
STATUTORY INSTRUMENTS

2013 No. 537

MINISTERS OF THE CROWN

**The Transfer of Functions (Chequers
and Dorneywood Estates) Order 2013**

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| <i>Made</i> | - - - - | <i>13th March 2013</i> |
| <i>Laid before Parliament</i> | | <i>20th March 2013</i> |
| <i>Coming into force</i> | - - | <i>17th April 2013</i> |

Her Majesty, in exercise of the powers conferred by section 1 of the Ministers of the Crown Act 1975(1), 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 2013.

(2) This Order comes into force on 17th April 2013.

Transfer of functions

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

3.—(1) The functions under the Dorneywood trusts which were originally conferred on the Minister of Works(3) 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.

(1) 1975 c. 26; section 1 was amended by section 20 of the Constitutional Reform Act 2005 (c. 4).
(2) 7 & 8 Geo 5 c. 55. The Act was amended by the Chequers Estate Act 1958 (6 & 7 Eliz 2 c. 60); other amendments have been made to the Act which are not relevant to this Order.
(3) The Minister of Works was re-named as the Minister of Public Buildings and Works by the Minister of Works (Change of Style and Title) Order 1962 (S.I. 1962/1549). The functions of that Minister were transferred by the Secretary of State for the Environment Order 1970 (S.I. 1970/1681). As to the property, rights and liabilities of that Minister, see also the Secretary of State for the Environment, Transport and the Regions Order 1997 (S.I. 1997/2971), the Secretaries of State for Transport, Local Government and the Regions and for Environment, Food and Rural Affairs Order 2001 (S.I. 2001/2568), the Transfer of Functions (Transport, Local Government and the Regions) Order 2002 (S.I. 2002/2626), the Secretary of State for Communities and Local Government Order 2006 (S.I. 2006/1926) and the Transfer of Functions (Miscellaneous) Order 2008 (S.I. 2008/1034).

Transfer of property, rights and liabilities

4. There are transferred to the Chancellor of the Duchy of Lancaster—
- (a) 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, and
 - (b) all property, rights and liabilities to which any Minister of the Crown is entitled or subject at the coming into force of this Order in connection with any function transferred by article 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 any Minister of the Crown 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 any Minister of the Crown 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) any Minister of the Crown exercising any function transferred by article 2 or 3 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) before the coming into force of this Order by or in relation to any Minister of the Crown in connection with any function transferred by article 2 or 3.

(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 from the Lord Privy Seal to the Chancellor of the Duchy of Lancaster, and transfers functions relating to the Dorneywood Estate which were originally conferred on the Minister of Works 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 under the Dorneywood Thomson Endowment Trust Fund 'B' which were originally conferred on the Minister of Works. 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 a consequential amendment.

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.