



Trusts (Scotland) Act 1921

1921 CHAPTER 58 11 and 12 Geo 5

2 Definitions.

In the construction of this Act unless the context otherwise requires—

“Trust” shall mean and include—

- (a) any trust constituted by any deed or other writing, or by private or local Act of Parliament, or by Royal Charter, or by resolution of any corporation or public or ecclesiastical body, and

- (b) the appointment of any ^{F1} . . . judicial factor by deed, decree, or otherwise;

“Trust deed” shall mean and include—

- (a) any deed or other writing, private or local Act of Parliament, Royal Charter, or resolution of any corporation or ecclesiastical body, constituting any trust, and

- (b) any decree, deed, or other writing appointing a ^{F2} . . . judicial factor;

“Trustee” shall mean and include any trustee under any trust whether nominated, appointed, judicially or otherwise, or assumed, whether sole or joint, and whether entitled or not to receive any benefit under the trust or any remuneration as trustee for his services, and shall include any trustee ex officio, executor nominate, ^{F3} . . . , and judicial factor;

^{F4} . . .

^{F5} . . .

[^{F6}“Judicial factor” shall mean any person holding a judicial appointment as a factor ^{F7} . . . on another person’s estate.]

“Local authority” and “rate” shall have respectively the meanings assigned to these expressions by the ^{M1}Local Authorities Loans (Scotland) Act, 1891;

“The court” shall mean the Court of Session;

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Textual Amendments

F1 S. 2: words in definition of “trust” repealed (1.4.2002) by [2000 asp 4, s. 88\(3\)](#), [Sch. 6](#); S.S.I. 2001/81, [art. 3](#), [Sch. 2](#)

F2 S. 2: words in definition of “trust deed” repealed (1.4.2002) by [2000 asp 4, s. 89\(2\)](#), [Sch. 6](#); S.S.I. 2001/81, [art. 3](#), [Sch. 2](#)

Changes to legislation: *Trusts (Scotland) Act 1921, Section 2 is up to date with all changes known to be in force on or before 28 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- F3** S. 2: words in definition of “trustee” repealed (1.4.2002) by 2000 asp 4, s. 88(3), **Sch. 6**; S.S.I. 2001/81, art. 3, **Sch. 2**
- F4** S. 2: definition of “curator” and “tutor” repealed (1.4.2002) by 2000 asp 4, s. 88(3), **Sch. 6**; S.S.I. 2001/81, art. 3, **Sch. 2**
- F5** S. 2: definition of “guardian” repealed (1.4.2002) by 2000 asp 4, s. 88(3), **Sch. 6**; S.S.I. 2001/81, art. 3, **Sch. 2**
- F6** Definition substituted by **Trusts (Scotland) Act 1961 (c. 57), s. 3**
- F7** S. 2: words in definition of “judicial factor” repealed (1.4.2002) by 2000 asp 4, s. 88(3), **Sch. 6**; S.S.I. 2001/81, art. 3, **Sch. 2**
- F8** Definition repealed by **Statute Law (Repeals) Act 1976 (c. 16), s. 1(1), Sch. 1 Pt. VII**

Modifications etc. (not altering text)

- C1** Definition of “Trustee” amended by **Succession (Scotland) Act 1964 (c. 41), s. 20**
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Marginal Citations

- M1** 1891 c. 34.

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[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act repealed by [2024 asp 2 Sch. 2](#)