



ICOM UK seeks clarification on the UK Charities Act 2022 and Restitution

ICOM UK is a non-governmental museums organisation that operates as part of a highly respected and collaborative global network. Serving almost 4,000 individual and institutional UK members, ICOM UK delivers its mission through partnerships across the four nations of the UK and the British Overseas Territories. Internationally, the ICOM membership network comprises more than 60,000 members in almost 140 countries and territories.

With its unique remit to serve and connect national and international members, ICOM UK is at the nexus of domestic museum topics with international relevance. In this capacity, ICOM UK recently wrote to DCMS to seek clarification on behalf of its members in regard to the provisions and exclusions in the UK Charities Act 2022.

The UK Charities Act 2022 includes some provisions relating to the *ex gratia* disposal of charity property by statutory charities. Statutory national museums in England and Wales were excluded from these provisions when they were brought into force by the Charities Act 2022 (Commencement No. 4 and Saving Provision) Regulations 2025 in November 2025. This exclusion affects the discussion about potential restitution of items from UK museum collections.

In its [January report](#), the Joint Committee on Statutory Instruments (JCSI) makes it clear that ‘the correct approach is to pass new legislation rather than seeking to undercut it by simply not commencing it’. In response to the JCSI’s questions, DCMS has now confirmed that the exclusion decision was only temporary. DCMS will review it as part of the review of the Charities Act 2022, which is due within five years of the Act receiving Royal Assent (by February 2027).

ICOM UK welcomes this response. By participating in policy-making discussions, and working towards solutions, ICOM UK seeks to inform nuanced conversations, and serve as a trusted advisor to both its members and policy makers, working towards united sector-wide solutions.