



House of Commons
Wednesday 10 June 2009
PUBLIC BILL COMMITTEE

New Amendments handed in are marked thus ★

☆ *Amendments which will comply with the required notice period at their next appearance*

HOLOCAUST (STOLEN ART) RESTITUTION BILL

Mr Andrew Dismore
Barbara Follett

Page 1, line 1, leave out Clause 1.

2

Member's explanatory statement

This amendment leaves out clause 1 (powers of de-accession), which is replaced by the new clause inserted by NCI (power to return victims' property).

Mr Andrew Dismore
Barbara Follett

Clause 2, page 2, line 2, at end insert—

3

'The Board of Trustees for the National Galleries of Scotland,'.

Member's explanatory statement

This amendment adds the Board of Trustees for the National Galleries of Scotland to the list of bodies to which the Bill applies.

Mr Andrew Dismore
Barbara Follett

Clause 2, page 2, line 3, after 'The' insert 'Board of'.

4

Member's explanatory statement

This amends the reference to the Trustees of the National Gallery to refer to the Board of Trustees of the National Gallery. This is the full name given by the Museums and Galleries Act 1992.

Mr Andrew Dismore
Barbara Follett

Clause 2, page 2, line 3, at end insert—

5

'The Trustees of the National Library of Scotland,'.

Holocaust (Stolen Art) Restitution Bill, continued
Member's explanatory statement

This amendment adds the Trustees of the National Library of Scotland to the list of bodies to which the Bill applies.

Mr Andrew Dismore
Barbara Follett

Clause 2, page 2, line 4, at end insert—

'The Board of Trustees of the National Museums and Galleries on Merseyside,

The Board of Trustees of the National Museums of Scotland,'.

Member's explanatory statement

This amendment adds the Board of Trustees of the National Museums and Galleries on Merseyside and the Board of Trustees of the National Museums of Scotland to the list of bodies to which the Bill applies.

Mr Andrew Dismore
Barbara Follett

Clause 2, page 2, line 5, at end insert—

'The Trustees of the Natural History Museum,

The Board of Trustees of the Royal Botanic Gardens, Kew,'.

Member's explanatory statement

This amendment adds the Trustees of the Natural History Museum and the Board of Trustees of the Royal Botanic Gardens, Kew to the list of bodies to which the Bill applies.

Mr Andrew Dismore
Barbara Follett

Clause 3, page 2, line 11, leave out '(Stolen Art) Restitution' and insert '(Return of Cultural Objects)'.

Member's explanatory statement

This amends the short title.

Mr Andrew Dismore
Barbara Follett

Clause 3, page 2, line 11, at end insert—

'(1A) This Act extends to—

(a) England and Wales, and

(b) Scotland.'

Member's explanatory statement

This adds a new subsection which provides that the Bill extends to England and Wales and Scotland.

Mr Andrew Dismore
Barbara Follett

Clause 3, page 2, line 12, leave out subsection (2) and insert—

Holocaust (Stolen Art) Restitution Bill, continued

- (2) The preceding sections of this Act come into force on such day as the Secretary of State may by order appoint.
- (3) An order may make different provision for different purposes.
- (4) Before appointing a day for the coming into force of the preceding sections of this Act so far as they relate to Scottish bodies the Secretary of State must consult the Scottish Ministers.
- (5) "Scottish body" has the meaning given by section [*Power to return victims' property*](5).
- (6) This Act expires at the end of the period of 10 years beginning with the day on which it is passed.'

Member's explanatory statement

This replaces the current commencement provision and sunset clause with new subsections. The new subsections provide for commencement by order. They also provide for the Bill to expire 10 years after it is passed.

NEW CLAUSES
Power to return victims' property

Mr Andrew Dismore
Barbara Follett

NC1

To move the following Clause:—

- (1) A body to which this Act applies may transfer an object from its collections if the following conditions are met.
- (2) Condition 1 is that the Advisory Panel has recommended the transfer.
- (3) Condition 2 is that the Secretary of State has approved the Advisory Panel's recommendation.
- (4) The Secretary of State may approve a recommendation for the transfer of an object from the collections of a Scottish body only with the consent of the Scottish Ministers.
- (5) "Scottish body" means—
 - The Board of Trustees for the National Galleries of Scotland,
 - The Trustees of the National Library of Scotland,
 - The Board of Trustees of the National Museums of Scotland.
- (6) The power conferred by subsection (1) does not affect any trust or condition subject to which any object is held.
- (7) The power conferred by subsection (1) is an additional power.'

Member's explanatory statement

This provides that a body listed in clause 2 may transfer objects from its collections where two conditions are satisfied. First, the transfer must be recommended by the Advisory Panel. Secondly, the Secretary of State must approve the recommendation (with the consent of the Scottish Ministers in some cases).

Holocaust (Stolen Art) Restitution Bill, continued

“Advisory Panel”

Mr Andrew Dismore
Barbara Follett

NC2

To move the following Clause:—

- (1) For the purposes of this Act “Advisory Panel” means a panel for the time being designated by the Secretary of State for those purposes.
- (2) The Secretary of State may designate a panel for the purposes of this Act only if the panel’s functions consist of the consideration of claims which—
 - (a) are made in respect of objects, and
 - (b) relate to events occurring during the Nazi era.
- (3) “Nazi era” means the period—
 - (a) beginning with 1 January 1933, and
 - (b) ending with 31 December 1945.’.

Member’s explanatory statement

This defines “Advisory Panel” for the purposes of the Act. The panel is to be designated by the Secretary of State. The Secretary of State may only designate a panel whose functions consist of considering claims relating to events occurring during the Nazi era (1933 -1945).

Mr Andrew Dismore
Barbara Follett

1

Title, leave out lines 1 to 5 and insert ‘Confer power to return certain cultural objects on grounds relating to events occurring during the Nazi era’.

Member’s explanatory statement

This amendment substitutes a new long title to the Bill.



House of Commons

HOLOCAUST (STOLEN ART) RESTITUTION BILL COMMITTEE

CHAIRMAN: FRANK COOK

CLERK: MR SHAW

16 MEMBERS

Bercow, John
(Buckingham)
Buck, Ms Karen
*(Regent's Park and
Kensington North)*
Creagh, Mary
(Wakefield)
Dismore, Mr Andrew
(Hendon)
Ellman, Mrs Louise
(Liverpool, Riverside)

Follett, Barbara
(Stevenage)
Foster, Mr Don
(Bath)
Hamilton, Mr Fabian
(Leeds North East)
McDonagh, Siobhain
(Mitcham and Morden)
Mann, John
(Bassetlaw)
Öpik, Lembit
(Montgomeryshire)

Pritchard, Mark
(The Wrekin)
Scott, Mr Lee
(Ilford North)
Sharma, Mr Virendra
(Ealing Southall)
Vaizey, Mr Edward
(Wantage)
Whittingdale, Mr John
*(Maldon and East
Chelmsford)*

9 June 2009