

2016 No. 1113

MINISTERS OF THE CROWN

**The Transfer of Functions (Chequers and Dorneywood Estates)
Order 2016**

Made - - - - - *16th November 2016*

Laid before Parliament *23rd November 2016*

Coming into force - - - *14th December 2016*

At the Court at Buckingham Palace, the 16th day of November 2016

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred by section 1 of the Ministers of the Crown Act 1975(a), is pleased, by and with the advice of Her Privy Council, to order as follows:

Citation and commencement

1.—(1) This Order may be cited as the Transfer of Functions (Chequers and Dorneywood Estates) Order 2016.

(2) This Order comes into force on 14th December 2016.

Transfer of functions

2. The functions of the Lord Privy Seal under the Chequers Estate Act 1917(b) are transferred to the Chancellor of the Duchy of Lancaster.

3.—(1) The functions of the Lord Privy Seal under the Dorneywood trusts(c) are transferred to the Chancellor of the Duchy of Lancaster.

(2) The “Dorneywood trusts” means the trusts created by the Deed of Settlement of a fund to be known as the “Dorneywood Thomson Endowment Trust Fund ‘B’” for the further endowment of the Dorneywood Estate, Burnham, Buckinghamshire, which was made on 23rd June 1944.

(a) 1975 c. 26; section 1 was amended by section 20 of the Constitutional Reform Act 2005 (c. 4).

(b) 7 & 8 Geo 5 c. 55. The Act was amended by the Chequers Estate Act 1958 (6 & 7 Eliz 2 c. 60), the Transfer of Functions (Chequers and Dorneywood Estates) Order 2013 (S.I. 2013/537) and the Transfer of Functions (Chequers and Dorneywood Estates) Order 2014 (S.I. 2014/2708); other amendments have been made to the Act which are not relevant to this Order.

(c) The functions in question were transferred to the Lord Privy Seal by the Transfer of Functions (Chequers and Dorneywood Estates) Order 2014 (S.I. 2014/2708). Prior to that those functions had been transferred to the Chancellor of the Duchy of Lancaster by the Transfer of Functions (Chequers and Dorneywood Estates) Order 2013 (S.I. 2013/537).

Transfer of property, rights and liabilities

4. There are transferred to the Chancellor of the Duchy of Lancaster all property, rights and liabilities to which the Lord Privy Seal is entitled or subject at the coming into force of this Order in connection with any function transferred by article 2 or 3.

Supplementary

5.—(1) Anything (including legal proceedings) which, at the coming into force of this Order, is in the process of being done by or in relation to the Lord Privy Seal may, so far as it relates to any function transferred by article 2 or 3, or anything transferred by article 4, be continued by or in relation to the Chancellor of the Duchy of Lancaster.

(2) Anything done (or having effect as if done) by or in relation to the Lord Privy Seal in connection with any function transferred by article 2 or 3, or anything transferred by article 4, has effect, so far as is necessary for continuing its effect after the coming into force of this Order, as if done by or in relation to the Chancellor of the Duchy of Lancaster.

(3) Any enactment or instrument passed or made before the coming into force of this Order has effect, so far as is necessary for the purposes of or in consequence of article 2, 3 or 4, as if references to (and references which are to be read as references to) the Lord Privy Seal were or included references to the Chancellor of the Duchy of Lancaster.

(4) This Order does not affect the validity of anything done (or having effect as if done) by or in relation to the Lord Privy Seal before the coming into force of this Order.

(5) In this article “instrument” includes Royal Charters, Royal Warrants, Orders in Council, Letters Patent, judgments, decrees, orders, rules, regulations, schemes, bye-laws, awards, licences, authorisations, consents, approvals, contracts and other agreements, memoranda and articles of association, certificates, deeds and other documents.

Consequential amendment

6. In the Schedule to the Chequers Estate Act 1917 (deed of settlement of the Chequers Estate), in clauses 1(e) and 10, for “the Lord Privy Seal” substitute “the Chancellor of the Duchy of Lancaster”.

Richard Tilbrook
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order transfers the statutory functions relating to the Chequers Estate and functions relating to the Dorneywood Estate from the Lord Privy Seal to the Chancellor of the Duchy of Lancaster, and makes provision in connection with those transfers.

Article 2 transfers to the Chancellor of the Duchy of Lancaster the functions of the Lord Privy Seal under the Chequers Estate Act 1917.

Article 3 transfers to the Chancellor of the Duchy of Lancaster the functions of the Lord Privy Seal under the Dorneywood Thomson Endowment Trust Fund 'B'. This Fund was established by Baron Courtauld-Thomson, when he gave the Dorneywood Estate to the nation, for the purpose of maintaining the Estate.

Article 4 transfers property, rights and liabilities in relation to the functions transferred by articles 2 and 3 to the Chancellor of the Duchy of Lancaster.

Article 5 makes supplemental provision in connection with articles 2 to 4.

Article 6 makes consequential amendments.

Nothing in this Order alters the functions of the Welsh Ministers, the Scottish Ministers or the devolved authorities in Northern Ireland.

A full impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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