

Reprint  
as at 26 March 2015



## Act of Settlement 1700

Imperial Act	2
Date of assent	12 June 1701
Commencement	12 June 1701

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### **An Act for the further limitation of the Crown, and better securing the rights and liberties of the subject**

#### **Preamble**

Whereas in the first year of the reign of Your Majesty, and of our late Most Gracious Sovereign Lady Queen Mary (of blessed memory), an Act of Parliament was made, intituled “An Act for declaring the Rights and Liberties of the Subject, and for set-

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#### **Note**

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.  
Note 4 at the end of this reprint provides a list of the amendments incorporated.

ting the Succession of the Crown”, wherein it was (amongst other things) enacted, established, and declared, that the Crown and regal government of the kingdoms of England, France, and Ireland, and the dominions thereunto belonging, should be and continue to Your Majesty and the said late Queen, during the joint lives of Your Majesty and the said Queen, and to the survivor: And that, after the decease of Your Majesty and of the said Queen, the said Crown and regal government should be and remain to the heirs of the body of the said late Queen; and, for default of such issue, to Her Royal Highness the Princess Anne of Denmark, and the heirs of her body; and, for default of such issue, to the heirs of the body of Your Majesty; And it was thereby further enacted that all and every person and persons that then were or afterwards should be reconciled to, or shall hold communion with, the See or Church of Rome, or should profess the Popish religion, or marry a Papist, should be excluded, and are by that Act made for ever incapable to inherit, possess, or enjoy the Crown and government of this realm and Ireland, and the dominions thereunto belonging, or any part of the same, or to have, use, or exercise any regal power, authority, or jurisdiction within the same: And in all and every such case and cases the people of these realms shall be and are thereby absolved of their allegiance: And that the said Crown and government shall from time to time descend to and be enjoyed by such person or persons, being Protestants, as should have inherited and enjoyed the same in case the said person or persons, so reconciled, holding communion, professing, or marrying as aforesaid, were naturally dead: After the making of which Statute, and the settlement therein contained, Your Majesty’s good subjects who were restored to the full and free possession and enjoyment of their religion, rights, and liberties, by the providence of God giving success to Your Majesty’s just undertakings and unwearied endeavours for that purpose, had no greater temporal felicity to hope or wish for than to see a royal progeny descending from Your Majesty, to whom (under God) they owe their tranquillity, and whose ancestors have for many years been principal asserters of the Reformed religion and the liberties of Europe, and from our said Most Gracious Sovereign Lady, whose memory will always be precious to the subjects of these realms: And it having since pleased Almighty God to take away our said Sovereign Lady, and also the most hopeful Prince William Duke of Gloucester (the only surviving issue of Her Royal Highness the Princess Anne of Denmark), to the unspeakable grief and sorrow of Your Majesty and your said good subjects, who, under such losses being sensibly put in mind that it stands wholly in the pleasure of Almighty God to prolong the lives of Your Majesty and of Her Royal Highness, and to grant to Your Majesty, or to Her Royal Highness, such issue as may be inheritable to the Crown and regal government aforesaid, by the respective limitations in the said recited Act contained, do constantly implore the Divine mercy for those blessings: And Your Majesty’s said subjects having daily experience of your royal care and concern for the present and future welfare of these kingdoms, and particularly recommending from your Throne a further provision to be made for the succession of the Crown in the Protestant line, for the happiness of the nation and the security of our religion; and it being absolutely necessary, for the safety, peace, and quiet of this realm, to obviate all doubts and contentions in the same by reason of any pretended title to the Crown, and to maintain a

certainty in the succession thereof, to which your subjects may safely have recourse for their protection, in case the limitations in the said recited Act should determine.

Preamble: this Act continues to be part of the laws of New Zealand, but as if it had been amended by deleting from this Preamble “or marry a Papist” and “or marrying”, at 1 pm on 26 March 2015, by section 11(a) of the Royal Succession Act 2013 (2013 No 149).

