## SECOND SCHEDULE.

Section 8.

ENACTMENTS REPEALED.

| Session and Chapter. | Short Title. | Extent of Repeal. |
|---|---|---|
| 2 & 3 Geo. 5. c. 30. | Trade Union Act, 1913. | In subsection (1) of section three the words from "and "for the exemption" to "objects to contribute"; subsection (2) of section four; section five; section six; the Schedule. |

# CHAPTER 23.

An Act to incorporate the Commissioners of Crown Lands; to amend the Law relating to the powers and duties of the said Commissioners in respect of the possessions and land revenues of the Crown under their management; to provide for the transfer to the Gloucester Diocesan Board of Finance of certain moneys held by the said Commissioners for ecclesiastical purposes in that diocese; and for purposes connected with the matters aforesaid. [29th July 1927.]

BE it enacted by the King'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:—

*Incorporation of Commissioners of Crown Lands.*

Incorporation of Commissioners of Crown Lands.

**1.**—(1) The persons for the time being holding office as Commissioners of Crown Lands shall by that name be a body corporate for all purposes, and as such may exercise all the powers and shall perform all the duties which immediately before the commencement of this Act

were to be exercised and performed by any person as a Commissioner of Crown Lands.

(2) The Commissioners of Crown Lands shall have an official seal which shall be officially and judicially noticed, and the seal of the Commissioners shall be authenticated, and any document requiring to be signed by or on behalf of the Commissioners shall be signed by a Commissioner, or by a secretary of the Office of the Commissioners of Crown Lands, or by some person authorised by the Commissioners to act on behalf of a secretary of that Office.

(3) Any document purporting to be sealed or signed in accordance with the foregoing provisions of this section shall, unless the contrary be proved, be deemed to have been duly sealed or signed by or on behalf of the Commissioners of Crown Lands without proof of the official character or handwriting of the person appearing to have authenticated the seal or signed the document.

13 & 14 Geo. 5. c. 21.

(4) References in any Act which are, by virtue of section four of the Forestry (Transfer of Woods) Act, 1923, and of the Forestry (Title of Commissioners of Woods) Order, 1924, to be construed as references to the Commissioners of Crown Lands or to any such Commissioner shall be construed as references to those Commissioners as incorporated by this Act, and all property, rights and powers which, immediately before the commencement of this Act, were by virtue of any document vested in any person as a Commissioner of Crown Lands or, having been so vested in any person as a Commissioner of Crown Lands or as a Commissioner of Woods, had devolved upon his legal personal representatives, are hereby transferred to, and vested in the Commissioners of Crown Lands on behalf of His Majesty in the same manner as if that body corporate had been contracted with instead of such Commissioner as aforesaid, and as if the name thereof had been inserted in the document instead of the name of such Commissioner as aforesaid.

*Powers as to Sale of Crown Lands.*

Powers of sale.

**2.** The Commissioners of Crown Lands—

(i) May sell any Crown land or any easement, right or privilege of any kind over or in relation to Crown land; and

(ii) Where any Crown land comprises a manor, may sell the seignory of any freehold land within the manor, with or without any exception or reservation of all or any mines or minerals, or of any rights or powers relative to mining purposes, so as in every such case to effect an extinguishment of the manorial incidents.

Regulations respecting sales.

**3.**—(1) Save as hereinafter provided, every sale shall be made for the best consideration in money that in the opinion of the Commissioners of Crown Lands can reasonably be obtained.

(2) A sale may be made in consideration wholly or partially of a perpetual rent, or a terminable rent consisting of principal and interest combined, payable yearly or half yearly to be secured upon the land sold, or the land to which the easement, right or privilege sold is to be annexed in enjoyment or an adequate part thereof:

In the case of a terminable rent, the conveyance shall distinguish the part attributable to principal and that attributable to interest, and the part attributable to principal shall be carried to the account of the capital of the land revenue of the Crown:

Provided that, unless the part of the terminable rent attributable to interest varies according to the amount of the principal repaid, the Commissioners of Crown Lands shall, during the subsistence of the rent, accumulate the income of the said capital money in the way of compound interest by investing it and the resulting income thereof in securities authorised for the investment of capital money and shall add the accumulations to capital.

