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DRAFT STATUTORY INSTRUMENTS

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**2017 No.**

**The Crown Estate Transfer Scheme 2017**

**Treatment of certain receipts: receipts relating to the relevant matters and the Crown Estate**

- 11.**—(1) This paragraph applies to any sums—
- (a) which are received by the Commissioners or the manager on or after the transfer date; and
  - (b) which include both—
    - (i) amounts relating to any of the relevant matters, and
    - (ii) amounts relating to any Crown Estate assets or any other rights and liabilities of the Commissioners.
- (2) The recipient must apportion the sums as between—
- (a) the Scottish assets and the designated rights and designated liabilities, and
  - (b) the Crown Estate assets and the rights and liabilities of the Commissioners.
- (3) After any apportionment under sub-paragraph (2)—
- (a) the Scottish sums must be dealt with in accordance with paragraph 10(2) and (3) (and accordingly paragraph 10(4) applies to those sums); and
  - (b) the Crown Estate sums must be—
    - (i) retained by the Commissioners, or
    - (ii) transferred to the Commissioners if the manager is the recipient.
- (4) If the manager fails to comply with sub-paragraph (3)(b)(ii), the Commissioners may recover the sums as a civil debt.
- (5) In this paragraph—
- “Crown Estate assets” means any property, rights and interests which form part of the Crown Estate;
  - “Crown Estate sums” means the sums which are properly apportioned in accordance with sub-paragraph (2)(b); and
  - “Scottish sums” means the sums which are properly apportioned in accordance with sub-paragraph (2)(a).