



Chequers Estate Act 1917

1917 CHAPTER 55 7 and 8 Geo 5

An Act to confirm and give effect to a deed of settlement relating to the Chequers Estate and other property and for purposes connected therewith. [20th December 1917]

Whereas by a deed of settlement dated the twenty-fourth day of November nineteen hundred and seventeen and made between Sir Arthur Hamilton Lee (hereinafter referred to as “Sir Arthur Lee”) of the first part, Dame Ruth Moore Lee, the wife of Sir Arthur Lee (hereinafter referred to as “Lady Lee”), of the second part, Allan Ernest Messer and Arthur Edward Nicholls of the third part, and the Public Trustee of the fourth part (which deed is set out in the Schedule to this Act), the landed property (hereinafter referred to as “the Chequers Estate”), chattels and money therein described, are settled upon the trusts and for the purposes mentioned in the said deed:

And whereas the trusts created by the said deed cannot take effect without the authority of Parliament, and it is expedient that the said trusts should have full force and validity:

1 Confirmation of deed of settlement.

The said deed of settlement is hereby confirmed, and shall have effect as if enacted in this Act, but nothing in this Act shall prejudice or affect the right, title, or interest, if any, of any person in or to the Chequers Estate other than the right, title, or interest of the parties to the said deed of the first, second, and third parts.

2 F1

Textual Amendments

F1 S. 2 repealed by [Chequers Estate Act 1958 \(c. 60\), s. 3\(7\)](#)

3 Provisions as to taxes and duties.

(1) So long as Sir Arthur Lee and Lady Lee or the survivor of them continue to retain a beneficial interest in possession in the property settled by the said deed, or any part thereof, the property of such part thereof and Sir Arthur Lee and Lady Lee and the

Status: Point in time view as at 17/04/2013.

Changes to legislation: There are currently no known outstanding effects for the Chequers Estate Act 1917. (See end of Document for details)

survivor of them in respect thereof shall remain liable to income tax, inhabited house duty, and all other taxes. On Sir Arthur Lee and Lady Lee or the survivor of them ceasing to have any beneficial interest in possession in the said property or any part thereof, the property or such part, and the trustees thereof, and any person having a beneficial interest therein, shall be exempt from all such taxes and from death duties: Provided that this exemption shall cease to apply to any part of the Chequers Estate which may be sold, and in the event of any part thereof being leased to any person other than the ^{F2}Minister of Agriculture, Fisheries and Food], nothing in this section shall exempt the lessee, or any person claiming through him, from liability to any duty or tax in respect of his interest therein.

- (2) On the death of Sir Arthur Lee, if Lady Lee has predeceased him, or if Lady Lee survives him and within six months after his death surrenders, or otherwise ceases to retain any interest in, the said property (other than the rights specified in paragraphs (a) and (b) of clause four of the said deed), then, for purposes of death duties the property, other than such rights as aforesaid, shall be deemed not to be property passing on the death of Sir Arthur Lee or Lady Lee.
- (3) No stamp duty shall be charged on the said recited deed, or on any deed made thereunder or in accordance therewith.

Textual Amendments

- F2** Words substituted by virtue of [Ministry of Agriculture and Fisheries Act 1919 \(c. 91\), s. 1](#) and [S.I. 1955/554 \(1955 I, p. 1200\), art. 3](#)

[^{F3A} Stamp duty land tax

- (1) A land transaction effected under, or in accordance with, the said recited deed is exempt from charge for the purposes of stamp duty land tax.
- (2) Relief under this section must be claimed in a land transaction return or an amendment of such a return.
- (3) In this section—
 - “land transaction” has the meaning given by section 43(1) of the Finance Act 2003;
 - “land transaction return” has the meaning given by section 76(1) of that Act.]

Textual Amendments

- F3** [S. 3A](#) inserted (1.12.2003) by [The Stamp Duty Land Tax \(Consequential Amendment of Enactments\) Regulations 2003 \(S.I. 2003/2867\), reg. 1, Sch. para. 3](#)

4 Short title.

This Act may be cited as the Chequers Estate Act 1917.

Status: Point in time view as at 17/04/2013.

