Draft Order laid before both Houses of Parliament under section 14(1) of the Legislative and Regulatory Reform Act 2006.

D R A F T S T A T U T O R Y I N S T R U M E N T S

2015 No. 0000

DUCHY OF LANCASTER

The Legislative Reform (Duchy of Lancaster) Order 2015

Made - - - -	*****
Laid before Parliament	*24th March 2015*
Coming into force - -	*****

The Chancellor of the Duchy of Lancaster ("the Minister") makes the following Order in exercise of the power conferred by section 1 of the Legislative and Regulatory Reform Act 2006(**a**).

For the purposes of section 3(1) of that Act, the Minister considers that the conditions in section 3(2), where relevant, are satisfied.

The Minister has consulted in accordance with section 13(1) of that Act.

The Minister laid a draft Order and an explanatory document before Parliament in accordance with section 14(1) of that Act.

Pursuant to section 15 of that Act, the negative resolution procedure (within the meaning of Part 1 of the 2006 Act) applies in relation to the making of this Order.

Neither House of Parliament resolved within the 40-day period referred to in section 16(3) of that Act that the Minister should not make the Order.

Citation and commencement

1. This Order may be cited as the Legislative Reform (Duchy of Lancaster) Order 2015 and comes into force on [2015].

Relaxation of restrictions in section 25 of the Duchy of Lancaster Act 1817

2. After section 25 of the Duchy of Lancaster Act 1817(**b**) insert—

"**25A. Capital may be applied to development and protection of title of Duchy land**

(**a**) 2006 c.51; see section 32 for the definition of "Minister of the Crown".
(**b**) 1817 c97 (57 Geo 3).

(1) For the purposes of section 25, any costs, fees, disbursements or other expenses incurred in, or in connection with, any preparatory work in relation to any proposed improvement are to be regarded as being incurred in the improvement, whether or not the improvement actually takes place.

(2) In this section and section 25, "improvement" includes—

(a) development, and

(b) protection of title."

Oliver Letwin
Chancellor of the Duchy of Lancaster
Cabinet Office

Date

EXPLANATORY NOTE

(This note is not part of the Order)

The Duchy of Lancaster Act 1817 provides the Duchy with the power to spend capital but in restricted circumstances namely, on the division, inclosure, drainage, embankment or other improvement carried out to land and property owned by the Duchy.

This Order amends the Act so that the power to spend capital is broadened to include the costs incurred by the Duchy in any improvement or development of Duchy land or property, whether or not it takes place, and costs incurred in protecting the Duchy's title to its land and property.

The Order is made under the Legislative and Regulatory Reform Act 2006 (c. 51) and removes a burden on the Duchy of Lancaster.

A full impact assessment has not been prepared for this Order as no, or no significant impact on the business, voluntary or public sector is foreseen: there will be no impact outside the Duchy of Lancaster.

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