(3) The rent to be reserved on any such sale shall be the best rent that, in the opinion of the Commissioners of Crown Lands, can reasonably be obtained, regard being had to any money paid as part of the consideration, or laid out, or to be laid out, for the benefit of any Crown land, and generally to the circumstances of the case, but a peppercorn rent, or a nominal or other rent less than the rent ultimately payable, may be made payable during any period not exceeding five years from the date of the conveyance.

(4) Where a sale is made in consideration of a rent, the following provisions shall have effect:—

(i) The conveyance shall contain a covenant by the purchaser for payment of the rent, and, without prejudice to any other right or method of recovery, the statutory powers and remedies for the recovery of the rent shall apply;

(ii) A duplicate of the conveyance shall be executed by the purchaser and delivered to the Commissioners of Crown Lands, of which execution and delivery the execution of the conveyance by the Commissioners of Crown Lands shall be sufficient evidence;

(iii) A statement, contained in the conveyance or in an indorsement thereon, signed by the Commissioners of Crown Lands, respecting any matter of fact or of calculation under this Act in relation to the sale, shall, in favour of the purchaser and of those claiming under him, be sufficient evidence of the matter stated.

(5) A sale may be made in one lot or in several lots, and either by auction or by private contract, and may be made subject to any stipulations respecting title, or evidence of title, or other things.

(6) On a sale the Commissioners of Crown Lands may fix reserve biddings and may buy in at an auction.

*Powers as to Leasing Crown Lands.*

Power to lease.

**4.** The Commissioners of Crown Lands may lease any Crown land, or any easement, right, or privilege of any kind over or in relation to the land, for any purpose whatever, whether involving waste or not, for any term not exceeding one hundred years from the date on which the lease is made or, in the case of a lease made in pursuance of a previous contract, from the date on which the contract was made.

Regulations respecting leases generally.

**5.**—(1) Save as hereinafter provided, every lease—

(i) shall be by deed, and be made to take effect in possession not later than twelve months after its date or in reversion after an existing lease having not more than twenty-one years to run at the date of the new lease;

(ii) shall reserve the best rent that, in the opinion of the Commissioners of Crown Lands, can reasonably be obtained, regard being had to any fine taken, and to any money laid out or to be laid out for the benefit of any Crown land, and generally to the circumstances of the case;

(iii) shall contain a covenant by the lessee for payment of the rent, and a condition of re-entry on the rent not being paid within a time therein specified not exceeding thirty days.

(2) A counterpart of every lease shall be executed by the lessee and delivered to the Commissioners of Crown Lands, of which execution and delivery the execution of the lease by the Commissioners of Crown Lands shall be sufficient evidence.

(3) A statement, contained in a lease or in an indorsement thereon, signed by the Commissioners of Crown Lands, respecting any matter of fact or of calculation under this Act in relation to the lease, shall, in favour of the lessee and of those claiming under him, be sufficient evidence of the matter stated.

(4) The Commissioners of Crown Lands shall have power to take a fine of such amount as they think fit on the grant of any lease under any power conferred by this Act, but a fine received on the grant of any such lease for any term exceeding thirty years shall be carried to the account of the capital of the land revenue of the Crown.

(5) A lease at the best rent that, in the opinion of the Commissioners of Crown Lands, can be reasonably obtained without fine and whereby the lessee is not exempted from punishment for waste, may be made where the term does not extend beyond three years from the date of the writing, by any writing under hand only containing an agreement instead of a covenant by the lessee for payment of rent.

Regulations respecting building leases.

**6.**—(1) Every building lease shall be made partly in consideration of the lessee, or some person by whose direction the lease is granted, or some other person, having erected or agreeing to erect buildings, new or additional, or having improved or repaired or agreeing

to improve or repair buildings, or having executed or agreeing to execute on the land leased, an improvement authorised in accordance with the provisions of this Act for or in connexion with building purposes.

(2) A peppercorn rent or a nominal or other rent less than the rent ultimately payable, may be made payable for the first five years or any less part of the term.

