



Duchy of Lancaster Act 1817

1817 CHAPTER 97 57 Geo 3

An Act; for ratifying Articles of Agreement entered into by the Right Honourable *Henry Hall* Viscount *Gage*, and the Commissioners of His Majesty's Woods, Forests, and Land Revenues; and for the better Management and Improvement of the Land Revenues of the Crown. [10th July 1817]

Modifications etc. (not altering text)

- C1 Short title given by [Statute Law \(Repeals\) Act 1977 \(c. 18\), Sch. 3](#)
- C2 Preamble not relevant to unrepealed provisions of the Act

I— F1
XXIV.

Textual Amendments

- F1 Ss. 1–24, Sch. repealed by [Crown Lands Act 1829 \(c. 50\), s. 1](#)

XXV Chancellor and Council of the Duchy of Lancaster may sell Part of their Funded Stock, and apply the Money towards the Improvement of the Lands, &c. belonging to the said Duchy.

And whereas there are certain Sums or Funds standing in the Books of the Governor and Company of the Bank of *England*, in the Three Pounds *per Centum* Consolidated Annuities, in the Name or to the Account of the Duchy of *Lancaster*, which have arisen and been produced by Sales of certain Parts of the Possessions of the said Duchy, and it will tend to the Improvement of other Parts of the Possessions of the said Duchy if a sufficient Part of the said Bank Annuities was sold, and the Produce thereof applied in the Manner and for the Purposes hereinafter mentioned;

It shall and may be lawful to and for the Chancellor and Council of the Duchy of *Lancaster*, by any Order or Orders to be made in Court of Revenue of the said Duchy, from Time to Time to order or direct that any Part or Parts of the Three Pounds

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per Cent. Consolidated Annuities now standing or which may hereafter stand in the Books of the Governor and Company of the Bank of *England*, in the Name or to the Account of the Duchy of *Lancaster*, shall be sold and disposed of; and that the Monies arising by any such Sale or Sales shall be applied and appropriated in or towards Payment, Satisfaction, and Discharge of any Sum or Sums of Money or Expences which shall be incurred in the Division, Inclosure, Drainage, Embankment, or other Improvement of any Messuages, Lands, or Tenements belonging to His Majesty, His Heirs or Successors, in Right of His said Duchy, which shall be certified by the Surveyor General of the said Duchy upon Oath, to be filed in the Duchy Office, to be proper, necessary, advantageous, and beneficial to His Majesty's said Possessions; and the Governor and Company of the Bank of *England* shall and they are hereby authorized and required, upon Requisition to them for that Purpose to be made by any Order or Orders of the said Chancellor and Council, and under the Hand of the Attorney General of the said Duchy, to permit such Person as shall in and by such Order be named and empowered for that Purpose to make any Sale or Sales, Transfer or Transfers of all or any Part of the said Bank Annuities which now do or shall hereafter stand in the Books of the said Governor and Company in the Name or to the Account of the Duchy of *Lancaster*; and which Sale or Sales, Transfer or Transfers, being made by the Person so to be authorized by the Signature of his own proper Name, for and on the Behalf of the King's Majesty in Right of His Duchy of *Lancaster*, shall be valid, legal, and effectual for the Sale or Transfer of the said Annuities; any Thing in any Act or Acts of Parliament, or any Practice, Usage, or Custom to the contrary notwithstanding.

Modifications etc. (not altering text)

- C3** S. 25 amended by [Agricultural Holdings Act 1986 \(c. 5, SIF 2:3\)](#), ss. 95(4), 99(1), Sch. 13 paras. 1(1), 2, 3
- C4** S. 25 extended by [Coast Protection Act 1949 \(c. 74\)](#), s. 11(2)(c), [Landlord and Tenant Act 1954 \(c. 56\)](#), [Sch. 8 para. 4](#) and [Land Commission Act 1967 \(c. 1\)](#), s. 75(4)
- S. 25 extended (E.W.) (1.9.1995) by 1995 c. 8, ss. 37(5), 41(2) (with s. 37)
- S. 25 extended (30.9.2003 for E., 30.3.2004 for W.) by 2002 c. 15, ss. 108(3), 181(1); S.I. 2003/1986, [art. 2\(a\)](#); S.I. 2004/669, [art. 2\(a\)](#)
- S. 25 extended (30.9.2003 for E., 30.3.2004 for W. for certain purposes and 31.5.2005 for W. for further purposes) by 2002 c. 15, ss. 172(4), 181(1); S.I. 2003/1986, [art. 2\(c\)\(ii\)](#) (subject to [Sch. 2](#) of the commencing order); S.I. 2004/669, [art. 2\(c\)\(ii\)](#) (with [Sch. 2](#)); S.I. 2005/1353, [art. 2\(h\)](#) (subject to [art. 3](#))

[^{F2}25A Capital may be applied to development of Duchy land

- (1) For the purposes of section 25, any costs, fees, disbursements or other expenses incurred in, or in connection with, any preparatory work in relation to any proposed improvement are to be regarded as being incurred in the improvement, whether or not the improvement actually takes place.
- (2) In this section and section 25, "improvement" includes any development.]

Textual Amendments

- F2** S. 25A inserted (10.8.2015) by [The Legislative Reform \(Duchy of Lancaster\) Order 2015 \(S.I. 2015/1560\)](#), arts. 1, 2

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for the Duchy of Lancaster Act 1817. (See end of Document for details)*

XXVI This Act to be a sufficient Indemnity to the Bank for all Things done by them in obedience to the Orders of the said Chancellor, &c.

This present Act shall be and is hereby declared to be a full and complete Indemnity and Discharge to the said Governor and Company of the Bank of *England*, their Officers and Servants, for all Things which shall be by them done or permitted to be done by virtue or in obedience to any such Order or Orders of the said Chancellor and Council; and the same shall not be questioned or impeached in any Court of Law or Equity, or in any Manner whatsoever to their Prejudice, Loss, or Detriment.

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F3F3 SCHEDULE

Textual Amendments

F3 Ss. 1–24, Sch. repealed by [Crown Lands Act 1829 \(c. 50\), s. 1](#)

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