

National Trust Act 1937

1937(1Edw8&1Geo6); CHAPTER LVII

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An Act to confer further powers upon the National Trust for Places of Historic Interest or Natural Beauty and for other purposes.

[1st July 1937]

WHEREAS by the National Trust Act 1007¹ (in this Act called “the Act of 1907”) the National Trust for Places of Historic Interest or Natural Beauty (in this Act called “the National Trust”) was incorporated:

And whereas the National Trust was established for the general purposes of promoting the permanent preservation for the benefit of the nation of, lands and tenements (including buildings) of beauty or historic interest and as regards lands for the preservation (so far as practicable) of their natural aspect features and animal and plant life:

And whereas by the National Trust Charity Scheme Confirmation Act 1919² (in this Act called “the Act of 1919”) a scheme of the Charity Commissioners for the application or management of the National Trust was confirmed:

And whereas the National Trust with the generous support of landowners donors subscribers and others has acquired by purchase gift and otherwise considerable property including lands and buildings and funds for the upkeep and preservation thereof:

And whereas the use by the public for purposes of recreation resort and instruction of the lands and buildings held by the National Trust has increased and is increasing:

And whereas with the objects of promoting the preservation of buildings and chattels of national interest or of architectural historic or artistic interest and places of natural interest or beauty and of protecting and augmenting the amenities of such buildings and places and of facilitating access by the public to such buildings chattels and places it is expedient that the purposes and powers of the National Trust should be extended as by this Act provided:

And whereas in furtherance of the said objects it is expedient to make provision for the assurance of property to the National Trust subject to the reservation in favour of the assesor of an interest for life or other limited interest:

And whereas it is expedient that the other powers contained in this Act should be conferred on the National Trust and that the other provisions contained in this Act should be enacted:

And whereas the objects of this Act cannot be attained without the authority of Parliament:

May it therefore please your Majesty that it may be enacted and 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:—

Notes

¹ 9 & 10 Geo. 5. c. lxxxiv.

² 9 & 10 Geo. 5. c.

Extent

Preamble: England, Wales, Scotland (extends to the Isle of Man)

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:

[England, Scotland and Wales](#) | [Other Application](#)

 Partially Repealed

England, Scotland and Wales

1.— Short and collective titles.

(1) This Act may be cited as the National Trust Act 1937.

(2) The National Trust Act 1907 the National Trust Charity Scheme Confirmation Act 1019 and this Act may be cited together as the National Trust Acts 1007 to 1937.

Other Application

In relation to the Isle of Man: 1937 c.lvii is repealed.[...]¹

Notes

¹ Repealed by Statute Law (Repeals) Act 2004 c. 14 Sch.1(17)(9) para.1 (July 22, 2004)

Commencement

s. 1(1)-(2): July 1, 1937

Extent

s. 1(1)-(2): England, Wales, Scotland (extends to the Isle of Man)

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:

[England, Scotland and Wales](#) | [Other Application](#)

 Partially Repealed

England, Scotland and Wales

2. Interpretation.

In this Act unless the subject or context otherwise requires—

“The National Trust” means the National Trust for Places of Historic Interest or Natural Beauty;

“The Act of 1907” means the National Trust Act 1907;

“The Act of 1919” means the National Trust Charity Scheme Confirmation Act 1919;

“The scheme” means the scheme set out in the schedule to the Act of 1919;

“The Trust property” includes all property from time to time vested for a legal estate in the National Trust;

“Assurance” “assure” and “assuror” have the same respective meanings as in the Mortmain and Charitable Uses Act 1888¹;

“The council” means the council of the National Trust.

Notes

¹ 51 & 52 Vict. c. 42.

