



Infrastructure (Wales) Act 2024

2024 asc 3

PART 9

GENERAL PROVISIONS

Crown land

134 Crown land and “the appropriate Crown authority”

- (1) This section applies for the purposes of this Act.
- (2) “Crown land” means land in which there is a Crown interest or a Duchy interest.
- (3) “Crown interest” means an interest which—
 - (a) belongs to His Majesty in right of the Crown or in right of His private estates, or
 - (b) belongs to a government department or is held in trust for His Majesty for the purposes of a government department.
- (4) “Duchy interest” means—
 - (a) an interest belonging to His Majesty in right of the Duchy of Lancaster, or
 - (b) an interest belonging to the Duchy of Cornwall.
- (5) “Appropriate Crown authority”, in relation to Crown land, means—
 - (a) in the case of land belonging to His Majesty in right of the Crown and forming part of the Crown Estate, the Crown Estate Commissioners;
 - (b) in relation to any other land belonging to His Majesty in right of the Crown, the government department having the management of the land;
 - (c) in relation to land belonging to His Majesty in right of His private estates, a person appointed by His Majesty in writing under the Royal Sign Manual or, if no such appointment is made, the Welsh Ministers;
 - (d) in relation to land belonging to His Majesty in right of the Duchy of Lancaster, the Chancellor of the Duchy;

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- (e) in relation to land belonging to the Duchy of Cornwall, a person appointed by the Duke of Cornwall or by the possessor for the time being of the Duchy;
 - (f) in the case of land belonging to a government department or held in trust for His Majesty for the purposes of a government department, the department.
- (6) “The Crown” is to be treated as including the Senedd Commission.
- (7) Any question that arises about who is the appropriate Crown authority in relation to any land must be referred to the Treasury, whose decision is final.
- (8) In this section—
 - (a) references to His Majesty’s private estates are to be read in accordance with section 1 of the Crown Private Estates Act 1862 (c. 37);
 - (b) references to a government department include a Minister of the Crown and the Senedd Commission (and see section 85 of the Government of Wales Act 2006 (c. 32), which provides for references to a government department to include the Welsh Ministers, the First Minister and the Counsel General).