



# Historic Environment (Wales) Act 2023

2023 asc 3

## PART 7

### GENERAL

#### *Special cases*

PROSPECTIVE

#### **207 Definitions relating to the Crown**

- (1) This section applies for the purposes of this Act.
- (2) “Crown land” means land in which there is a Crown interest or a Duchy interest.
- (3) “Crown interest” means an interest which—
  - (a) belongs to His Majesty in right of the Crown or in right of His private estates, or
  - (b) belongs to a government department or is held in trust for His Majesty for the purposes of a government department.
- (4) “Duchy interest” means—
  - (a) an interest belonging to His Majesty in right of the Duchy of Lancaster, or
  - (b) an interest belonging to the Duchy of Cornwall.
- (5) “Private interest”, in relation to Crown land, means an interest which is neither a Crown interest nor a Duchy interest.
- (6) “Appropriate Crown authority”, in relation to Crown land, means—
  - (a) in the case of land belonging to His Majesty in right of the Crown and forming part of the Crown Estate, the Crown Estate Commissioners;
  - (b) in relation to any other land belonging to His Majesty in right of the Crown, the government department having the management of the land;

*Status: This version of this provision is prospective.*

*Changes to legislation: There are currently no known outstanding effects for the Historic Environment (Wales) Act 2023, Section 207. (See end of Document for details)*

- (c) in relation to land belonging to His Majesty in right of His private estates, a person appointed by His Majesty in writing under the Royal Sign Manual or, if no such appointment is made, the Welsh Ministers;
  - (d) in relation to land belonging to His Majesty in right of the Duchy of Lancaster, the Chancellor of the Duchy;
  - (e) in relation to land belonging to the Duchy of Cornwall, a person appointed by the Duke of Cornwall or by the possessor for the time being of the Duchy;
  - (f) in the case of land belonging to a government department or held in trust for His Majesty for the purposes of a government department, the department.
- (7) “The Crown” is to be treated as including the Senedd Commission.
- (8) Any question that arises about who is the appropriate Crown authority in relation to any land must be referred to the Treasury, whose decision is final.
- (9) In this section—
- (a) references to His Majesty’s private estates are to be read in accordance with section 1 of the [Crown Private Estates Act 1862 \(c. 37\)](#);
  - (b) references to a government department include a Minister of the Crown and the Senedd Commission (and see section 85 of the [Government of Wales Act 2006 \(c. 32\)](#), which provides for references to a government department to include the Welsh Ministers, the First Minister and the Counsel General).

#### Commencement Information

**II** S. 207 not in force at Royal Assent, see [s. 212](#)

**Status:**

This version of this provision is prospective.

**Changes to legislation:**

There are currently no known outstanding effects for the Historic Environment (Wales) Act 2023, Section 207.