EXPLANATORY MEMORANDUM TO

THE TRANSFER OF FUNCTIONS (CHEQUERS AND DORNEYWOOD ESTATES) ORDER 2014

2014 No. 2708

1. This explanatory memorandum has been prepared by the Cabinet Office and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

The Transfer of Functions (Chequers and Dorneywood Estates) Order 2014 transfers to the Lord Privy Seal various functions conferred on the Chancellor of the Duchy of Lancaster under the Dorneywood Thomson Endowment Trust Fund 'B' and under the Chequers Estate Act 1917. This Order transfers property, rights and liabilities in connection with those functions and makes supplemental provision and consequential amendments to primary legislation.

3. Matters of special interest to the Joint Committee on Statutory Instruments

None.

4. Legislative Context

4.1 This Order is made under section 1 of the Ministers of the Crown Act 1975, which confers power to transfer functions of one Minister to another and make any necessary or expedient provisions which are incidental, consequential and supplemental to the transfer of those functions. A "Minister of the Crown" is defined in section 8(1) of the Ministers of the Crown Act 1975 as meaning the holder of an office in Her Majesty's Government in the United Kingdom.

4.2 This Order makes provision for and in connection with the transfer of functions relating to the Chequers Estate from the Chancellor of the Duchy of Lancaster to the Lord Privy Seal. The functions transferred in relation to the Chequers Estate are those under the Chequers Estate Act 1917.

4.3 This Order also makes provision for and in connection with the transfer of functions relating to the Dorneywood Estate to the Lord Privy Seal. The functions transferred in relation to the Dorneywood Estate are those under the Dorneywood Thomson Endowment Trust Fund 'B'.

4.4 The functions in question were transferred to the Chancellor of the Duchy of Lancaster by the Transfer of Functions (Chequers and Dorneywood Estates) Order 2013 (SI 2013/537).

5. Territorial Extent and Application

This instrument applies to all of the United Kingdom, but it does not affect devolved functions.

6. European Convention on Human Rights

The Lord Privy Seal has made the following statement regarding Human Rights:

In my view the provisions of the Transfer of Functions (Chequers and Dorneywood Estates) Order 2014 are compatible with the Convention rights.

7. Policy background

- What is being done and why

7.1 The Prime Minister has decided that the Lord Privy Seal will exercise functions that were previously exercisable by the Chancellor of the Duchy of Lancaster under the Chequers Estate Act 1917 and functions under the Dorneywood Thomson Endowment Trust 'B'. This Fund was established by Baron Courtauld-Thomson, when he gave the Dorneywood Estate to the nation, for the purpose of maintaining the Estate.

7.2 Accordingly, the Order transfers to the Lord Privy Seal all of those functions. The Order also makes consequential and supplementary provision in connection with the transfer and the entrusting of functions to the Lord Privy Seal. This includes amending legislation and transferring property, rights and liabilities.

- Consolidation

7.3 The Department does not intend to consolidate the legislation which is amended by this Order.

8. Consultation outcome

No consultation was carried out as this Order transfers functions relating to the Chequers Estate and the Dorneywood Estate to the Lord Privy Seal, which in itself has no impact on business, charities or voluntary bodies.

9. Guidance

The Cabinet Office does not intend to issue any guidance alongside this instrument. This is not considered necessary as the Order is self-explanatory and has no impact on business, charities or voluntary bodies.

10. Impact

An Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

11. Regulating small business

The Order does not apply to small business.

12. Monitoring & review

There are no plans to perform monitoring or review.

13. Contact

Philippa Wilson (Assistant Private Secretary to The Lord Privy Seal and Leader of the House of Lords) at the Cabinet Office (Tel: 0207 219 8527 or email: PSLeaderoftheLords@cabinet-office.x.gsi.gov.uk) can answer any queries regarding the instrument.