Changes to legislation: There are currently no known outstanding effects for the Chequers Estate Act 1917. (See end of Document for details)

SCHEDULE

Sir Arthur Hamilton Lee of Chequers in the county of Buckingham, having expressed his desire and intention to transfer forthwith the ownership of the Chequers Estate together with certain chattels and moneys as a free gift (in trust) to the nation subject to the conditions hereinafter set forth, and in order that the house may be used and maintained in perpetuity as the official country residence of the British Prime Minister, and having more particularly explained the object of his gift in the following words:—

“It is not possible to foresee or foretell from what classes or conditions of life the future wielders of power in this country will be drawn. Some may be as in the past men of wealth and famous descent; some may belong to the world of trade and business; others may spring from the ranks of the manual toilers. To none of these in the midst of their strenuous and responsible labours could the spirit and anodyne of Chequers do anything but good. In the city-bred man especially, the periodic contact with the most typical rural life would create and preserve a just sense of proportion between the claims of town and country. To the revolutionary statesman the antiquity and calm tenacity of Chequers and its annals might suggest some saving virtues in the continuity of English history and exercise a check upon too hasty upheavals, whilst even the most reactionary could scarcely be insensible to the spirit of human freedom which permeates the countryside of Hampden, Burke and Milton.

Apart from these more subtle influences, the better the health of our rulers the more sanely will they rule and the inducement to spend two days a week in the high and pure air of the Chiltern hills and woods will, it is hoped, benefit the nation as well as its chosen leaders. The main features of this scheme are therefore designed not merely to make Chequers available as the official country residence of the Prime Minister of the day, but to tempt him to visit it regularly and to make it possible for him to live there, even though his income should be limited to his salary.”

THIS INDENTURE is accordingly made the twenty-fourth day of November One thousand nine hundred and seventeen between SIR ARTHUR HAMILTON LEE of Chequers in the county of Buckingham of the first part DAME RUTH MOORE LEE the wife of the said Sir Arthur Hamilton Lee of the second part ALLEN ERNEST MESSER and ARTHUR EDWARD NICHOLLS both of No. 14 Old Jewry Chambers in the City of London Solicitors of the third part and THE PUBLIC TRUSTEE of the fourth part WHEREAS the said Sir Arthur Hamilton Lee is desirous of transferring forthwith the ownership of the Chequers Estate together with certain chattels as a free gift (in trust) to the nation subject to the conditions hereinafter set forth AND WHEREAS the said Sir Arthur Hamilton Lee also desires to create a trust fund for maintaining the Chequers Estate And whereas under and by virtue of two indentures of lease short particulars of which are set forth in the schedule hereto the said Sir Arthur Hamilton Lee and Ruth Moore Lee became and at law remain lessees of the greater part of the hereditaments hereinafter conveyed and settled for the term of twenty-one years from the twenty-ninth day of September one thousand nine hundred and nine and thereafter for their joint lives and for the life of the survivor of them at certain rents and subject to certain covenants and conditions in the said indentures respectively contained AND WHEREAS under and by virtue of an indenture dated the fifth day of April one thousand nine hundred and seventeen and made between Mary Ruth Falcke of the one part and the said Allan Ernest Messer and Arthur Edward Nicholls of the other part the fee simple and inheritance of the said hereditaments and of certain adjoining hereditaments (all hereinafter shortly collectively called “the Chequers Estate”) was duly conveyed unto and to the use of the said Allen Ernest Messer and Arthur Edward Nicholls as joint tenants with the benefit of and subject to the said leases AND WHEREAS the fee simple and inheritance of the Chequers Estate was in fact purchased by and conveyed to the said Allan Ernest Messer and Arthur Edward Nicholls as agents for and with the moneys of the said Sir Arthur Hamilton Lee and the same estate is now held by them in trust for him AND WHEREAS the said Sir Arthur Hamilton Lee is

Status: Point in time view as at 17/04/2013.

Changes to legislation: There are currently no known outstanding effects for the Chequers Estate Act 1917. (See end of Document for details)

also the absolute owner of the furniture pictures tapestry books manuscripts china relics works of art silver linen and other effects now in and about the Mansion House of Chequers AND WHEREAS the trusts hereinafter declared in relation to the Chequers Estate and the said trust fund would infringe certain rules of law unless these presents were confirmed and made valid by Act of Parliament and it is intended that a Bill shall be introduced into Parliament for the confirmation of these presents accordingly AND WHEREAS it is intended that the said Bill shall constitute the Commissioners of Works as defined by the Interpretation Act 1889 or some other body into a statutory corporation and that the legal ownership of the Chequers Estate shall be vested in the said Commissioners of Works or other body as custodian trustee and that such trust fund shall be vested in the Public Trustee but that the administration of the trusts shall be confined to a body of administrative trustees consisting from time to time of the holders of certain offices hereinafter mentioned NOW THIS INDENTURE WITNESSETH as follows:—

