



# Lieutenancies Act 1997

## 1997 CHAPTER 23

### **1 Lieutenancies in Great Britain.**

- (1) A lord-lieutenant shall be appointed by Her Majesty for each county in England, each county in Wales and each area in Scotland (other than the cities of Aberdeen, Dundee, Edinburgh and Glasgow).
- (2) The Lord Provost of each of the cities of Aberdeen, Dundee, Edinburgh and Glasgow is, by virtue of his office, lord-lieutenant for that city.
- (3) Her Majesty may appoint lieutenants (in addition to the lord-lieutenant) for any county or area.
- (4) Schedule 1 to this Act (which identifies the areas which are counties in England and Wales and areas in Scotland for the purposes of the lieutenancies) shall have effect; and in this Act “county” and “area” shall be construed accordingly.

### **2 Deputy lieutenants.**

- (1) The lord-lieutenant of a county or area shall appoint such persons as he thinks fit to be his deputy lieutenants.
- (2) A person may only be appointed as a deputy lieutenant of a county or area if—
  - (a) he is shown to have rendered appropriate service; and
  - (b) he has a place of residence in, or within 7 miles from the boundary of, that county or area.
- (3) In subsection (2) “appropriate service” means either worthy service as a member of, or in a civil capacity in connection with, Her Majesty’s naval, military or air forces or such other service as makes a person suitable for appointment as a deputy lieutenant.
- (4) The lord-lieutenant of a county or area shall notify to Her Majesty the name of any person whom he proposes to appoint as a deputy lieutenant; and a commission as deputy lieutenant shall not be granted to that person until the lord-lieutenant has been informed by the [<sup>F1</sup>Lord President of the Council] that Her Majesty does not disapprove of the granting of the commission.

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- (5) A commission as deputy lieutenant of a county or area is not vacated by reason that the person who granted it dies or otherwise ceases to hold office as lord-lieutenant.
- (6) A commission as deputy lieutenant of a county or area may be revoked by the lord-lieutenant of that county or area; and the lord-lieutenant shall revoke the commission forthwith on being informed of Her Majesty's pleasure that it be revoked.
- (7) The clerk of the lieutenancy of a county or area shall arrange for the publication in the London Gazette or, as the case may be, the Edinburgh Gazette of the names of the persons appointed deputy lieutenants for that county or area, with the dates of their commissions.

#### Textual Amendments

- F1** Words in s. 2(4) substituted (18.8.2010) by [Lord President of the Council Order 2010 \(S.I. 2010/1837\)](#), art. 1(2), [Sch. para. 5](#)

#### Modifications etc. (not altering text)

- C1** [S. 2](#) functions transferred (W.) (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), [34](#)
- C2** S. 2(4): functions transferred (S.) (1.7.1999) by [S.I. 1999/1750](#), art. 2, [Sch. 1](#)  
S. 2(4): functions of the Secretary of State transferred to the Lord Chancellor (26.11.2001) by [S.I. 2001/3500](#), arts. 3, 4, [Sch 1 para. 1](#)
- C3** S. 2(4) transfer of functions (18.8.2010) by [Lord President of the Council Order 2010 \(S.I. 2010/1837\)](#), arts. 1(2), [4](#)

### 3 Vice lord-lieutenants.

- (1) The lord-lieutenant of a county or area may, with Her Majesty's approval, appoint a lieutenant or deputy lieutenant of that county or area as his vice lord-lieutenant.
- (2) If a lord-lieutenant who has appointed a vice lord-lieutenant dies or otherwise ceases to hold office, the commission of the vice lord-lieutenant is vacated on the appointment of a new lord-lieutenant for the county or area concerned.
- (3) A commission as vice lord-lieutenant of a county or area may, with the approval of Her Majesty, be revoked by the lord-lieutenant who granted it; and the lord-lieutenant shall revoke the commission forthwith on being informed of Her Majesty's pleasure that it be revoked.
- (4) Without prejudice to Her Majesty's power to make other provision under section 4, if—
  - (a) the lord-lieutenant of a county or area is absent from the county or area, sick or otherwise unable to act; or
  - (b) there is a vacancy in the office of lord-lieutenant for a county or area,
 the vice lord-lieutenant of that county or area shall stand for all purposes in the lord-lieutenant's place and, accordingly, may do anything which may be done by the lord-lieutenant.

