



# Duchy of Lancaster Act 1920

## 1920 CHAPTER 51

An Act to make provision with respect to the administration of the estates of the Duchy of Lancaster, and with respect to the solicitor for the affairs of the said Duchy. [16th August 1920]

BE IT ENACTED by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

### **1 Extension of powers of investment of funds of Duchy of Lancaster.**

Any funds for the time being belonging to the Duchy of Lancaster may, notwithstanding anything in the Duchy of Lancaster (Lands) Act, 1855, whether in a state of investment or not, be invested in any of the investments specified in paragraph (a) of section one of the Trustee Act, 1893, and any enactment amending or extending that paragraph and any investments made in pursuance of this section shall be made in the names of at least three persons to be nominated by the chancellor and council of the said Duchy upon such trusts and in such manner as may be directed by the said chancellor and council.

### **2 Mining leases.**

- (1) The chancellor and council of the Duchy of Lancaster shall, notwithstanding anything in the Crown Lands Act, 1702, or in any other enactment, have power to grant mining leases for a term of years not exceeding ninety-nine years.
- (2) The powers conferred by this section shall be in addition to and not in derogation of any other powers of the said chancellor and council.
- (3) In this section the expression " mining lease" means a lease for any purpose connected with mining, and includes a grant or licence for any such mining purpose.

### **3 Provisions as to the Duchy solicitor.**

- (1) The person for the time being holding the office of solicitor for the affairs of the Duchy of Lancaster (in this Act referred to as " the Duchy solicitor ") shall be a corporation sole by the name of " The solicitor for the affairs of the Duchy of Lancaster," and by that name shall have perpetual succession with a capacity to acquire and hold in that name real and personal property of every description, to execute deeds, using an official seal, to enter into engagements binding on himself and his successors in office, and to do all other acts necessary or expedient to be done in the execution of the duties of his office.
- (2) Any document purporting to be sealed with the said official seal shall be receivable in evidence of the particulars stated in that document.
- (3) Where, by reason of His Majesty having become entitled in right of the Duchy of Lancaster to the personal estate of an intestate or otherwise, any court has power to grant administration of the personal estate of any deceased person to a nominee of His Majesty, sections two, six and seven of the Treasury Solicitor Act, 1876. shall apply as if herein re-enacted and in terms, made applicable to this Act, and to the Duchy solicitor, and to property to which His Majesty is entitled in right of the Duchy of Lancaster.
- (4) An assistant solicitor for the affairs of the Duchy of Lancaster may, on behalf of the Duchy solicitor, do all such things as an assistant solicitor for the affairs of His Majesty's Treasury is authorised by section three of the Act aforesaid to do on behalf of the Treasury solicitor, and that section, with the necessary adaptations, shall apply accordingly.

### **4 Short title, construction, and repeals.**

- (1) This Act may be cited as the Duchy of Lancaster Act, 1920, and shall be construed as one with the Duchy of Lancaster Lands Act, 1855.
- (2) The enactments specified in the Schedule to this Act are hereby repealed to the extent mentioned in the third column of that Schedule.

SCHEDULE

Section 4.

ENACTMENTS REPEALED

| Session and Chapter. | Title.                                                                                                                                                                                            | Extent of Repeal.                                                                                       |
|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|
| 15 & 16 Vict. c. 3.  | An Act to provide for the administration of the personal estate of intestates and others, to which Her Majesty may be entitled in right of Her prerogative or in right of Her Duchy of Lancaster. | So much of the Act as is re-enacted by proviso (1) to section nine of the Treasury Solicitor Act, 1876. |
| 39 & 40 Vict. c. 18. | The Treasury Solicitor Act, 1876.                                                                                                                                                                 | Proviso (1) of section nine.                                                                            |