I.—INTERPRETATION

- 1 In the construction of these presents the following expressions shall have the following meanings, viz.:—
- (a) “The settlor” shall mean the said Sir Arthur Hamilton Lee.
 - (b) “Lady Lee” shall mean Ruth Moore Lee his present wife.
 - [^{F4}(c) “The custodian trustee” shall mean the Public Trustee.]
 - (d) “The Act” shall mean the said intended Act of Parliament confirming these presents if and when the same shall receive the Royal assent.
 - [^{F5}(e) “The administrative trustees” shall mean a body of trustees consisting (during the lifetime of Lady Lee) of Lady Lee and the following persons and (after the death of Lady Lee) consisting of the following persons viz.:—
 - (1) The person who is for the time being [^{F6}the Chancellor of the Duchy of Lancaster].
 - (2) A person appointed by the Prime Minister.
 - (3) A person appointed by the [^{F7}Secretary of State].
 - (4) The person who is for the time being chairman of the Executive Committee of the National Trust for Places of Historic Interest or Natural Beauty.
 - (5) The Public Trustee.
 - (f) Any person appointed under the last preceding paragraph by a person holding office as Prime Minister or as [^{F7}Secretary of State] shall continue to hold that appointment (whether the person who appointed him continues to hold the relevant office or not) until he resigns or dies or his appointment is terminated by the person for the time being holding the relevant office (whichever first occurs).
 - (g) The appointment or termination of the appointment of any person under this clause by the Prime Minister or the [^{F7}Secretary of State] shall be made by an instrument in writing signed by the Prime Minister or the [^{F7}Secretary of State] as the case may be and the resignation of any person appointed under this clause shall be effected by an instrument in writing signed by that person.]
 - (g) . . . ^{F8}
 - (i) “The Chequers Trust Fund” shall mean a sum of not less than fifty-five thousand pounds (which may be added to from time to time) to be paid by the settlor as hereinafter provided and the investments for the time being

Status: Point in time view as at 17/04/2013.

Changes to legislation: There are currently no known outstanding effects for the Chequers Estate Act 1917. (See end of Document for details)

representing the same [^{F9} and any money or other property which constitutes or represents capital money arising under the powers hereby conferred (including powers conferred by the ^{M1}Settled Land Act 1925 in so far as they apply for the purposes hereof) together with any other accretion to the money or property from time to time comprised in the said Fund and together also with any money or property which may from time to time be given or directed to be held upon the trusts applicable to the said Fund and accepted by the Public Trustee with the concurrence of the administrative trustees upon those trusts.]

Textual Amendments

- F4** Clause 1(c) substituted by [Chequers Estate Act 1958 \(c. 60\)](#), [Sch. para. 1](#)
- F5** Clause 1(e)–(g) substituted for clause 1(e)(f) by [Chequers Estate Act 1958 \(c. 60\)](#), [Sch. para. 2](#)
- F6** Words in Sch. substituted (17.4.2013) by [The Transfer of Functions \(Chequers and Dorneywood Estates\) Order 2013 \(S.I. 2013/537\)](#), [arts. 1\(2\), 6](#)
- F7** Words substituted by virtue of [S.I. 1962/1549](#), [art. 2](#) and 1970/1681 arts. 2(1), 6(3)
- F8** Clause 1(g)(h) repealed by [Chequers Estate Act 1958 \(c. 60\)](#), [Sch. para. 3](#)
- F9** Words and clause 1A added by [Chequers Estate Act 1958 \(c. 60\)](#), [Sch. para. 4](#)

Marginal Citations

- M1** 1925 c. 18.

- 1a In the construction of these presents any reference to any enactment shall (except in so far as the context otherwise requires) be construed as a reference to that enactment as amended by or under any other enactment.

II.—CONVEYANCE OF REAL ESTATE

- 2 The said Allan Ernest Messer and Arthur Edward Nicholls as trustees and by the direction of the settlor hereby convey and the settlor and Lady Lee for the purpose of extinguishing their said leasehold interests hereby surrender and assign unto the settlor and his heirs All that mansion house known as “Chequers” situate in the parish of Ellesborough in the county of Buckingham with the gardens pleasure grounds woods stables coachhouses lodges and cottages usually occupied in connection therewith And also all those freehold hereditaments farms farmhouses and lands situate in the parishes of Ellesborough and Great and Little Kimble in the county of Buckingham all which said hereditaments (excluding the area known as Coombe Hill which has already been conveyed to the said national trust for places of historic interest) contain in the whole one thousand two hundred and thirty-two acres or thereabouts and are more particularly delineated on the plan hereto annexed and are thereon coloured red and blue Together also with all tithes and tithe rentcharges in lieu of tithes issuing or arising out of the said hereditaments or any part or parts thereof which are now vested in the said Allan Ernest Messer and Arthur Edward Nicholls in trust for the settlor And also all the manors or lordships or reputed manors or lordships of Ellesborough Chequers and Mordaunts and of Great Kimble and Little Kimble in the county of Buckingham And also all that advowson of the parish church of Ellesborough in the same county To hold the same respectively unto the settlor and his heirs To the use of the settlor during his life without impeachment of waste and if Lady Lee shall survive the settlor then to the use of Lady Lee during her life without impeachment of waste and upon the determination or failure of the foregoing uses To the use of the custodian trustee its

Status: Point in time view as at 17/04/2013.