(3) Where the land is contracted to be leased in lots, the entire amount of rent to be ultimately payable may be apportioned among the lots in any manner:

Provided that—

(i) the annual rent reserved by any lease shall not be less than ten shillings; and

(ii) the total amount of the rents reserved on all leases for the time being granted shall not be less than the total amount of the rents which, in order that the leases may be in conformity with this Act, ought to be reserved in respect of the whole land for the time being leased.

Regulations respecting mining leases.

**7.**—(1) In a mining lease—

(i) the rent may be made to be ascertainable by or to vary according to the acreage worked, or by or according to the quantities of any mineral or substance gotten, made merchantable, converted, carried away, or disposed of, in or from the land comprised in the lease, or any other land, or by or according to any facilities given in that behalf; and

(ii) the rent may also be made to vary according to the price of the minerals or substances gotten, or any of them, and such price may be the saleable value, or the price or value appearing in any trade or market or other price list or return from time to time, or may be the marketable value as ascertained in any manner prescribed by the lease (including a reference to arbitration), or may be an average of any such prices or values taken during a specified period; and

(iii) a fixed or minimum rent may be made payable, with or without power for the lessee,

in case the rent, according to acreage or quantity or otherwise, in any specified period does not produce an amount equal to the fixed or minimum rent, to make up the deficiency in any subsequent specified period, free of rent other than the fixed or minimum rent.

(2) A lease may be made partly in consideration of the lessee having executed, or agreeing to execute, on the land leased an improvement authorised in accordance with the provisions of this Act, for or in connexion with mining purposes.

*Miscellaneous Powers as to Crown Lands.*

Separate dealing with surface and minerals, with or without wayleaves, &c.

**8.** A sale, exchange, lease or other authorised disposition, may be made either of land, with or without an exception or reservation of all or any of the mines and minerals therein, or of any mines and minerals, and in any such case with or without a grant or reservation of powers of working, wayleaves or rights of way, rights of water and drainage, and other powers, easements, rights, and privileges for or incident to or connected with mining purposes, in relation to any Crown land.

Power to grant water rights to statutory bodies.

**9.**—(1) For the development, improvement, or general benefit of any Crown land the Commissioners of Crown Lands may make a grant in fee simple or absolutely, or a lease for any term authorised by this Act, for a nominal price or rent, or for less than the best price or rent that can reasonably be obtained, or gratuitously, to any statutory authority, of any water or streams or springs of water in, upon, or under the Crown land, and of any rights of taking, using, enjoying and conveying water, and of laying, constructing, maintaining, and repairing mains, pipes, reservoirs, dams, weirs and other works of any kind proper for the supply and distribution of water, and of any part of the Crown land required as a site for any of the aforesaid works, and of any easement, right or privilege over or in relation to the Crown land or any part thereof in connexion with any of the aforesaid works.

(2) This section does not authorise the creation of any greater rights than could have been created by a

person absolutely entitled for his own benefit to the land affected.

(3) In this section "statutory authority" means an authority or company for the time being empowered by any Act of Parliament, public general, or local or private, or by any order or certificate having the force of an Act of Parliament, to provide with a supply of water any town, parish or place in which the Crown land or any part thereof is situated.

(4) All money, not being rent, received on the exercise of any power conferred by this section shall be carried to the account of the capital of the land revenues of the Crown.

Power to grant land for public and charitable purposes.

**10.**—(1) For the development, improvement, or general benefit of any Crown land the Commissioners of Crown Lands may, with the consent of His Majesty signified under the Royal Sign Manual, make a grant in fee simple, or absolutely, or a lease for any term authorised by this Act, for a nominal price or rent, or for less than the best price or rent that can reasonably be obtained, or gratuitously, of any Crown land, with or without any easement, right or privilege over or in relation to any Crown land, for all or any one or more of the following purposes, namely:—

(i) For the site, or the extension of any existing site, of a place of religious worship, residence for a minister of religion, school house, town hall, market house, public library, public baths, museum, hospital, infirmary, or other public building, literary or scientific institution, drill hall, working-men's club, parish room, reading room or village institute, with or without in any case any yard, garden, or other ground to be held with any such building; or

(ii) For the construction, enlargement, or improvement of any railway, canal, road (public or private), recreation ground, dock, sea-wall, embankment, drain, watercourse, or reservoir; or

(iii) For any other public or charitable purpose in connexion with any Crown land, or tending to the benefit of the persons residing, or for whom dwellings may be erected, on any Crown land:

Not more than one acre shall in any particular case be conveyed for any purpose mentioned in paragraphs (i) and (iii) of this subsection, nor more than five acres for any purpose mentioned in paragraph (ii) of this subsection, unless the full consideration be paid or reserved in respect of the excess.

