



Regency Act 1953

1953 CHAPTER 1 2 and 3 Eliz 2

An Act to provide that, in the event of a Regency becoming necessary under the Regency Act 1937, His Royal Highness the Duke of Edinburgh shall in certain circumstances be the Regent, to provide that the heir apparent or heir presumptive to the Throne shall be deemed for the purposes of that Act to be of full age if he or she has attained the age of eighteen years, to add Her Majesty Queen Elizabeth the Queen Mother to the persons to whom royal functions may be delegated as Counsellors of State, and for purposes connected with the matters aforesaid. [19th November 1953]

Whereas Your Majesty, by Your Majesty's Royal Message to both Houses of Parliament, has been pleased to recommend that Parliament should consider the expediency of providing that His Royal Highness the Duke of Edinburgh should be the Regent if a child of Your Majesty and His Royal Highness accedes to the Throne while under the age of eighteen years or if a Regency becomes necessary during the lifetime of Your Majesty while there is no child or grandchild of Your Majesty and His Royal Highness who can be the Regent, and also the expediency of amending the law so that the heir apparent or heir presumptive to the Throne should be capable of being Regent if he or she has attained the age of eighteen years:

And whereas Your Majesty by the same Message recommended that Parliament should consider the amendment of the Regency Acts 1937 and 1943, so as to add Her Majesty Queen Elizabeth the Queen Mother to the persons to whom, as Counsellors of State, royal functions can be delegated:

1 H.R.H. The Duke of Edinburgh to be Regent in certain circumstances.

- (1) If a Regency becomes necessary under the ^{M1}Regency Act 1937, on the succession to the Crown of a child of Her Majesty and His Royal Highness the Duke of Edinburgh while under the age of eighteen years, His Royal Highness, if living, shall be the Regent.
- (2) If a Regency becomes necessary under the ^{M2}Regency Act 1937, during the reign of Her present Majesty, His Royal Highness the Duke of Edinburgh, if living, shall be the Regent unless, or (as the case may be) until, there is a child or grandchild of Her Majesty and His Royal Highness who can under the provisions of the said Act be the Regent.

Changes to legislation: There are currently no known outstanding effects for the Regency Act 1953. (See end of Document for details)

- (3) The preceding provisions of this section shall have effect subject to—
- (a) subsection (2) of section three of the ^{M3}Regency Act 1937 (which enumerates the disqualifications for becoming of being Regent), and
 - (b) subsection (5) of that section (which provides for the case where the Regent is incapacitated by infirmity for performing the royal functions or is not available for the performance of those functions),
- but, save as aforesaid, that section shall have effect subject to the preceding provisions of this section.
- (4) Where His Royal Highness the Duke of Edinburgh is Regent by virtue of this section, section six of the Regency Act, 1937 (which relates to the appointment of Counsellors of State) shall have effect as if the following provision were substituted for subsection (4) thereof :—
- “(4) The provisions of this section shall apply in relation to a Regent with the substitution for references to the Sovereign of references to the Regent and the omission, in subsection (2) thereof, of the reference to the wife or husband of the Sovereign.”

Annotations:

Modifications etc. (not altering text)

- C1** The text of ss. 1(4), 4(2) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

- M1** 1937 c. 16.
M2 1937 c. 16.
M3 1937 c. 16.

2 Amendment of meaning of “full age.”

The heir apparent or heir presumptive to the Throne shall be deemed for all the purposes of the ^{M4}Regency Act 1937, to be of full age if he or she has attained the age of eighteen years.

Annotations:

Marginal Citations

- M4** 1937 c. 16.

3 Queen Elizabeth the Queen Mother to be of Counsellors of State.

Her Majesty Queen Elizabeth the Queen Mother shall be added to the persons whom subsection (2) of section six of the ^{M5}Regency Act 1937) (as set out in section one of the ^{M6}Regency Act 1943) requires, subject as therein mentioned, to be the Counsellors of State for the purposes of any delegation of royal functions under that section, and accordingly during her life that section shall have effect as if a reference to her were

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inserted in subsection (2) thereof next after the reference to the wife or husband of the Sovereign.

Annotations:

Marginal Citations

M5 1937 c. 16.

M6 1943 c. 42.

4 Short title, construction, citation and repeal.

- (1) This Act may be cited as the Regency Act 1953, and shall be construed as one with the ^{M7}Regency Acts 1937 and ^{M8}1943, and those Acts and this Act may be cited together as the Regency Acts 1937 to 1953.
- (2) In subsection (2A) of section six of the Regency Act, 1937 (set out in section one of the Regency Act, 1943) the words “The heir apparent or heir presumptive to the Throne if not under the age of eighteen years shall not be disqualified from being a Counsellor of State by reason only of his not being of full age, but save as aforesaid” (being words rendered unnecessary by section two of this Act) are hereby repealed.

Annotations:

Modifications etc. (not altering text)

C2 The text of ss. 1(4), 4(2) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M7 1937 c. 16.

M8 1943 c. 42.

Changes to legislation:

There are currently no known outstanding effects for the Regency Act 1953.