ANNO TERTIO & QUARTO

VICTORIÆ REGINÆ.

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C A P. LII.

An Act to provide for the Administration of the Government in case the Crown should descend to any Issue of Her Majesty whilst such Issue shall be under the Age of Eighteen Years, and for the Care and Guardianship of such Issue.

[4th *August* 1840.]

WHEREAS Your Majesty, by Your Majesty's Royal Message to both Houses of Parliament, has been pleased to state that the Uncertainty of Human Life, and the deep Sense Your Majesty feels of Duty to Your People, rendered it incumbent upon Your Majesty to recommend to both Houses of Parliament to consider Contingencies which may hereafter take place, and to make such Provision as will, in any Event, secure the Exercise of the Royal Authority; and that Your Majesty would be prepared to concur with the Two Houses of Parliament in those Measures which may appear best calculated to maintain unimpaired the Power and Dignity of the Crown, and thereby to strengthen the Securities which protect the Rights and Liberties of Your People: And whereas, with the most cordial Sense of Duty and Gratitude to Your Majesty for the tender Concern and Regard so uniformly and now more especially

demonstrated for the Happiness of Your People and the Security of their Rights and Liberties, we have taken this most important Business into our Consideration, and being thoroughly convinced of the Wisdom and Expediency of what Your Majesty has thought fit to recommend, we are firmly and zealously determined to contribute every thing in our Power to maintain unimpaired the Power and Dignity of the Crown, and to strengthen the Securities which protect the Rights and Liberties of the People: We therefore, Your Majesty's most dutiful and loyal Subjects, the Lords Spiritual and Temporal, and Commons, in Parliament assembled, do most humbly beseech Your Majesty that it may be enacted; and 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, That if at the Demise of Her present Majesty (whom God long preserve) there shall be Issue of Her said Majesty who shall become and be King or Queen of this Realm whilst under the Age of Eighteen Years, His Royal Highness Prince *Albert*, the Consort of Her said Majesty, shall be the Guardian, and shall have the Care, Tuition, and Education of such Issue, until such Issue shall attain the Age of Eighteen Years, and shall till such Age have the Disposition, ordering, and Management of all Matters and Things relating thereto; and His said Royal Highness Prince *Albert* shall, until such Issue of Her said Majesty shall attain the Age of Eighteen Years, and no longer, have full Power and Authority, in the Name of such Issue, and in His or Her Stead, and under the Style and Title of Regent of the United Kingdom of *Great Britain* and *Ireland*, to exercise and administer, according to the Laws and Constitution thereof, the Royal Power and Government of this Realm, and all the Dominions, Countries, and Territories to the Crown thereof belonging, and use and exercise and perform all Prerogatives, Authorities, and Acts of Government and Administration of Government which belong to the King or Queen of this Realm to use, execute, and perform, according to the Laws thereof, but in such Manner and subject to such Conditions, Restrictions Limitations, and Regulations as are herein-after for that Purpose specified, mentioned, and contained.

On Demise of Her Majesty, in case there shall be Issue of Her Majesty who shall become King or Queen under 18 Years of Age, His Royal Highness Prince Albert appointed Guardian of such Issue, and empowered to exercise Royal Authority under the Title of Regent of the United Kingdom.

II. And be it further enacted by the Authority aforesaid, That all Acts of Royal Power, Prerogative, Government, and Administration of Government, of what Nature or Kind soever, which shall be done or executed during the Regency established by this Act otherwise than by and with the Consent and Authority of the said Regent, in the Manner and according to the Direction of this Act set forth and prescribed, shall be absolutely null and void to all Intents and Purposes.

Acts done contrary to such Authority void.

III. And be it further enacted by the Authority aforesaid, That the Regent, before he shall act or enter upon his said Office of Regent, shall take the Oaths of Allegiance and Supremacy in the Form prescribed and required by an Act passed in the First Year of the Reign of King *William* and Queen *Mary*, intituled *An Act for abrogating the Oaths of Supremacy and Allegiance, and appointing other Oaths*; and shall also take the Oath of Abjuration in such Manner and Form

Regent to take the Oaths prescribed by 1 W. & M. sess. 1. c. 8. and 6 G. 3. c. 53.

as

as is set down and prescribed in an Act passed in the Sixth Year of the Reign of King *George* the Third, intituled *An Act for altering the Oath of Abjuration and the Assurance, and for amending so much of an Act of the Seventh Year of Her late Majesty Queen* Anne, *intituled 'An Act for the Improvement of the Union of the Two 'Kingdoms,' as after the Time therein limited requires the Delivery of certain Lists and Copies therein mentioned to Persons indicted of High Treason or Misprision of Treason*; as also the following Oath; that is to say,

Oaths.