(2) All money, not being rent, received on the exercise of any power conferred by this section shall be carried to the account of the capital of the land revenues of the Crown.

Dedication for streets, open spaces, &c.

**11.**—(1) On or after or in connexion with a sale or grant for building purposes, or a building lease, or the development as a building estate of any Crown land, the Commissioners of Crown Lands, for the general benefit of the residents on the Crown land, or on any part thereof—

(i) may, with the consent of His Majesty signified in writing under the Royal Sign Manual, cause or require any parts of the Crown land to be appropriated and laid out for streets, roads, paths, squares, gardens, or other open spaces, for the use, gratuitously or on payment, of the public or of individuals, with sewers, drains, watercourses, fencing, paving, or other works necessary or proper in connexion therewith; and

(ii) may provide that the parts so appropriated shall be conveyed to or vested in trustees, or any company or public body, on trusts or subject to provisions for securing the continued appropriation thereof to the purposes aforesaid, and the continued repair or maintenance of streets and other places and works aforesaid, with or without provision for appointment of new trustees when required; and

(iii) may execute any general or other deed necessary or proper for giving effect to the provisions of this section and thereby declare the mode, terms, and conditions of the appropriation, and the manner in which and the persons by whom the benefit thereof is to be enjoyed, and the nature and extent of the privileges and conveniences granted.

(2) All money, not being rent, received on the exercise of any power conferred by this section shall be carried to the account of the capital of the land revenues of the Crown.

Power to make agreements in connexion with town planning schemes. 15 Geo. 5. c. 16.

**12.** For the purpose of co-operating with any local authority preparing a town planning scheme under the Town Planning Act, 1925, or with the responsible authority for any town planning scheme made under that Act, the Commissioners of Crown Lands may, subject to the approval of the Treasury, enter into agreements with respect to any Crown land adjacent to land included or proposed to be included in the scheme, for securing that the Crown land shall, so far as may be provided by any such agreement, be laid out and used in conformity with the general objects of the scheme.

Power to exchange houses in Royal Parks, &c. for other houses.

**13.**—(1) With the consent of His Majesty, signified in writing under the Royal Sign Manual, the Treasury may by order—

(*a*) empower the Commissioners of Crown Lands to lease any house under their management within the Royal forests, parks or chases to which the powers of the Commissioners as to leasing do not at the time being extend; or

(*b*) transfer from the Commissioners of Works to the Commissioners of Crown Lands the management of any house within any of the Royal forests, parks or chases which is, at the time being, under the management of the first-mentioned Commissioners.

(2) Upon the making of any order under this section, the provisions of this Act relating to powers as to leasing Crown lands shall by virtue of the order extend to any house in respect of which the order is made.

(3) Arrangements may, subject to the approval of the Treasury, be made by the Commissioners of Crown Lands for placing at the disposal of His Majesty any house forming part of the possessions and land revenues of the Crown under their management, in exchange for any house which the Commissioners are empowered to lease by virtue of an order made under

this section, and any arrangements so made shall make such provision for equalising the exchange as the Treasury thinks proper: upon any house being placed at the disposal of His Majesty in accordance with arrangements made under this subsection the powers of the Commissioners as to leasing shall cease to extend to the house, but without prejudice to the power of the Treasury to make any subsequent order under this section in respect thereof.

(4) In this section the expression " house " includes any garden or portion of ground attached to and usually occupied with the house or otherwise required for the amenity or convenience thereof.

Power for Commissioners of Crown Lands to enter into contracts.

