Institute Act 1949, section 1.
2 & 3 Eliz. 2. c. 65.	The National Gallery and Tate Gallery Act 1954, sections 2(4), 3 and 4(2), (3) and (4).
3 & 4 Eliz. 2. c. 14.	The Imperial War Museum Act 1955, section 2(1).
1963 c. 24.	The British Museum Act 1963, sections 1(1)(*c*), 8(2)(*b*) and 10(2).

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order transfers functions at present exercisable by the Chancellor of the Exchequer and the Treasury to the Secretary of State in relation to the following cultural institutions:—

The Imperial War Museum, the National Library of Scotland, the National Maritime Museum, the National Theatre, the British Film Institute, the National Gallery, the Tate Gallery, the British Museum and the Arts Council of Great Britain.

In relation to the National Library of Scotland the functions will be exercised by the Secretary of State for Scotland. In other cases the functions involved, which do not include those of the Treasury in relation to the terms of appointment of officers and servants, will be exercised by the Secretary of State for Education and Science.

In the case of the Arts Council of Great Britain functions similar to those vested in the Secretary of State for Scotland in relation to Scotland are transferred to the Secretary of State for Wales in relation to Wales.