Changes to legislation: There are currently no known outstanding effects for the Chequers Estate Act 1917. (See end of Document for details)

successors and assigns in fee simple upon the trusts hereinafter declared in relation thereto.

III.—ASSIGNMENT OF CHATTELS

- 3 In further pursuance of the premises the settlor as settlor hereby declares that he will henceforth hold and stand possessed of all such furniture pictures tapestry book manuscripts china relics works of art silver linen and other effects now in and about the said mansion house of Chequers and its curtilage as are more particularly specified in an inventory which is to remain in the settlor's possession so long as he retains the right of residence at Chequers (but subject nevertheless to the right hereinafter reserved to add to weed out or improve by purchase sale or exchange the collections therein described) Upon trust for the personal use and enjoyment of himself the settlor during his life and if Lady Lee shall survive the settlor then in trust to permit and suffer Lady Lee to have the personal use and enjoyment thereof during her life and upon the determination or failure of the foregoing trusts Upon trust to deliver the said furniture pictures tapestry books manuscript china relics works of art silver linen and other effects to the custodian trustee upon the trusts hereinafter declared in relation thereto.

IV.—TRUSTS

- 4 The custodian trustee shall hold the said hereditaments conveyed by clause 2 of these presents after the cesser of the prior trusts in favour of the settlor and Lady Lee or after the prior determination thereof in their lifetime or in the lifetime of the survivor of them Upon trust to let the administrative trustees (hereinafter appointed) into possession of the said Chequers Estate and receipt of the rents and profits thereof except as herein provided and into possession of the said manors and advowson and into possession of the said furniture pictures tapestry books manuscripts china relics works of art silver linen and other effects and to permit and suffer them without any inquiry interference or question whatsoever to manage the same as if they were absolute owners thereof Provided nevertheless as follows:—
- (a) That if the settlor and Lady Lee or the survivor of them shall at any time surrender their his or her life interest in the said premises so as to accelerate the preceding trust then at the request of the parties or party surrendering the same the custodian trustee shall permit them him or her to retain during their his or her lives or life without impeachment of waste any part of the Chequers Estate not exceeding an area of five acres and not being at any point nearer to the mansion house of Chequers than one-third of a mile as a site for a small house as a residence for them him or her (such residence after the death of the survivor of them to be available for the secretary and curator hereinafter mentioned);
 - (b) That the settlor and Lady Lee shall have the right of burial on the hill called "Beacon Hill"; and
 - (c) That in the event of and notwithstanding such surrender of such life interest or interests the settlor (if then living) is to have control and management and to receive for his own benefit the profits of the Chequers farms and of the woodlands during his life or for such shorter period as he may determine and to appoint (in consultation with the administrative trustees and with the Board of Agriculture and Fisheries) the first manager after his death or prior surrender of the interests reserved to him under this sub-clause.

Status: Point in time view as at 17/04/2013.

Changes to legislation: There are currently no known outstanding effects for the Chequers Estate Act 1917. (See end of Document for details)

**V.—CONVENANTS BY SIR ARTHUR HAMILTON LEE TO PROVIDE
A SUM OF FIFTY-FIVE THOUSAND POUNDS WAR STOCK FOR
UPKEEP OF THE ESTATE AND FOR DELIVERY OF FARMING STOCK**

- 5 The settlor hereby covenants with the Public Trustee as follows:—
- (a) That he or his legal personal representatives will as soon as possible but not later than three calendar months after His Majesty's assent shall have been given to the Act create the Chequers Trust Fund by paying to the Public Trustee or transferring to him fifty-five thousand pounds five per cent. War Loan Stock of or guaranteed by the United Kingdom . . . ^{F10}
 - (b) That on the death of the settlor or at such earlier date as he may appoint the whole of the live and dead farming stock on the Chequers farms belonging to him shall be handed over to the custodian trustee in order that the said farms may be carried on as fully stocked under the trusts hereinafter declared.