**14.**—(1) Subject to the provisions of this Act relating to Treasury authorisation, the Commissioners of Crown Lands—

(i) may contract to make any sale or other disposition authorised by this Act; and

(ii) may vary or rescind, with or without consideration, the contract, but so that the contract as varied be in conformity with this Act; and

(iii) may contract to make any lease, and in making the lease may vary the terms, with or without consideration, but so that the lease be in conformity with this Act; and

(iv) may accept a surrender of a contract for a lease or a grant in fee simple at a rent, in like manner and on the like terms in and on which they might accept a surrender of a lease, and thereupon may make a new or other contract for or relative to a lease or leases, or a grant or grants in fee simple at a rent, in like manner and on the like terms in and on which they might make a new or other lease or grant, or new or other leases or grants, where a lease or a grant in fee simple at a rent had been executed; and

(v) may enter into a contract for or relating to the execution of any improvement authorised in accordance with the provisions of this

Act, and may vary or rescind any such contract; and

(vi) may, in any other case, enter into a contract to do any act for carrying into effect any of the purposes of this Act, and may vary or rescind any such contract.

(2) All money, not being rent, received on the exercise by the Commissioners of Crown Lands of the powers conferred by this section, shall, unless the Treasury otherwise directs, be carried to the account of the capital of the land revenues of the Crown.

*Powers as to Improvements.*

Power to pay for improvements out of capital.

15 Geo. 5. c. 18.

**15.** The Treasury may by any general or special directions given by them authorise the Commissioners of Crown Lands to charge as a principal sum to the account of the capital of the land revenues of the Crown the costs, charges and expenses incurred by them in the making or execution of, or in connection with and for the benefit of Crown lands of any of the works mentioned in the Third Schedule to the Settled Land Act, 1925, or of any works for any of the purposes mentioned in that schedule, and any operation incident to or necessary or proper in the execution of any of those works, or necessary or proper for carrying into effect any of those purposes, or for securing the full benefit of any of those works or purposes; and the Treasury may if they think fit direct that any sums paid out of capital in accordance with such authorisation as aforesaid shall be repaid out of the income of the land revenues of the Crown within such time and by such instalments as they may direct.

*Amendments of Crown Lands Acts*, 1829 *to* 1894.

Amendments of 10 Geo. 4. c. 50.

**16.**—(1) Section seventy-seven of the Crown Lands Act, 1829, and so much of any other enactment as confers an exemption from stamp duty in respect of any instrument or other document whatsoever on the ground that it is made or executed by or with the Commissioners of Crown Lands, shall cease to have effect.

(2) Section eighty of the Crown Lands Act, 1829 (which requires any person appointed to be a receiver of the issue, revenues and profits of the possessions and land revenues of the Crown to be by profession a surveyor of lands or land steward, and accustomed to act as such, or otherwise skilled in the management and cultivation of lands and to reside in the district for which he is appointed), and section eighty-five of the said Act (which requires any person appointed to be a receiver as aforesaid to give security) shall cease to have effect.

Amendments of 14 & 15 Vict. c. 42.

**17.**—(1) So much of section seven of the Crown Lands Act, 1851, as requires officers appointed after the commencement of that Act for the Department of the Commissioners of Crown Lands to be appointed by the Treasury, shall cease to have effect, and all such officers may subject to the consent of the Treasury be appointed by the Commissioners of Crown Lands.

(2) For the purpose of removing doubts, it is hereby declared that the powers of management conferred upon the Commissioners of Crown Lands by section twenty-three of the Crown Lands Act, 1851, with respect to all such houses, gardens and portions of ground within any of the Royal Parks referred to in that section and mentioned in the foregoing provisions of that Act as were at the date of the passing of that Act leased or agreed to be leased, shall be deemed always to have included power, notwithstanding anything in section twenty-five of the Crown Lands Act, 1829, to grant from time to time upon the termination of any lease a new lease of any such house, garden or portion of ground as aforesaid.

Explanation of 15 & 16 Vict. c. 62. s. 5.

**18.** For the purpose of removing doubts, it is hereby declared that the power conferred by section five of the Crown Lands Act, 1852, on the Commissioners of Crown Lands to make a sale, exchange, or other conveyance of Crown lands subject to conditions includes power to make any such conveyance subject to a condition of re-entry exerciseable for any reason, and any right arising from a breach of such a condition may, notwithstanding anything in any Act, be exercised either before or after the expiration of the period authorised by the rule relating to perpetuities.

