



Regency Act 1937

1937 CHAPTER 16 1 Edw 8 and 1 Geo 6

6 Power to delegate royal functions to Counsellors of State.

(1) In the event of illness not amounting to such infirmity of mind or body as is mentioned in section two of this Act, or of absence or intended absence from the United Kingdom, the Sovereign may, in order to prevent delay or difficulty in the despatch of public business, by Letters Patent under the Great Seal, delegate, for the period of that illness or absence, to Counsellors of State such of the royal functions as may be specified in the Letters Patent, and may in like manner revoke or vary any such delegation: Provided that no power [^{F1}to dissolve Parliament otherwise than on the express instructions of the Sovereign, or]^{F2}... to grant any rank, title or dignity of the peerage may be delegated.

^{F3}(2) Subject as hereinafter provided, the Counsellors of State shall be the wife or husband of the Sovereign (if the Sovereign is married), and the four persons who, excluding any persons disqualified under this section, are next in the line of succession to the Crown, or if the number of such persons next in the line of succession is less than four, then all such persons:

Provided that, if it appears to the Sovereign that any person who, in accordance with the foregoing provisions of this subsection, would be required to be included among the Counsellors of State to whom royal functions are to be delegated, is absent from the United Kingdom or intends to be so absent during the whole or any part of the period of such delegation, the Letters Patent may make provision for excepting that person from among the number of Counsellors of State during the period of such absence.

(2A) ^{F4}... Any person disqualified under this Act from being Regent shall be disqualified from being a Counsellor of State.]

(3) Any functions delegated under this section shall be exercised jointly by the Counsellors of State, or by such number of them as may be specified in the Letters Patent, and subject to such conditions, if any, as may be therein prescribed.

(4) The provisions of this section shall apply in relation to a Regent with the substitution for references to the Sovereign of references to the Regent, so, however, that in relation to a Regent subsection (2) of this section shall have effect as if after the word “next,” where that word first occurs therein, there were inserted the words “after the Regent”.

Changes to legislation: There are currently no known outstanding effects for the Regency Act 1937, Section 6. (See end of Document for details)

- (5) Any delegation under this section shall cease on the demise of the Crown or on the occurrence of any events necessitating a Regency or a change of Regent.

Textual Amendments

- F1** Words in s. 6(1) inserted (24.3.2022) by [Dissolution and Calling of Parliament Act 2022 \(c. 11\)](#), s. 6(3), [Sch. para. 3](#)
- F2** Words in s. 6(1) omitted (15.9.2011) by virtue of [Fixed-term Parliaments Act 2011 \(c. 14\)](#), s. 7(2), [Sch. para. 5](#) (with s. 6)
- F3** S. 6(2)(2A) substituted for s. 6(2) by [Regency Act 1943 \(c. 42\)](#), [s. 1](#)
- F4** Words repealed by [Regency Act 1953 \(2 & 3 Eliz. 2 c. 1\)](#), [s. 4\(2\)](#)

Modifications etc. (not altering text)

- C1** [S. 6](#) modified (7.12.2022) by [Counsellors of State Act 2022 \(c. 47\)](#), [ss. 1\(1\)](#), 2(2)
- C2** [S. 6\(2\)](#) modified (temp.) by [Regency Act 1953 \(2 & 3 Eliz. 2 c. 1\)](#), [s. 3](#)
- C3** [S. 6\(4\)](#) modified by [Regency Act 1953 \(2 & 3 Eliz. 2 c. 1\)](#), [s. 1\(4\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Regency Act 1937, Section 6.