**1 Princess Sophia declared next successor to the Crown, after the King and Princess Anne of Denmark and their issue, etc, and the heirs of her body, being Protestants**

Therefore, for a further provision of the succession of the Crown in the Protestant line, we Your Majesty’s most dutiful and loyal subjects, the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, do beseech Your Majesty that it may be enacted and declared, and be it enacted and declared 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, That the Most Excellent Princess Sophia, Electress and Duchess Dowager of Hanover, daughter of the Most Excellent Princess Elizabeth, late Queen of Bohemia, daughter of our late Sovereign Lord King James the First, of happy memory, be and is hereby declared to be the next in succession, in the Protestant line, to the Imperial Crown and Dignity of the said realms of England, France, and Ireland, with the dominions and territories thereunto belonging, after His Majesty, and the Princess Anne of Denmark, and in default of issue of the said Princess Anne and of His Majesty respectively; And that from and after the deceases of His said Majesty, our now Sovereign Lord, and of Her Royal Highness the Princess Anne of Denmark, and for default of issue of the said Princess Anne and of His Majesty respectively, the Crown and regal government of the said kingdoms of England, France, and Ireland, and of the dominions thereunto belonging, with the royal state and dignity of the said realms, and all honours, styles, titles, regalities, prerogatives, powers, jurisdictions, and authorities, to the same belonging and appertaining, shall be, remain, and continue to the said Most Excellent Princess Sophia, and the heirs of her body, being Protestants: And thereunto the said Lords Spiritual and Temporal, and Commons, shall and will, in the name of all the people of this realm, most humbly and faithfully submit themselves, their heirs and posterities; and do faithfully promise that after the deceases of His Majesty and Her Royal Highness, and the failure of the heirs of their respective bodies, to stand to, maintain, and defend the said Princess Sophia, and the heirs of her body, being Protestants, according to the limitation and succession of the Crown in this Act specified and contained, to the utmost of their powers, with their lives and estates, against all persons whatsoever that shall attempt anything to the contrary.

## **2 Papists, etc, incapacitated from inheriting the Crown, King and Queen to take the Coronation Oath, and subscribe the Declaration**

Provided always that all and every person and persons, who shall or may take or inherit the said Crown by virtue of the limitation of this present Act, and is, are, or shall be reconciled to, or shall hold communion with, the See or Church of Rome, or shall profess the Popish religion, or shall marry a Papist, shall be subject to such incapacities as in such case or cases are by the said recited Act provided, enacted, and established; And that every King and Queen of this realm, who shall come to and succeed in the Imperial Crown of this kingdom, by virtue of this Act, shall have the Coronation Oath administered to him, her, or them, at their respective coronations, according to the Schedule of the Accession Declaration Act 1910 and shall make, subscribe, and repeat the Declaration in the Act first above recited, mentioned, or referred to, in the manner and form thereby prescribed.

Section 2: this Act continues to be part of the laws of New Zealand, but as if it had been amended by deleting from this section “or shall marry a Papist”, at 1 pm on 26 March 2015, by section 11(b) of the Royal Succession Act 2013 (2013 No 149).

Section 2: amended, on 3 August 1910, by section 1 of the Accession Declaration Act 1910 (1910 10 Edw 7 and 1 Geo 5, c 29 (Imp)).

## **3 Conditions for securing the religion, laws, etc, in default of issue of the Princess Anne and the King**

And whereas it is requisite and necessary that some further provision be made for securing our religion, laws, and liberties from and after the death of His Majesty and the Princess Anne of Denmark, and in default of issue of the body of the said Princess and of His Majesty respectively:

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 Parliament assembled, and by the authority of the same, That whatsoever shall hereafter come to the possession of this Crown shall join in communion with the Church of England, as by law established.

Section 3: amended, on 1 January 1989, by section 4(1) of the Imperial Laws Application Act 1988 (1988 No 112).

## **4 The Laws and Statutes of the Realm confirmed**

*[Repealed]*

Section 4: repealed, on 1 January 1989, by section 4(1) of the Imperial Laws Application Act 1988 (1988 No 112).

## Reprints notes

### **1** *General*

This is a reprint of the Act of Settlement 1700 that incorporates all the amendments to that Act as at the date of the last amendment to it.

### **2** *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

### **3** *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

### **4** *Amendments incorporated in this reprint*

Royal Succession Act 2013 (2013 No 149): section 11

Imperial Laws Application Act 1988 (1988 No 112): section 4(1)

Accession Declaration Act 1910 (1910 10 Edw 7 and 1 Geo 5, c 29 (Imp)): section 1