Other Application

In relation to the Isle of Man: 1937 c.lvii is repealed.[...]¹

Notes

¹ Repealed by Statute Law (Repeals) Act 2004 c. 14 Sch.1(17)(9) para.1 (July 22, 2004)

Commencement

s. 2 definition of "The National Trust"- definition of "The council": July 1, 1937

Extent

s. 2 definition of "The National Trust"- definition of "The council": England, Wales, Scotland (extends to the Isle of Man)

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:

[England, Scotland and Wales](#) | [Other Application](#)

 Partially Repealed

England, Scotland and Wales

3. Extension of general purposes of National Trust.

The purposes of the National Trust shall be extended so as to include the promotion of—

- (a) The preservation of buildings of national interest or architectural historic or artistic interest and places of natural interest or beauty and the protection and augmentation of the amenities of such buildings and places and their surroundings;
- (b) The preservation of furniture pictures and chattels of any description having national or historic or artistic interest;
- (c) The access to and enjoyment of such buildings places and chattels by the public;

and all such purposes shall be deemed to be purposes of the Act of 1907.

Other Application

In relation to the Isle of Man: 1937 c.lvii is repealed.[...]¹

Notes

¹ Repealed by Statute Law (Repeals) Act 2004 c. 14 Sch.1(17)(9) para.1 (July 22, 2004)

Commencement

s. 3(a)-(c): July 1, 1937

Extent

s. 3(a)-(c): England, Wales, Scotland (extends to the Isle of Man)

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:

[England, Scotland and Wales](#) | [Other Application](#)

 Partially Repealed

England, Scotland and Wales

4. Extension of powers of National Trust.

The powers of the National Trust shall be extended so as to include—

- (a) The acquisition in any manner (including acquisition by purchase out of any funds applicable for the general purposes of the National Trust or liable to be invested in the

purchase of land) and retention of any lands buildings and hereditaments and any rights casements or interests therein or thereover which in the opinion of the council it may be desirable to hold as investments with a view to the provision out of the rents and profits thereof of funds applicable for the maintenance and preservation of any other part of the Trust property or for any particular purpose of the National Trust or for its general purposes; (b) The acquisition in any manner and retention of any investments (being at the time of acquisition of a nature authorised by the genera] law for the investment of trust funds or of a nature authorised by the trusts imposed by the donor of the same or of the funds out of which the same shall be acquired) the income whereof shall be applicable (subject to any trusts imposed by the donor or otherwise affecting the same) at the discretion of the council for the preservation and maintenance of the Trust property or any specified part or parts thereof or for any particular purpose of the National Trust or for its general purposes.

Other Application

In relation to the Isle of Man: 1937 c.lvii is repealed.[...]¹

Notes

¹ Repealed by Statute Law (Repeals) Act 2004 c. 14 Sch.1(17)(9) para.1 (July 22, 2004)

Commencement

s. 4(a)-(b): July 1, 1937

Extent

s. 4(a)-(b): England, Wales, Scotland (extends to the Isle of Man)

 Repealed

5. [...]¹

Notes

¹ Repealed by National Trust Act 1971 c. vi Pt V s.32 (February 17, 1971)

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:
[England, Scotland and Wales](#) | [Other Application](#)

 Partially Repealed

England, Scotland and Wales

6.— Assurances of land and personal property.

(1) [...]¹

(2) For the purposes of section 55 of the Settled Land Act 1925² (which empowers tenants for life to grant land for public and charitable purposes) any grant or lease of settled land to the National Trust shall be deemed to be made for the general benefit of the settled land and for a charitable purpose in connection with the settled land and in the application of that section to grants or leases made to the National Trust five acres shall be substituted for one acre.

Notes

¹ Repealed by Statute Law (Repeals) Act 2004 c. 14 Sch.1(17)(9) para.1 (July 22, 2004)

² 15 & 16 Geo. 5. c. 18.

Other Application

In relation to the Isle of Man: 1937 c.lvii is repealed.[...]¹

Notes

¹ Repealed by Statute Law (Repeals) Act 2004 c. 14 Sch.1(17)(9) para.1 (July 22, 2004)

Commencement

s. 6(1)-(2): July 1, 1937

Extent

s. 6(1): England, Wales, Scotland (extends to the Isle of Man)

s. 6(2): England, Wales, Scotland (July 28, 1939 restricted to England, Wales and Scotland by 1939 c.lxxxvi s.16(1))

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:

[England, Scotland and Wales](#) | [Other Application](#)

 Partially Repealed

England, Scotland and Wales

7.— Grants and contributions by local authorities.

