



Perpetuities and Accumulations Act 2009

2009 CHAPTER 18

Application of statutory provisions

15 Application of this Act

- (1) Sections 1, 2, 4 to 11, 13 and 14 apply in relation to an instrument taking effect on or after the commencement day, except that—
 - (a) those sections do not apply in relation to a will executed before that day, and
 - (b) those sections apply in relation to an instrument made in the exercise of a special power of appointment only if the instrument creating the power takes effect on or after that day.
- (2) Section 12 applies (except as provided by subsection (3)) in relation to—
 - (a) a will executed before the commencement day (whether or not it takes effect before that day);
 - (b) an instrument, other than a will, taking effect before that day.
- (3) Section 12 does not apply if—
 - (a) the terms of the trust were exhausted before the commencement day, or
 - (b) before that day the property became held on trust for charitable purposes by way of a final disposition of the property.
- (4) The commencement day is the day appointed under section 22(2).

Commencement Information

II [S. 15](#) in force at 6.4.2010 by [S.I. 2010/37](#), [art. 2](#)

16 Limitation of 1964 Act to existing instruments

In section 15 of the Perpetuities and Accumulations Act 1964 (c. 55) the following subsections are inserted after subsection (5) (which makes provision as to the instruments to which the Act applies)—

Changes to legislation: There are currently no known outstanding effects for the Perpetuities and Accumulations Act 2009, Cross Heading: Application of statutory provisions. (See end of Document for details)

“(5A) The foregoing sections of this Act shall not apply in relation to an instrument taking effect on or after the day appointed under section 22(2) of the Perpetuities and Accumulations Act 2009 (commencement), but this shall not prevent those sections applying in relation to an instrument so taking effect if—

- (a) it is a will executed before that day, or
- (b) it is an instrument made in the exercise of a special power of appointment, and the instrument creating the power took effect before that day.

(5B) Subsection (5A) above shall not affect the operation of sections 4(6) and 11(2) above.”

Commencement Information

I2 [S. 16](#) in force at 6.4.2010 by [S.I. 2010/37](#), [art. 2](#)

Changes to legislation:

There are currently no known outstanding effects for the Perpetuities and Accumulations Act 2009, Cross Heading: Application of statutory provisions.