



Wild Animals and Circuses (Wales) Act 2020

2020 asc 2

Application to the Crown

9 Power of High Court to declare unlawful an act or omission of the Crown

The High Court may declare unlawful any act or omission of the Crown for which the Crown would be criminally liable under this Act were it not for section 28(3) of the [Legislation \(Wales\) Act 2019 \(anaw 4\)](#) (Acts of the Assembly do not make the Crown criminally liable).

10 Crown land: powers of entry

(1) The powers conferred by the Schedule (powers of entry etc.) may be exercised in relation to Crown land only with the consent of the appropriate authority.

(2) In this section—

- (a) “Crown land” means land, an interest in which belongs to—
 - (i) Her Majesty in right of the Crown or in right of Her private estate,
 - (ii) Her Majesty in right of the Duchy of Lancaster,
 - (iii) the Duchy of Cornwall, or
 - (iv) a government department or is held in trust for Her Majesty for the purposes of a government department;
- (b) “appropriate authority” means—
 - (i) if the land belongs to Her Majesty in right of the Crown, the Crown Estate Commissioners or other government department having the management of the land in question;
 - (ii) if the land belongs to Her Majesty in right of the Duchy of Lancaster, the Chancellor of the Duchy;
 - (iii) if the land belongs to the Duchy of Cornwall, such person as the Duke of Cornwall, or the possessor for the time being of the Duchy of Cornwall, appoints;

Status: This is the original version (as it was originally enacted).

- (iv) if the land belongs to a government department or is held in trust for Her Majesty for the purpose of a government department, that department.
- (3) If any question arises under this section as to what authority is the appropriate authority in relation to any land, that question is to be referred to the Treasury, whose decision is final.
- (4) In this section, the reference to Her Majesty's private estates is to be construed in accordance with section 1 of the [Crown Private Estates Act 1862 \(c. 37\)](#).