Textual Amendments

F10 Words repealed by [Chequers Estate Act 1958 \(c. 60\)](#), [Sch. para. 5](#)

[^{F11}VI. TRUSTS OF THE CHEQUERS TRUST FUND]

Textual Amendments

F11 Title amended by [Chequers Estate Act 1958 \(c. 60\)](#), [Sch. para. 6](#)

- 6 The Public Trustee shall pay the income of the Chequers Trust Fund to the settlor during his life so long as he does not surrender his life interest in the Chequers estate for his own absolute use and benefit and after the death of the settlor such income shall be paid to Lady Lee if she shall survive him during her life or so long as she does not surrender her life interest in the Chequers Estate for her absolute use and benefit and after the death of the survivor of the settlor and Lady Lee or such earlier date as they he or she may appoint the said income shall be paid to the account of the Administrative Trustees at such bank as they shall from time to time direct and the receipt of any cashier of such bank shall be a sufficient discharge to the Public Trustee therefor.
- ^{F12}6A All money and other property which constitutes or represents capital money arising under the powers hereby conferred (including powers conferred by the ^{M2}Settled Land Act 1925 in so far as they apply for the purposes hereof) shall be paid or transferred to the Public Trustee and shall be held by him as part of the Chequers Trust Fund.]

Textual Amendments

F12 Clauses 6A, 6B inserted by [Chequers Estate Act 1958 \(c. 60\)](#), [Sch. para. 7](#)

Marginal Citations

M2 1925 c. 18.

Status: Point in time view as at 17/04/2013.

Changes to legislation: There are currently no known outstanding effects for the Chequers Estate Act 1917. (See end of Document for details)

- 6B The provisions of the ^{M3}Settled Land Act 1925 relating to capital money arising under that Act shall apply to all money and other property comprised in the Chequers Trust Fund subject to the last preceding clause and to the following modifications viz.:—
- (a) Subsection (1) of section seventy-three of that Act shall apply as if the following paragraph were substituted for paragraph (i) of that subsection:
-
- “(i) In the purchase of or at interest upon the security of such stocks funds shares securities or other investments of whatsoever nature and wheresoever and whether involving liability or not as the Public Trustee in his absolute discretion thinks fit and so that he shall have the same full and unrestricted powers of investing and transposing investments in all respects as if he were absolutely entitled to the Fund beneficially;”
- (b) Any such money or property may (in addition to any other authorised mode of investment or application) be applied in or towards the payment of any compensation from time to time payable in respect of any part of the Chequers Estate under the [^{F13}Agricultural Holdings Act 1986, except section 60(2)(b) or 62 of that Act].
- (c) Any power to apply any such money or property in payment for improvements authorised by the ^{M4}Settled Land Act 1925 or in the making of any payment as for an improvement so authorised shall be exercisable as the administrative trustees think fit and section eighty-four of that Act shall not apply for the purposes hereof.
- (d) The application of any such money or property (otherwise than by way of investment in accordance with the provision set out in paragraph (a) of this clause) shall be at the direction of the administrative trustees and the Public Trustee shall out of the Chequers Trust Fund pay to them or to such person as they may direct any sum which they may direct to be so paid for any purpose for which money or property comprised in the Fund is applicable hereunder.
- (e) Subject to the last preceding paragraph the Chequers Trust Fund shall be under the control and management of the Public Trustee.

Textual Amendments

F13 Words substituted by [Agricultural Holdings Act 1986 \(c. 5, SIF 2:3\)](#), s. 100, [Sch. 14 para. 5](#)

Marginal Citations

M3 1925 c. 18.

M4 1925 c. 18.

VII.—THE TRUSTS TO BE ADMINISTERED BY THE ADMINISTRATIVE TRUSTEES

- 7 During the joint lives of the settlor and Lady Lee and the life of the survivor of them the Administrative Trustees shall have no administrative functions unless the settlor and Lady Lee or the survivor of them previously surrender their rights in the Chequers Estate and in the Chequers Trust Fund in which case the following duties shall be accelerated.

Status: Point in time view as at 17/04/2013.

Changes to legislation: There are currently no known outstanding effects for the Chequers Estate Act 1917. (See end of Document for details)

8 After the death of the survivor of the settlor and Lady Lee or such earlier date at which they or the survivor of them may have surrendered their his or her rights in the Chequers Estate and the Chequers Trust Fund the Administrative Trustees shall administer the said hereditaments hereby conveyed and the said furniture pictures tapestry books manuscripts china relics works of art silver linen and other effects hereby assigned and also the income of the Chequers Trust Fund according to the following trusts viz.:—

- (a) As to the Mansion House and grounds and the said furniture pictures tapestry books manuscripts china relics works of art silver linen and other effects hereby assigned upon trust to keep the same in good repair and condition with a staff of not less than four resident indoor servants and with the necessary number of gardeners and labourers and properly warmed and lighted and generally in a fit state as a furnished residence fit for occupation and upon further trust to permit and suffer the Prime Minister for the time being to occupy use and enjoy the same as a furnished country residence for such periods continuous or discontinuous as he may in his absolute discretion think fit.
- (b) But if any Prime Minister shall decline to avail himself of the rights hereby conferred upon him then so long as he shall so decline similar rights shall be offered by the Administrative Trustees to the following persons and in the following order viz.:—

