

*These notes refer to the Succession to the Crown Act 2013
(c.20) which received Royal Assent on 25 April 2013*

SUCCESSION TO THE CROWN ACT 2013

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 1: Succession to the Crown not to depend on gender

16. **Section 1** provides that the gender of a person who was born after the Perth Agreement on 28 October 2011 will have no relevance when determining succession to the Throne. At present, so far as the gender of the Sovereign is concerned, succession is governed by common law rules which largely follow the feudal rules of hereditary descent that apply to land. The Crown passes lineally to the issue of the reigning Sovereign in birth order, but subject to male preference over females. An effect of the proposed change is that if the Duke and Duchess of Cambridge were to have a daughter and then a son, the daughter would precede the son in the line of succession. The words “(whenever born)” make it clear that subsection (1) applies even where the “other person” was born on or before 28 October 2011.