Amendment of 57 & 58 Vict. c. 43. s. 5.

**19.** The power conferred on the Commissioners of Crown Lands by section five of the Crown Lands Act, 1894, to make, with the consent of the Treasury, out of the income of the land revenues of the Crown, donations of money for any religious or educational purposes connected with land under the management of the Commissioners, or for the purposes of any hospital, infirmary, or cemetery, shall be extended so as to permit the making, with the like consent, of such donations for any charitable or other purposes tending to the benefit of persons residing or employed on land under the management of the Commissioners.

*Miscellaneous.*

Transfer to Gloucester Diocesan Board of Finance of trust funds held by Commissioners of Crown Lands and Bishop of Gloucester under 5 & 6 Vict. c. 65.

**20.** Whereas under an Act passed in the fifth and sixth years of the reign of her late Majesty Queen Victoria intituled an Act to divide the Forest of Dean in the County of Gloucester into Ecclesiastical districts, a sum of one thousand three hundred and thirty-three pounds six shillings and eightpence two and a half per cent. Consolidated Bank Annuities is held by the Commissioners of Crown Lands and the Bishop of Gloucester upon trust to apply the dividends thereof as a fund for the maintaining and repairing of the fabrics of the chapels of Christ Church, Holy Trinity, Saint Paul, and of a chapel at Cinderford, in the respective Ecclesiastical districts in that Act mentioned:

And whereas it is expedient that the said investments should be transferred to the Gloucester Diocesan Board of Finance:

Be it therefore enacted as follows:—

(1) The Commissioners of Crown Lands and the said Bishop may transfer the said sum of Bank Annuities, together with any sums in their hands representing accumulated interest thereon, to the Gloucester Diocesan Board of Finance, and thereupon the said sums shall be held and administered by that Board upon and subject to the same trusts as it was theretofor held and administered by the Commissioners of Crown Lands and the said Bishop:

Provided that the said Board may at any time at their discretion vary the investment of the said sum into or for any investments in which trustees are by law authorised to invest trust money.

(2) A request in writing addressed to the Bank of England under the seal of the said Commissioners and under the hand and seal of the said Bishop shall be sufficient authority to the Bank for the said transfer.

*General.*

Treasury authorisation.

**21.**—(1) No purchase or sale, except a purchase or sale where the purchase money does not exceed one thousand pounds, and no exchange, lease or grant (not being a sale excepted as aforesaid) shall be made by the Commissioners of Crown Lands under any of the powers conferred on them by the Crown Lands Acts, 1829 to 1906, or this Act, without the authority of the Treasury.

(2) For the purposes of this section, the authority of the Treasury may be given either generally for any class of case or for any particular purchase, sale, exchange, lease or grant, and may be signified under the hand of a secretary to the Treasury or of some person authorised in that behalf by the Treasury.

Interpretation.

**22.**—(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say :—

"Building purposes" include the erecting and the improving of, and the adding to, and the repairing of buildings; and a "building lease" is a lease for any building purposes or purposes connected therewith;

"Crown land" means the possessions and land revenues of the Crown under the management of the Commissioners of Crown Lands;

"Disposition" and "conveyance" include a lease, release, and every other assurance of property or of an interest therein by any instrument except a will, and "convey" has a corresponding meaning;

"Land" includes land of any tenure, and mines and minerals whether or not held apart from

the surface, buildings or parts of buildings (whether the division is horizontal, vertical or made in any other way) and other corporeal hereditaments; also a manor, an advowson, and a rent and other corporeal hereditaments, and an easement, right, privilege, or benefit in, over, or derived from land, and any estate or interest in land not being an undivided share in land;

"Lease" includes an agreement for a lease;

"Manor" includes lordship, and reputed manor or lordship; and "manorial incident" has the same meaning as in the Law of Property Act, 1922;

12 & 13 Geo. 5. c. 16.

