



# Defence Act Amendment Act 1864

1864 CHAPTER 89 27 and 28 Vict

An Act to amend the Defence Act, 1842.

[29th July 1864]

## **Modifications etc. (not altering text)**

C1 Words of enactment and certain other words repealed by [Statute Law Revision Act 1893 \(c. 14\)](#)

### **1 Effect of past Orders in Council under 5 & 6 Vict. c. 94, s. 5.**

Where, under section five of the Defence Act, 1842, any Order in Council has been made before the passing of this Act transferring to any body or persons, for any public service, the management, control, and use of any land, the land in the Order comprised, with the appurtenances, shall, from the passing of this Act, be vested in the body or persons in the Order described for an absolute estate in fee simple, in trust for Her Majesty for the public service in the Order mentioned.

### **2 Effect of future Orders in Council.**

Where, under the said section, any Order in Council is made after the passing of this Act, whereby any hereditaments are expressed to be transferred to any body or persons for any public service, the hereditaments in the Order comprised shall by virtue of the Order and of this Act be vested, to all intents, at law and in equity, in the body or persons to whom the transfer is expressed to be made, for the estate or interest for which the same are in the Order expressed to be transferred, to be held by the body or persons aforesaid in trust for Her Majesty, for the public service in the Order mentioned.

### **3 Saving of rights of all persons.**

Nothing in this Act shall affect any estate, interest, right, or claim in or to any land or hereditaments comprised in any such Order, made or to be made, other than such estate, interest, right, or claim as at the time of the making of the Order was or is had therein or thereto by or in trust for Her Majesty.

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*Changes to legislation: There are currently no known outstanding effects for the Defence Act Amendment Act 1864. (See end of Document for details)*

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**Textual Amendments**

F1 [S. 4](#) repealed by [S.I. 1964/488](#)

5 **Short title.**

This Act may be cited as “The Defence Act Amendment Act, 1864”

**Changes to legislation:**

There are currently no known outstanding effects for the Defence Act Amendment Act 1864.