- The Chancellor of the Exchequer for the time being
- The Secretary of State for Foreign Affairs for the time being
- The Secretary of State for the Colonies for the time being
- The United States Ambassador at the Court of Saint James's for the time being
- The [^{F14}Minister of Agriculture, Fisheries and Food] for the time being
- The [^{F15}Secretary of State] for the time being
- The Speaker of the House of Commons for the time being
- The Lord Chief Justice of England for the time being

or to the respective persons for the time being holding similar positions to the above:

Provided that it shall be lawful for the Prime Minister at any time (not withstanding that he may have declined to avail himself of the rights hereby conferred upon him) to occupy use and enjoy the said mansion house and premises on his giving to the Administrative Trustees three calendar months' notice in writing of his intention so to do.

- (c)^{F16}
- (e) As to the income of the Chequers Trust Fund the Administrative Trustees shall apply the same from time to time to the following purposes or any of them viz.:—
 - (i) In payment of the annual fees of the Public Trustee and of rates and other necessary outgoings and expenses;
 - (ii) In payment of the wages and board wages of not less than four resident indoor servants at Chequers;
 - [^{F17}(iii) In the upkeep repair and maintenance of the mansion house and other buildings and the gardens pleasure grounds and other

Status: Point in time view as at 17/04/2013.

Changes to legislation: There are currently no known outstanding effects for the Chequers Estate Act 1917. (See end of Document for details)

- lands comprised in the Chequers Estate (including the wages of gardeners and other persons employed in connection therewith);]
- (v) In the maintenance and renovation of the furniture and fixtures at Chequers and the purchase where deemed necessary of new or additional furniture . . . ^{F18};
- (vi) In payment of any expenses of the Administrative Trustees necessarily incurred by them;
- (vii) In payment to the Prime Minister or other official occupant for the time being of the mansion house and grounds of a sum of fifteen pounds for every week end actually spent by him at Chequers to cover any expenses thereby incurred by him for which purpose a “week-end” shall be deemed to be any continuous period of not less than thirty-six hours during any seven consecutive days;
- [^{F19}(f) If from time to time there is any income of the Chequers Trust Fund which in the opinion of the Administrative Trustees is not required to meet the payments mentioned in the last preceding paragraph or to be set aside for meeting future payments thereunder the Administrative Trustees shall direct that income to be added to the capital of the Fund and it shall be paid to the Public Trustee and held by him as part of the Fund accordingly.]

Textual Amendments

- F14** Words substituted by virtue of [Ministry of Agriculture and Fisheries Act 1919 \(c. 91\), s. 1](#) and [S.I. 1955/554 \(1955 I, p. 1200\), art. 3](#)
- F15** Words substituted by virtue of [Defence \(Transfer of Functions\) Act 1964 \(c. 15\), s. 3\(2\)](#)
- F16** Clause 8(c)(d) repealed by [Chequers Estate Act 1958 \(c. 60\), Sch. para. 8](#)
- F17** Clause 8(e)(iii) substituted for Clause 8(e)(iii)(iv) by [Chequers Estate Act 1958 \(c. 60\), Sch. para. 9](#)
- F18** Words repealed by [Chequers Estate Act 1958 \(c. 60\), Sch. para. 9](#)
- F19** Clause 8(cf) inserted by [Chequers Estate Act 1958 \(c. 60\), Sch. para. 9](#)

- [^{F20}8A For the purposes of section twenty-nine of the ^{M5}Settled Land Act 1925 the trusts hereof shall be deemed to be public trusts and accordingly the powers referred to in subsection (1) of that section shall be exercisable by the administrative trustees in relation to the Chequers Estate provided that the powers to sell lease or exchange land and the power to raise money on the security of land—
- (a) shall not apply to the mansion house or to the gardens adjacent thereto or any part thereof, and
- (b) shall not be exercised in respect of any other part of the Chequers Estate unless the transaction has previously been approved by the person who (on the date of the contract of sale or other contract in question) is the Prime Minister.]

Textual Amendments

- F20** Clauses 8A–8E inserted by [Chequers Estate Act 1958 \(c. 60\), Sch. para. 10](#)

Marginal Citations

- M5** [1925 c. 18.](#)

Status: Point in time view as at 17/04/2013.