'I DO solemnly promise and swear, That I will truly and faithfully execute the Office of Regent of the United Kingdom of *Great Britain* and *Ireland*, according to an Act of Parliament made in the Fourth Year of Her Majesty Queen *Victoria*, intituled *An Act to provide for the Administration of the Government, in case the Crown should descend to any Issue of Her Majesty whilst such Issue shall be under the Age of Eighteen Years, and for the Care and Guardianship of such Issue*; and that I will administer the Government of this Realm, and of all the Dominions thereunto belonging, according to the Laws, Customs, and Statutes thereof, and will in all Things, to the utmost of My Power and Ability, consult and maintain the Safety, Honour, and Dignity of His *or* Her [*as the Case shall require*] Majesty, and the Welfare of His *or* Her [*as the Case shall require*] People. So help me GOD.'

'I DO faithfully promise and swear, That I will inviolably maintain and preserve the Settlement of the true Protestant Religion, with the Government, Discipline, Rights, and Privileges of the Church of *Scotland*, as established by Law. So help me GOD.'

Which Oaths shall be taken before the Privy Council then in being, who are hereby empowered and required to administer the same, and to enter the same in the Council Books.

The King or Queen not to marry under the Age of 18, without Consent of the Regent and Assent of Parliament.

IV. And be it further enacted by the Authority aforesaid, That it shall not be lawful for the King or Queen of this Realm, for whom a Regent is hereby appointed, to intermarry before His or Her Age of Eighteen Years, with any Person whomsoever, without the Consent, in Writing, of the Regent, and the Assent of both Houses of Parliament, previously obtained; and every Marriage without such Consent, and such Assent of the Two Houses of Parliament, shall be null and void to all Intents and Purposes; and every Person who shall be acting, aiding, abetting, or concerned in obtaining, procuring, or bringing about any such Marriage, and the Person who shall be so married to such King or Queen under the Age of Eighteen Years, shall be guilty of High Treason, and suffer and forfeit as in Cases of High Treason.

Abetting such Marriage, High Treason.

Regent not empowered to give the Royal Assent to any Act altering the Succession.

V. Provided always, and be it further enacted by the Authority aforesaid, That the Regent shall not give or have Power to give the Royal Assent to any Bill or Bills in Parliament for repealing, changing, or in any respect varying from the Order and Course of Succession to the Crown of this Realm as the same stands now established by the Act of the Twelfth Year of the Reign of King *William* the Third, intituled

12 W. 3. c. 2. intituled *An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject*, or to any Act for repealing or altering the Act made in the Thirteenth Year of the 13 & 14 Car. 2. c. 4. Reign of King *Charles* the Second, intituled *An Act for the Uniformity of Public Prayers and Administration of Sacraments, and other Rites and Ceremonies, and for establishing the Form of making, ordaining, and consecrating Bishops, Priests, and Deacons, in the Church of* England, or an Act of the Fifth Year of the Reign of Queen *Anne*, 5 Ann. (S.) made in *Scotland*, intituled *An Act for securing the Protestant Religion and Presbyterian Government*.

In case His Royal Highness should marry a Person professing the Roman Catholic Religion, his Powers under this Act to determine.

VI. Provided always, and be it further enacted, That if his said Royal Highness Prince *Albert* shall, at any Time after becoming such Guardian and Regent, be reconciled to or shall hold Communion with the See or Church of *Rome*, or shall profess the Popish Religion, or shall marry a Person professing the Roman Catholic Religion, or shall cease to reside in or absent himself from the United Kingdom of *Great Britain* and *Ireland*, then and in any of such Cases his said Royal Highness shall no longer be Guardian and Regent, and all the Powers and Authorities which he may have derived under and by virtue of this Act shall thenceforth cease and determine.

LONDON: Printed by GEORGE E. EYRE and ANDREW SPOTTISWOODE, Printers to the Queen's most Excellent Majesty. 1840.