



# Duchy of Lancaster Act 1988

## 1988 CHAPTER 10

An Act to extend the leasing powers of the Chancellor and Council of the Duchy of Lancaster. [3rd May 1988]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

### **1 Extension of powers to lease Duchy land**

- (1) Notwithstanding section 5 of the Crown Lands Act 1702, the Chancellor and Council of the Duchy of Lancaster may, subject to subsection (2) below, lease land forming part of the possessions of the Duchy on such terms as they think fit.
- (2) No lease shall be granted by the Chancellor and Council of the Duchy of Lancaster unless they are satisfied—
  - (a) that the consideration for the grant of the lease is in all the circumstances the best consideration in money or money's worth which can reasonably be obtained; or
  - (b) that the lease is for public or charitable purposes.
- (3) The power conferred by subsection (1) above shall be exercisable by deed under the Seal of the Duchy of Lancaster in the name of Her Majesty, Her heirs and successors.
- (4) The enactments mentioned in the Schedule to this Act (which confer limited leasing powers on the Chancellor and Council of the Duchy of Lancaster) are hereby repealed to the extent specified in the third column of the Schedule.

### **2 Short title**

This Act may be cited as the Duchy of Lancaster Act 1988.

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*Status: This is the original version (as it was originally enacted).*

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## SCHEDULE

Section 1(4).

## REPEALS

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48 Geo. 3 c. 73	The Duchy of Lancaster Act 1808.	Sections 1, 2, 4, 5, 7 and 20.
52 Geo. 3 c. 161.	The Duchy of Lancaster Act 1812.	Sections 1 and 3.
55 & 56 Vict. c. 43.	The Military Lands Act 1892.	In section 10(1), the words from “the Chancellor” to “Lancaster” in the second place it occurs.
8 Edw. 7 c. 36.	The Small Holdings and Allotments Act 1908.	In section 40(2), the words from “the Duchy of Lancaster” to “possessions of”.
10 & 11 Geo. 5 c. 51.	The Duchy of Lancaster Act 1920.	Section 2.
1970 c. 40.	The Agriculture Act 1970.	In section 61, in subsection (1) the words “of the Duchy of Lancaster or” and subsection (2)(a).

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