Changes to legislation: There are currently no known outstanding effects for the Chequers Estate Act 1917. (See end of Document for details)

- 8B The administrative trustees shall secure that all woodlands for the time being comprised in the Chequers Estate shall be managed in accordance with the rules or practice of good forestry.
- 8C Without prejudice to the generality of clause 8a hereof the administrative trustees shall have power to cut and sell any timber on the Chequers Estate but where any such timber is sold by the administrative trustees the whole of the net proceeds of sale shall be treated as capital money arising as mentioned in clause 6a hereof and shall be paid to the Public Trustee accordingly.
- 8D The purposes for which money may be raised by mortgage shall (in addition to the purposes authorised by section seventy-one of the ^{M6}Settled Land Act 1925) include the payment of any compensation from time to time payable in respect of any part of the Chequers Estate under the [^{F21}Agricultural Holdings Act 1986, except section 60(2)(b) or 62 of that Act].

Textual Amendments

F21 Words substituted by [Agricultural Holdings Act 1986 \(c. 5, SIF 2:3\)](#), s. 100, [Sch. 14 para. 5](#)

Marginal Citations

M6 1925 c. 18.

- 8E The administrative trustees may sell any of the chattels from time to time vested in the custodian trustee upon the trusts hereof and where any such chattels are sold the net proceeds of sale may either be dealt with as capital money in accordance with clause 6a hereof or may be applied as if they were income of the Chequers Trust Fund or may be invested by the administrative trustees in the purchase of other chattels of the same or any other nature which when purchased shall be held by the custodian trustee upon and subject to the same trusts and powers as the chattels sold provided that the power to sell chattels under this clause shall not be exercised except in pursuance of a decision of the trustees in which the chairman of the trustees concurs.

VIII.—PROCEEDINGS OF ADMINISTRATIVE TRUSTEES

- [^{F22}9 The administrative trustees may act notwithstanding a vacancy among their members.]

Textual Amendments

F22 Clause 9 substituted by [Chequers Estate Act 1958 \(c. 60\)](#), [Sch. para. 11](#)

- [^{F23}10 The person who is for the time being [^{F24}the Chancellor of the Duchy of Lancaster] shall be the chairman of the administrative trustees but if he is absent from any meeting of the administrative trustees such of the trustees as are present at the meeting may choose one of their number to be their chairman for the purposes of that meeting.]

Textual Amendments

F23 Clauses 10–12 substituted for clauses 10–13 by [Chequers Estate Act 1958 \(c. 60\)](#), [Sch. para. 12](#)

Status: Point in time view as at 17/04/2013.

Changes to legislation: There are currently no known outstanding effects for the Chequers Estate Act 1917. (See end of Document for details)

F24 Words in Sch. substituted (17.4.2013) by [The Transfer of Functions \(Chequers and Dorneywood Estates\) Order 2013 \(S.I. 2013/537\)](#), arts. 1(2), 6

- 11 Any of the powers of the administrative trustees may be exercised at a duly convened meeting of the trustees at which two or more of the trustees are present notwithstanding that one or more of the trustees are not present at the meeting or that the decision to exercise the power is taken by those present and voting or a majority of them and that one or more of the administrative trustees do not concur therein provided that in relation to the power conferred by clause 8e hereof this clause shall have effect subject to the proviso to that clause.
- 12 Subject to the provisions of these presents the administrative trustees may regulate their own procedure.
- 14 The administrative trustees may from time to time employ any agent and in particular may from time to time appoint and dismiss a secretary and curator whose duty it shall be to keep records of all meetings issue notices by the direction of the chairman or acting chairman and generally to superintend the details of administration to make payments out of the Chequers Trust Fund and generally to act as the agent of the administrative trustees.

IX.—GENERAL PROVISIONS

- 15 It being one of the main objects of the settlor that the present external and internal features of Chequers shall be preserved intact as far as possible it is hereby expressly declared that:—
- (a) The name of “Chequers” shall never be changed:
- [^{F25}(b) In the exercise of their powers of sale leasing exchange and raising money in relation to land comprised in the Chequers Estate (other than the mansion house and the gardens adjacent thereto) and of their powers under clauses 8c and 8e hereof and generally in the exercise of their powers of management the administrative trustees shall have regard to the need for preserving the enjoyment of the mansion house and the gardens adjacent thereto as a suitable country residence for the Prime Minister and in particular shall refrain from making any avoidable change in the distinctive features and character of the said mansion house and gardens.]

Textual Amendments

F25 Clause 15(b) substituted for clause 15(b)–(f) by [Chequers Estate Act 1958 \(c. 60\)](#), [Sch. para. 13](#)

- [^{F26}15a For the purposes of the application of any provisions of the ^{M7}Settled Land Act 1925 in accordance with any of the preceding clauses hereof (including the application of any such provisions by virtue of section twenty-nine of that Act in accordance with clause 8a hereof) any reference in those provisions to the settlement shall be construed as a reference to these presents and any reference to the settled land shall be construed as a reference to the Chequers Estate.]