(1) The council of any county or borough or urban or rural district or parish or two or more of them may with the consent of the Minister of Health and of any other Government department or authority whose consent would be required if the intended transaction were a sale by deed assure to the National Trust any land or building vested in them which the National Trust has power to acquire

and hold and such land shall thenceforward be held by the National Trust accordingly subject nevertheless to any trusts covenants or restrictions affecting the same.

(2) The council of any county or borough or urban or rural district or parish may with the consent of the Minister of Health contribute to the expenses of acquisition by the National Trust of any land or building wholly or partly within or in the neighbourhood of the district of such council or to the expenses of maintenance and preservation of any land or building wholly or partly within or in the neighbourhood of such district vested or proposed to be vested in the National Trust provided that the consent of the Minister of Health shall not be required in respect of any contribution by the [Greater London Council] ¹ under the provisions of this subsection.

Notes

¹ Words substituted by London Government Order 1966/1305 art.2(6)(b) (October 22, 1966)

Other Application

In relation to the Isle of Man: 1937 c.lvii is repealed.[...]¹

Notes

¹ Repealed by Statute Law (Repeals) Act 2004 c. 14 Sch.1(17)(9) para.1 (July 22, 2004)

Commencement

s. 7(1)-(2): July 1, 1937

Extent

s. 7(1)-(2): England, Wales, Scotland (extends to the Isle of Man)

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:
[England, Scotland and Wales](#) | [Other Application](#)

 Partially Repealed

England, Scotland and Wales

8. Power to enter into agreements restricting use of land.

Where any person is willing to agree with the National Trust that any land or any part thereof shall so far as his interest in the land enables him to bind it be made subject either permanently or for a specified period to conditions restricting the planning development or use thereof in any manner the National Trust may if it thinks fit enter into an agreement with him or accept a covenant from him to that effect and shall have power to enforce such agreement or covenant against persons deriving title under him in the like manner and to the like extent as if the National Trust were

possessed of or entitled to or interested in adjacent land and as if the agreement or covenant had been and had been expressed to be entered into for the benefit of that adjacent land.

Other Application

In relation to the Isle of Man: 1937 c.lvii is repealed.[...]¹

Notes

¹ Repealed by Statute Law (Repeals) Act 2004 c. 14 Sch.1(17)(9) para.1 (July 22, 2004)

Commencement

s. 8: July 1, 1937

Extent

s. 8: England, Wales, Scotland (extends to the Isle of Man)

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:

[England, Scotland and Wales](#) | [Other Application](#)

 Partially Repealed

England, Scotland and Wales

9. Accounts.

Separate accounts shall be kept of all sums of money received or expended by the National Trust and not applicable at the discretion of the council to the general purposes of the National Trust.

Other Application

In relation to the Isle of Man: 1937 c.lvii is repealed.[...]¹

Notes

¹ Repealed by Statute Law (Repeals) Act 2004 c. 14 Sch.1(17)(9) para.1 (July 22, 2004)

Commencement

s. 9: July 1, 1937

Extent

s. 9: England, Wales, Scotland (extends to the Isle of Man)

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:
[England, Scotland and Wales](#) | [Other Application](#)

 Partially Repealed

England, Scotland and Wales

10. Application of Trust property.

Notwithstanding the provisions of section 27 (Application of revenue) of the Act of 1907 the Council may from time to time by resolution determine that the expenses of and concerning any one or more purposes of the National Trust shall (subject to any trusts imposed by the donor or otherwise affecting the same) be defrayed exclusively out of any specified part or parts of the Trust property or the capital or income of any particular fund or funds and such determination (unless and until modified or abrogated by a like resolution) shall be binding.