"Mines and minerals" mean mines and minerals whether already opened or in work or not, and include all minerals and substances in, on, or under the land, obtainable by underground or by surface working; and "mining purposes" include the sinking and searching for, winning, working, getting, making merchantable, smelting or otherwise converting or working for the purposes of any manufacture, carrying away, and disposing of mines and minerals, in or under the Crown land, or any other land, and the erection of buildings, and the execution of engineering and other works suitable for those purposes; and a "mining lease" is a lease for any mining purposes or purposes connected therewith, and includes a grant or licence for any mining purposes;

"Property" includes any thing in action, and any interest in real or personal property;

"Rent" includes yearly or other rent, and toll, duty, royalty, or other reservation, by the acre, or the ton, or otherwise; and, in relation to rent, "payment" includes delivery; and "fine" includes premium or fore-gift, and any payment, consideration, or benefit in the nature of a fine, premium, or fore-gift.

(2) The powers conferred on the Commissioners of Crown Lands by this Act shall be in addition to and not in derogation of the powers conferred on them by the Crown Lands Acts, 1829 to 1906, and, except where

the context otherwise requires, references in those Acts to the powers of the Commissioners as to sale, exchange and leasing of Crown lands, and as to improvements, and references therein to sales, exchanges and leases authorised by those Acts, shall be construed as including references to the powers conferred, and to sales, exchanges and leases authorised by this Act.

Saving as to Royal forests, &c.

**23.** Subject as hereinafter provided, the powers conferred by this Act upon the Commissioners of Crown Lands shall not extend to any land being part or parcel of the Royal forests, parks or chases:

Provided that the provisions of this Act as to leasing Crown lands shall extend to any houses, gardens and portions of ground to which the powers of the Commissioners as to leasing extended immediately before the commencement of this Act or to which they are extended by virtue of an order made under this Act.

Saving as to Board of Trade and Forestry Commissioners.

**24.** It is hereby declared that nothing in this Act affects any rights, exemptions, powers or duties of the Board of Trade or of the Forestry Commissioners or, except as otherwise expressly provided, of the Commissioners of Works, under any enactment repealed by this Act or otherwise.

Application to Scotland.

**25.** In the application of this Act to Scotland—

(*a*) the power to sell shall be construed to include power to grant a feu, and

(*b*) the expression "easement" shall mean "servitude," and

(*c*) a reference to the Town Planning (Scotland) Act, 1925, shall be substituted for the reference to the Town Planning Act, 1925. 15 Geo. 5. c. 17.

Short title, citation and repeals.

**26.**—(1) This Act may be cited as the Crown Lands Act, 1927; and the Crown Lands Acts, 1829 to 1906 and this Act may be cited together as the Crown Lands Acts, 1829 to 1927.

(2) The enactments set out in the Schedule to this Act are hereby repealed to the extent mentioned in the third column of that Schedule.

# SCHEDULE.

Section 26.

## ENACTMENTS REPEALED.

| Session and Chapter. | Short Title. | Extent of Repeal. |
|---|---|---|
| 10 Geo. 4. c. 50. | The Crown Lands Act, 1829. | Section sixteen; section twenty-two; section twenty-three; section twenty-four; section twenty-five; section twenty-six; section twenty-seven; section twenty-eight; section twenty-nine; section thirty; section thirty-one; section thirty-two; section thirty-three; section thirty-four; section sixty; section seventy-seven; section eighty; section eighty-five. |
| 8 & 9 Vict. c. 99. | The Crown Lands Act, 1845. | In section five the words "without stamp." |
| 14 & 15 Vict. c. 42. | The Crown Lands Act, 1851. | In section seven the words "by "the Commissioners of Her "Majesty's Treasury." |
| 29 & 30 Vict. c. 62. | The Crown Lands Act, 1866. | Section one; section three. |
| 36 & 37 Vict. c. 36. | The Crown Lands Act, 1873. | Section four. |
| 48 & 49 Vict. c. 79. | The Crown Lands Act, 1885. | Section three. |
| 57 & 58 Vict. c. 43. | The Crown Lands Act, 1894. | Section two. |
| 6 Edw. 7. c. 28. | The Crown Lands Act, 1906. | Section four. |
| 3 & 4 Geo. 5. c. 8. | The Crown Lands Act, 1913. | The whole Act. |