



# Crown Estate Act 1961

## 1961 CHAPTER 55

### **1 Continuance of Crown Estate Commissioners, and general provisions as to their constitution and functions**

- (1) The Crown Estate Commissioners (in this Act referred to as " the Commissioners ") shall continue to be a body corporate for all purposes, charged on behalf of the Crown with the function of managing and turning to account land and other property, rights and interests, and of holding such of the property, rights and interests under their management as for any reason cannot be vested in the Crown or can more conveniently be vested in the Commissioners; and the property, rights and interests under the management of the Commissioners shall continue to be known as the Crown Estate.
- (2) Subject to the provisions of this Act, the Crown Lands Acts, 1829 to 1936, shall cease to have effect, and the Commissioners shall, for the purpose of managing and improving the Crown Estate or any part of it, have authority to do on behalf of the Crown over or in relation to land or other property, rights or interests forming part of the Crown Estate, and in relation to all matters arising in the management of the Crown Estate, all such acts as belong to the Crown's rights of ownership, free from any restraint on alienation imposed on the Crown by section five of the Crown Lands Act, 1702, or by any other enactment (whether general or particular), and to execute and do in the name of Her Majesty all instruments and things proper for the effective exercise of their powers.
- (3) It shall be the general duty of the Commissioners, while maintaining the Crown Estate as an estate in land (with such proportion of cash or investments as seems to them to be required for the discharge of their functions), to maintain and enhance its value and the return obtained from it, but with due regard to the requirements of good management.
- (4) The Commissioners shall comply with such directions as to the discharge of their functions under this Act as may be given to them in writing by the Chancellor of the Exchequer or the Secretary of State; but the Chancellor of the Exchequer or Secretary of State in giving directions to the Commissioners under this subsection shall have regard to subsection (3) above, and before giving any such direction shall consult the Commissioners.

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*Status: This is the original version (as it was originally enacted).*

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The Chancellor of the Exchequer and the Secretary of State shall act jointly in giving directions under this subsection, except that in matters not relating to Scotland the Chancellor of the Exchequer may act without the Secretary of State and in matters relating exclusively to Scotland the Secretary of State may act without the Chancellor of the Exchequer.

- (5) The validity of transactions entered into by the Commissioners shall not be called in question on any suggestion of their not having acted in accordance with the provisions of this Act regulating the exercise of their powers, or of their having otherwise acted in excess of their authority, nor shall any person dealing with the Commissioners be concerned to inquire as to the extent of their authority or the observance of any restrictions on the exercise of their powers.
- (6) Any transaction entered into by the Commissioners in the exercise of their powers (including an acquisition for the Crown Estate) may be carried out by the same means and with the same formalities, and any deed or other instrument entered into by them shall be construed in the same manner, and shall be registrable, as if they were acting on behalf of a subject of Her Majesty:

Provided that an advowson shall not be taken to be comprised in any general words in a grant or agreement for a grant of land.

- (7) The provisions of the First Schedule to this Act shall have effect with respect to the constitution and proceedings of the Commissioners and other matters relating to the Commissioners.