

PARLIAMENTARY BUREAU

LEGISLATIVE CONSENT MEMORANDUM - CULTURAL OBJECTS (PROTECTION FROM SEIZURE) BILL (UK LEGISLATION)

Introduction

1. Under Rule 9B.3.5, the Parliamentary Bureau is required to refer any legislative consent memorandum (LCM) that has been lodged with the Parliament to the committee within whose remit the subject matter of the relevant provision falls.

Cultural Objects (Protection from Seizure) Bill

2. The Cultural Objects (Protection from Seizure) Bill is a Private Members' Bill that was introduced in the House of Commons on 18 June 2021. It concluded Commons Committee stage on 17 November 2021.

3. An LCM was lodged by Angus Robertson MSP, Cabinet Secretary for the Constitution, External Affairs and Culture on 1 December 2021.

4. Under section 134 of the Tribunals, Courts and Enforcement Act 2007 ("the 2007 Act"), cultural objects on loan from abroad to UK museums and galleries approved under the 2007 Act are protected from seizure or forfeiture for a period of 12 months from the date the object enters the UK. The Bill will provide an amendment to the 2007 Act to allow the period of protection to be extended for a further period of up to 3 months.

5. The LCM indicates that the Scottish Government intends to lodge a motion seeking the Scottish Parliament's consent to the UK Parliament legislating on devolved matters in this Bill.

Designation of lead committee

6. The Bill is concerned with the protection of cultural objects. As such, it falls within the responsibilities of the Cabinet Secretary for the Constitution, External Affairs and Culture. The remit of the Constitution, Europe, External Affairs and Culture Committee includes to consider and report on "*any other matter falling within the responsibility of the Cabinet Secretary for the Constitution, External Affairs and Culture*". The remit of the Constitution, Europe, External Affairs and Culture Committee is therefore engaged.

7. No other committee remit appears to be engaged.

8. The LCM will also be considered by the Delegated Powers and Law Reform Committee in regard to provisions in the Bill conferring powers on the Scottish Ministers to make subordinate legislation.

Recommendation

9. The Bureau is invited to agree to refer, under Rule 9B.3.5, the LCM on the Cultural Objects (Protection from Seizure) Bill to the Constitution, Europe, External Affairs and Culture Committee to consider and report on it.

**Parliamentary Business Team
December 2021**