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*Changes to legislation: There are currently no known outstanding effects for the Chevening Estate Act 1959, XI. General Provisions. (See end of Document for details)*

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## SCHEDULE

### THE TRUST INSTRUMENT

#### XI. GENERAL PROVISIONS

- 31 The name of Chevening House shall not be altered.
- 32 In the exercise of any power of sale leasing exchange and raising money in relation to land comprised in the Chevening Estate [<sup>F1</sup>(being land in relation to which the power is exercisable)]and of any powers under Clauses 13 and 16 hereof and generally in the exercise of powers of management (including powers of felling timber) the [<sup>F2</sup>Board]shall have regard to the need for preserving the enjoyment of Chevening House and its gardens and park as a suitable country residence for the persons mentioned in [<sup>F3</sup>Clauses 4 to 6A]hereof and in particular shall refrain from making any avoidable change in the distinctive features and character of Chevening House and its gardens

#### Textual Amendments

- F1** Words substituted by [Chevening Estate Act 1987 \(c. 20, SIF 57\), s. 3\(1\), Sch. 2 para. 4\(2\)](#)
- F2** Word substituted by [Chevening Estate Act 1987 \(c. 20, SIF 57\), s. 3\(1\), Sch. 2 para. 1\(1\)](#)
- F3** Words substituted by [Chevening Estate Act 1987 \(c. 20, SIF 57\), s. 3\(1\), Sch. 2 para. 2\(6\)\(c\)](#)

- 33 For the purposes of the application of any provisions of the <sup>M1</sup>Settled Land Act 1925 in accordance with any of the preceding Clauses hereof (including the application of any such provisions by virtue of Section 29 of that Act in accordance with Clause 9 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 Chevening Estate

#### Marginal Citations

- M1** [1925 c. 18.](#)

- 34 Every discretion vested in any persons hereunder shall be absolute and uncontrolled and every power vested in them shall be exercisable at their absolute and uncontrolled discretion and they shall have the like discretion in deciding whether or not to exercise any such power

- 35 ..... <sup>F4</sup>

#### Textual Amendments

- F4** Clause 35 repealed by [Chevening Estate Act 1987 \(c. 20, SIF 57\), s. 3\(1\), Sch. 2 para. 1\(12\)](#)

- 36 [<sup>F5</sup>Any member of the Board for the time being who is]a Solicitor or other individual engaged in any profession or business shall be entitled to charge and be paid all usual professional or other charges for business done and time spent and services rendered by him or his firm in the execution of the trusts and powers hereof whether

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in the ordinary course of his profession or business or not and although not of a nature requiring the employment of a Solicitor or other professional person

**Textual Amendments**

**F5** Words substituted by [Chevening Estate Act 1987 \(c. 20, SIF 57\)](#), s. 3(1), **Sch. 2 para. 1(13)**

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

**C1** [Sch. para. 36](#) amended (E.W.) (1. 1. 1992) by [S.I. 1991/2684](#), arts. 2, 4, **Sch.1**

- 37 In the construction of these presents any reference to any enactment shall (except so far as the context otherwise requires) be construed as a reference to that enactment as amended by or under any other enactment
- 38 Any reference herein to the Chevening Estate shall (notwithstanding the definition of the expression in Clause 1 hereof) be construed as a reference to such lands tenements and hereditaments as are for the time being subject to any of the trusts of [<sup>F6</sup>Clauses 4 to 7]hereof or any of such Clauses

**Textual Amendments**

**F6** Words substituted by [Chevening Estate Act 1987 \(c. 20, SIF 57\)](#), s. 3(1), **Sch. 2 para. 2(6)(d)**

- 39 Notwithstanding anything herein contained the Settlor shall have the right of burial in the Stanhope Family Burial Ground in the Churchyard of Chevening aforesaid
- 40 These presents are conditional upon the Act being passed and receiving Her Majesty's assent within one year of the date hereof and if the Act shall not have been passed and received such assent within such period or within such further period as the Settlor or his personal representatives shall in writing consent to these presents and everything herein contained shall be void and of no effect.

In Witness whereof the Settlor has hereunto set his hand and seal and [<sup>F7</sup>Coutts & Company have caused their Common Seal]to be hereunto affixed the day and year first above written

**Textual Amendments**

**F7** Words substituted by [Chevening Estate Act 1987 \(c. 20, SIF 57\)](#), s. 3(1), **Sch. 2 para. 1(14)**

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