Textual Amendments

F26 Clause 15A inserted by [Chequers Estate Act 1958 \(c. 60\)](#), [Sch. para. 14](#)

Status: Point in time view as at 17/04/2013.

Changes to legislation: There are currently no known outstanding effects for the Chequers Estate Act 1917. (See end of Document for details)

Marginal Citations

M7 1925 c. 18.

16 If and as the settlor and Lady Lee or the survivor of them desire to improve the collections of furniture pictures tapestry books china works of art silver linen and other effects hereby settled during their lives and the life of the survivor of them or during such shorter period as they or the survivor of them shall remain in occupation of the Chequers Estate it shall be lawful for them or the survivor of them during such periods to add to weed out and improve by purchase sale or exchange any of the said collections of furniture pictures tapestry books china works of art silver linen and other effects which they or the survivor of them in their his or her absolute discretion may think capable of improvement or unworthy of being retained as the case may be.

17—19 . . . F27

Textual Amendments

F27 Clauses 17, 18 repealed by [Chequers Estate Act 1958 \(c. 60\)](#), [Sch. para. 15](#), clause 19 repealed by para. 16

20 If for any reason whatsoever the trusts of these presents should completely fail or if Chequers should be left unoccupied by any of the official persons for whose benefit the said trusts are intended for a continuous period of upwards of twenty consecutive years then and in such case if the settlor and Lady Lee or either of them shall then be living the whole of the real and personal estate comprised in and settled by these presents shall be conveyed and transferred free of expense to the settlor and Lady Lee or the survivor of them for their his or her absolute benefit but if both the settlor and Lady Lee shall then be dead then the whole of the said real and personal estate (except the pictures relics and works of art and the Chequers Trust Fund) shall be sold and the net proceeds of such sale shall be added to the capital of the Chequers trust fund which trust fund shall thenceforth be held by the Public Trustee Upon trust to pay the income thereof to the Trustees of the National Gallery in London to be applied by them for or towards the purchase of additional pictures for the nation and in that event the whole of the pictures relics and works of art hereby settled shall be handed over to the Trustees of the said National Gallery for exhibition in any of the National Collections.

21 . . . F28

Textual Amendments

F28 Clause 21 repealed by [Chequers Estate Act 1958 \(c. 60\)](#), [Sch. para. 17](#)

THE SCHEDULE ABOVE REFERRED TO.

Date of Lease.

Parties.

Status: Point in time view as at 17/04/2013.

*Changes to legislation: There are currently no known outstanding effects
for the Chequers Estate Act 1917. (See end of Document for details)*

- (1) 8th November 1909
- Ponsonby Bagot and Villiers Spencer Bagot
of first part.
- Henry Jacob Delaval Astley of second part.
- Sir Arthur Hamilton Lee and Lady Lee of
third part.
- (2) 6th April 1911
- Henry Jacob Delaval Astley of first part.
- The Honourable Ralph Pelham Nevill and
the Honourable Charles Gathorne Gathorne
Hardy the second part.
- Sir Arthur Hamilton Lee and Lady Lee of
third part.
- Signed sealed and delivered by the above-
named Sir Arthur Hamilton Lee in the
presence of
- (Signed) ARTHUR HAMILTON LEE. L.S.
- Faith Moore, Spinster, 17, Berkeley Square, London, W.
- Edward Henry Carson, M.P., P.C., 5, Eaton Place, London, S.W.
- Signed sealed and delivered by the above-
named Dame Ruth Moore Lee in the
presence of
- (Signed) RUTH MOORE LEE. L.S.
- Faith Moore, Spinster, 17, Berkeley Square, London, W.
- Edward Henry Carson, M.P., P.C., 5, Eaton Place, London, S.W.
- Signed sealed and delivered by the above-
named Allan Ernest Messer and Arthur
Edward Nicholls in the presence of
- (Signed) ALLEN E. MESSER L.S.(Signed)
ARTHUR E. NICHOLLS. L.S.
- W.A. Frith, Solicitor, Irene Saunders, Spinster, Clerks with Messers. Lawrance, Webster &
Nicholls, Solicitors, 14, Old Jewry Chambers, E.C.
- Sealed with the Official Seal of the Public
Trustee in the presence of—
- (Signed) C.J. STEWART, Public Trustee.
- J. Stocker, Civil Servant, Public Trustee
Department, Kingsway, W.C.
- The Official Seal of the Public Trustee.
-

Status:

Point in time view as at 17/04/2013.

Changes to legislation:

There are currently no known outstanding effects for the Chequers Estate Act 1917.