Other Application

In relation to the Isle of Man: 1937 c.lvii is repealed.[...]¹

Notes

¹ Repealed by Statute Law (Repeals) Act 2004 c. 14 Sch.1(17)(9) para.1 (July 22, 2004)

Commencement

s. 10: July 1, 1937

Extent

s. 10: England, Wales, Scotland (extends to the Isle of Man)

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:
[England, Scotland and Wales](#) | [Other Application](#)

 Partially Repealed

England, Scotland and Wales

11.— Byelaws.

(1) [...]¹

(2) Section 33 (Byelaws as to buildings) of the Act of 1907 shall apply in respect of any building notwithstanding that the same may be open to the public at specified times or for specified periods only.

Notes

¹ Repealed by National Trust Act 1971 c. vi Pt V s.32 (February 17, 1971)

Other Application

In relation to the Isle of Man: 1937 c.lvii is repealed.[...]¹

Notes

¹ Repealed by Statute Law (Repeals) Act 2004 c. 14 Sch.1(17)(9) para.1 (July 22, 2004)

Commencement

s. 11(1)-(2): July 1, 1937

Extent

s. 11(1)-(2): England, Wales, Scotland (extends to the Isle of Man)

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:
[England, Scotland and Wales](#) | [Other Application](#)

 Partially Repealed

England, Scotland and Wales

12.— Provisions applicable to byelaws.

(1) The provisions contained in subsections (2) (3) (4) (5) (6) (7) and (10) of section 250 and in sections 251 and 252 of the Local Government Act 1933¹ shall apply to byelaws made by the National Trust under section 32 (Byelaws) or section 33 (Byelaws as to buildings) of the Act of 1907 as amended or extended by this Act as if the National Trust were a local authority within the meaning of those sections and the secretary of the National Trust were the clerk to such local authority The confirming authority for the purpose of that application of the said sections shall be the Secretary of State.

(2) [...]²

Notes

¹ 23 & 24 Geo. 5. c. 51.

² Repealed by Statute Law (Repeals) Act 2004 c. 14 Sch.1(17)(9) para.1 (July 22, 2004)

Other Application

In relation to the Isle of Man: 1937 c.lvii is repealed.[...]¹

Notes

¹ Repealed by Statute Law (Repeals) Act 2004 c. 14 Sch.1(17)(9) para.1 (July 22, 2004)

Commencement

s. 12(1)-(2): July 1, 1937

Extent

s. 12(1)-(2): England, Wales, Scotland (extends to the Isle of Man)

 Repealed

13. [...]¹

Notes

¹ Repealed by Statute Law (Repeals) Act 2004 c. 14 Sch.1(17)(9) para.1 (July 22, 2004)

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:
[England, Scotland and Wales](#) | [Other Application](#)

 Partially Repealed

England, Scotland and Wales

14. Amendment of section 27 of Act of 1907.

Section 27 (Application of revenue) of the Act of 1907 shall be read and have effect as if the word “investments” were substituted for the word “securities.”

Other Application

In relation to the Isle of Man: 1937 c.lvii is repealed.[...]¹

Notes

¹ Repealed by Statute Law (Repeals) Act 2004 c. 14 Sch.1(17)(9) para.1 (July 22, 2004)

Commencement

s. 14: July 1, 1937

Extent

s. 14: England, Wales, Scotland (extends to the Isle of Man)

 Repealed

15.— [...]¹

Notes

¹ Repealed by National Trust Act 1939 c. lxxxvi s.16(3) (July 28, 1939)

 Repealed

16. [...]¹

Notes

¹ Repealed by Statute Law (Repeals) Act 2004 c. 14 Sch.1(17)(9) para.1 (July 22, 2004)

Modifications

Provision	Modification	Notes	Further Information
s. 7	National Assembly for Wales (Transfer of Functions) Order 1999/672, Sch. 1 para. 1	Modified in relation to the transfer of functions to the National Assembly of Wales	art. 2
s. 12	National Assembly for Wales (Transfer of Functions) Order 1999/672, Sch. 1 para. 1	Modified in relation to the transfer of functions to the National Assembly of Wales	art. 2

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