### 4 Absence, etc. of lord-lieutenant.

- (1) If—

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- (a) the lord-lieutenant of a county or area is absent from the United Kingdom, sick or otherwise unable to act; or
  - (b) there is a vacancy in the office of lord-lieutenant of a county or area,
- Her Majesty may authorise any three deputy lieutenants or lieutenants of that county or area to act as its lord-lieutenant.

- (2) During the period for which they are authorised to act, the persons authorised under this section shall stand for all purposes in the lord-lieutenant's place and, accordingly, may do anything which may be done by the lord-lieutenant.

## **5 Appointment of clerks of lieutenancies.**

- (1) There shall be a clerk of the lieutenancy for each county or area, appointed by the lord-lieutenant.
- (2) The lord-lieutenant of a county or area may revoke the appointment of the clerk of the lieutenancy.

## **6 Functions of lord-lieutenant, lieutenants and deputy lieutenants.**

The lord-lieutenant, lieutenants (if any) and deputy lieutenants of a county or area shall have such functions and privileges (whether provided for under any enactment or otherwise) as are for the time being exercisable by or vested in the lord-lieutenant, lieutenants and deputy lieutenants respectively of that county or area.

## **7 Commissioners of lieutenancy for the City of London.**

- (1) Her Majesty may issue commissions of lieutenancy in respect of the City of London to such persons as She thinks fit to be the Commissioners of Lieutenancy for the City of London (in this section referred to as "the commissioners").
- (2) For the purposes of the application of sections 5 and 6 to the City of London, the commissioners shall be treated as if they were the lord-lieutenant of a county.
- (3) Nothing in this Act affects the raising and levying of the Trophy Tax in the City or any other functions or privileges of the commissioners (whether provided for under any enactment or otherwise).
- (4) The proceeds of the Trophy Tax may be applied by the commissioners (if they see fit to do so) for any of the purposes of a territorial and volunteer reserve association established under Part XI of the <sup>M1</sup>Reserve Forces Act 1996 for an area including the City of London.
- (5) For the purposes of the law relating to, or to matters connected with, the lieutenancies the City of London includes the Inner Temple and the Middle Temple.

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### **Marginal Citations**

**M1** 1996 c. 14.

## **8 Consequential amendments, transitional provisions, repeals and revocation.**

- (1) In section 61 of the <sup>M2</sup>Local Government (Wales) Act 1994 (lieutenancies)—

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- (a) in subsection (2), for the words “section 130 of the Act of 1980” there shall be substituted the words “ section 1 of, and Schedule 1 to, the Lieutenancies Act 1997 ”; and
  - (b) in subsection (3), for the words “Act of 1980” there shall be substituted the words “ Lieutenancies Act 1997 ”.
- (2) In section 9 of the Reserve Forces Act 1996 (enlistment) for the words “Part VI of the Reserve Forces Act 1980” there shall be substituted the words “ the Lieutenancies Act 1997 ”.
  - (3) Schedule 2 to this Act (which contains transitional provisions and savings) shall have effect.
  - (4) The enactments mentioned in Schedule 3 to this Act (which include some spent enactments) are repealed to the extent specified in the third column of that Schedule.
  - (5) Regulation 9 of the <sup>M3</sup>Local Government Changes for England (Miscellaneous Provision) Regulations 1995 is hereby revoked.

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**Marginal Citations**

**M2** 1994 c. 19.

**M3** SI 1995/1748.

**9 Short title, commencement and extent.**

- (1) This Act may be cited as the Lieutenancies Act 1997.
- (2) This Act shall come into force on 1st July 1997.
- (3) Any amendment, repeal or revocation made by this Act has the same extent as the provision amended, repealed or revoked.
- (4) Subject to subsection (3), this Act does not extend to Northern Ireland.

**Changes to legislation:**

There are currently no known outstanding effects for the Lieutenancies Act 1997.