

Succession to Peerages Bill [HL]

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TO

Amend the law regarding succession to peerages; and for connected purposes.

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, as follows:—

1 Succession to hereditary peerages

- (1) No one shall be unable to succeed to an hereditary peerage on the ground that she is a woman or that she or he is a person who claims through a woman.
- (2) The succession to hereditary peerages shall be governed by the provisions in section 2 (to be known as the “universal rule of succession”).

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2 The universal rule of succession

- (1) Upon the death of a peer, his or her peerage shall vest in the person who is the heir to that peerage in accordance with the instrument creating that peerage or, if there is no instrument, the law as to succession to that peerage, but with the modification set out in subsections (2) and (3).
- (2) The modification referred to in subsection (1) is that any daughter (“D”) and her issue shall be treated for the purpose of succession as they would be treated if D had been male, save as provided by subsection (3).
- (3) Within each group of siblings, males in order of birth and their issue shall be entitled to succeed before females in order of birth and their issue.

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3 Extinct peerages

- (1) For any peerage which became extinct on or after 6 February 1952, the peerage shall upon the commencement of this Act vest in the person who would have succeeded to that peerage if the universal rule of succession had applied to that peerage at all times on and after 6 February 1952.
- (2) A person to whom subsection (3) applies may petition Her Majesty to direct that subsection (1) should apply to that peerage as if it had become extinct on

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6 February 1952, and Her Majesty may grant or not grant the prayer of such a petition as She sees fit.

- (3) This subsection applies to any person in whose case both of the following conditions are met—
- (a) he or she would have succeeded to a peerage which became extinct before 6 February 1952 if the universal rule of succession had applied to that peerage on the day it became extinct and at all times since that day; and
 - (b) he or she would have so succeeded on or after 6 February 1952.
- (4) No person may petition in accordance with subsection (2) after the first anniversary of the commencement of this Act.
- (5) If Her Majesty directs as provided in subsection (2), the peerage concerned shall thereupon vest in the petitioner and the succession to that peerage shall be governed by the universal rule of succession.
- (6) No appeal shall lie against any exercise or refusal to exercise the power set out in subsections (2) and (5), nor shall any court have jurisdiction to entertain any challenge or question relating thereto.

4 Peerages in abeyance

Any peerage which is in abeyance on the date of commencement of this Act shall upon such commencement vest in the person whom it would have been vested on that date if the universal rule of succession had governed succession to that peerage on and at all times after the date at which it last fell into abeyance.

5 Interpretation, extent, commencement and short title

- (1) This Act does not affect the succession to the Crown or to any peerages or other dignities or things whatsoever held by Her Majesty.
- (2) This Act does not affect the succession to land or any other property real or personal.
- (3) This Act does not affect any succession to a peerage which took place before its commencement.
- (4) This Act extends to the whole of the United Kingdom.
- (5) This Act shall come into force on the day it is passed.
- (6) This Act may be cited as the Succession to Peerages Act 2016.

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To amend the law regarding succession to peerages; and for connected purposes.

Lord Trefgarne

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