

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Crown Estate Act 1961, Part II. (See end of Document for details)*

## SCHEDULES

### SECOND SCHEDULE

#### SAVINGS AND TRANSITIONAL PROVISIONS

#### PART II

##### *Miscellaneous*

- 3 (1) Except as provided by sections seven and eight of this Act, this Act shall not affect any question as to the application (otherwise than in the course of management of the Crown Estate or for the purpose of arrangements under subsection (5) of section five of this Act) of any income, proceeds of sale or other moneys arising from the property, rights or interests of the Crown, or any question as to the property, rights or interests to be placed under the management of the Commissioners; and notwithstanding the repeal by this Act of section one hundred and twenty-seven of the <sup>M1</sup>Crown Lands Act 1829, the possessions and land revenues of the Crown in Northern Ireland shall continue as heretofore to be inalienable except in the exercise of the powers of the Commissioners or otherwise under the authority of an Act of Parliament.
- (2) The repeal by this Act of section nineteen of the <sup>M2</sup>Crown Lands (Scotland) Act 1833 (which relates to the payment in Scotland of certain duties, fees, etc.) shall not affect any right of the Commissioners to demand and receive fees upon payment of duties or rents.

#### **Marginal Citations**

**M1** 1829 c. 50.

**M2** 1833 c. 69.

- 4 (1) Where by virtue of any enactment repealed by this Act a reference to any person or body or persons in any enactment not so repealed, or in any other instrument or document, is to be construed as referring to the Commissioners, the repeal shall not effect the construction of that enactment, instrument or document; and for the purposes of subsection (4) of section one of the <sup>M3</sup>Crown Lands Act 1927 (which provided for certain references to the Commissioners of Crown Lands or any of them to be construed as referring to those Commissioners as incorporated by that Act), and for the purposes of this sub-paragraph as it applies to that subsection, the Act and order mentioned in that subsection shall be deemed to have extended to Northern Ireland.
- (2) Any regulations in force immediately before the commencement of this Act under section six of the <sup>M4</sup>Crown Lands Act 1936 (which made provision similar to section six of this Act) shall after that commencement have effect as regulations under section six of this Act, and the provisions of this Act shall apply accordingly.

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- (3) The repeal by this Act of sections twenty-two to twenty-four of the <sup>M5</sup>Crown Lands Act 1866 or of any enactment amending any of those sections shall not affect the powers exercisable under section twenty-two by virtue of any lease granted before the commencement of this Act by or on behalf of the Crown, or the obligations under those sections of any person exercising those powers.

**Marginal Citations**

- M3** 1927 c. 23.  
**M4** 1936 c. 47.  
**M5** 1866 c. 62.

- 5 (1) For the purpose of any enactment passed before this Act and not repealed by this Act, or of any instrument having effect under any such enactment, enrolment or deposit in the Public Record Office shall take the place of enrolment or deposit in the Office of Land Revenue Records and Inrolments, and the proper officer within the meaning of the <sup>M6</sup>Public Records Act 1958 shall take the place of the Keeper of Land Revenue Records and Inrolments or his deputy, but this sub-paragraph shall be without prejudice to the operation of anything done under or for the purposes of any such enactment or instrument before the commencement of this Act.
- (2) In relation to documents executed or made before the commencement of this Act, any enactment repealed by this Act shall continue to apply in so far as it relates to the effect of enrolment or deposit in the Office of Land Revenue Records and Inrolments, or to the operation of any document evidencing or purporting to evidence enrolment or deposit in that office or the contents of documents so enrolled or deposited, but so that references to that office and to the Keeper of Land Revenue Records and Inrolments shall include references to the Public Record Office and to the proper officer within the meaning of the <sup>M7</sup>Public Records Act 1958.
- (3) Documents enrolled or deposited in the Public Record Office by virtue of this paragraph, and documents previously enrolled or deposited in the Office of Land Revenue Records and Inrolments, shall be treated for the purpose of the <sup>M8</sup>Public Records Act 1958 as public records.
- (4) The repeal by this Act of sections four, eight and nine of the <sup>M9</sup>Crown Lands (Scotland) Act 1833 (which relate to the proof and effect of conveyances etc. affecting land in Scotland), shall not affect the operation or effect of deeds or instruments executed before the commencement of this Act, or the admissibility in evidence of duplicates of such deeds or instruments; and an extract or certified copy of any such duplicate issued by the Keeper of the Registers of Scotland shall be admissible in evidence in like manner as the duplicate, and notwithstanding the repeal by this Act of section five of the <sup>M10</sup>Crown Lands Act 1873 shall continue to be registrable in the Books of Council and Session as before the passing of this Act.
- (5) The repeal by this Act of sections seventy-one and seventy-two of the <sup>M11</sup>Crown Lands Act 1829 (which relate to the proof and effect of conveyances etc. affecting land in Ireland), shall not affect the operation of deeds or instruments executed before the commencement of this Act, or the admissibility in evidence of duplicates of such deeds or instruments; and a certified copy of any such duplicate in the Public Record Office of Northern Ireland shall be admissible in evidence in like manner as the duplicate.

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**Marginal Citations**

- M6** 1958 c. 51.
- M7** 1958 c. 51.
- M8** 1958 c. 51.
- M9** 1833 c. 69.
- M10** 1873 c. 36.
- M11** 1829 c. 50.

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