



# Reverter of Sites Act 1987

## 1987 CHAPTER 15

### 1 Right of reverter replaced by [<sup>F1</sup>trust].

- (1) Where any relevant enactment provides for land to revert to the ownership of any person at any time, being a time when the land ceases, or has ceased for a specified period, to be used for particular purposes, that enactment shall have effect, and (subject to subsection (4) below) shall be deemed always to have had effect, as if it provided (instead of for the reverter) for the land to be vested after that time, on the trust arising under this section, in the persons in whom it was vested immediately before that time.
- (2) Subject to the following provisions of this Act, the trust arising under this section in relation to any land is a trust [<sup>F2</sup>for the persons who (but for this Act) would from time to time be entitled to the ownership of the land by virtue of its reverter with a power, without consulting them,] to sell the land and to stand possessed of the net proceeds of sale (after payment of costs and expenses) and of the net rents and profits until sale (after payment of rates, taxes, costs of insurance, repairs and other outgoings) [<sup>F3</sup>in trust for those persons; but they shall not be entitled by reason of their interest to occupy the land.]
- (3) Where—
  - (a) a trust in relation to any land has arisen or is treated as having arisen under this section at such a time as is mentioned in subsection (1) above; and
  - (b) immediately before that time the land was vested in any persons in their capacity as the minister and churchwardens of any parish,those persons shall be treated as having become [<sup>F4</sup>trustees] under this section in that capacity and, accordingly, their interest in the land shall pass and, if the case so requires, be treated as having passed to their successors from time to time.
- (4) This section shall not confer any right on any person as a beneficiary—
  - (a) in relation to any property in respect of which that person's claim was statute-barred before the commencement of this Act, or in relation to any property derived from any such property; or
  - (b) in relation to any rents or profits received, or breach of trust committed, before the commencement of this Act;

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*Changes to legislation: There are currently no known outstanding effects for the Reverter of Sites Act 1987, Section 1. (See end of Document for details)*

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and anything validly done before the commencement of this Act in relation to any land which by virtue of this section is deemed to have been held at the time [<sup>F5</sup>in trust] shall, if done by the beneficiaries, be deemed, so far as necessary for preserving its validity, to have been done by the trustees.

- (5) Where any property is held by any persons as trustees of a trust which has arisen under this section and, in consequence of subsection (4) above, there are no beneficiaries of that trust, the trustees shall have no power to act in relation to that property except—
- (a) for the purposes for which they could have acted in relation to that property if this Act had not been passed; or
  - (b) for the purpose of securing the establishment of a scheme under section 2 below or the making of an order under [<sup>F6</sup>section 554 of the Education Act 1996] (special powers as to trusts for religious education).

- (6) In this section—

“churchwardens” includes chapel wardens;

“minister” includes a rector, vicar or perpetual curate; and

“parish” includes a parish of the Church in Wales;

and the reference to a person’s claim being statute-barred is a reference to the <sup>M1</sup>Limitation Act 1980 providing that no proceedings shall be brought by that person to recover the property in respect of which the claim subsists.

#### Textual Amendments

- F1** Words in s. 1 sidenote substituted (1.1.1997) by 1996 c. 47, s. 5(1), **Sch. 2 para. 6(5)(6)**(with ss. 24(2), 25(4)(5)); S.I. 1996/2974, **art.2**
- F2** Words in s. 1(2) inserted (1.1.1997) by 1996 c. 47, s. 5(1), **Sch. 2 para. 6(2)(a)(6)**(with ss. 24(2), 25(4)(5)); S.I. 1996/2974, **art.2**
- F3** Words in s. 1(2) substituted (1.1.1997) by 1996 c. 47, s. 5(1), **Sch. 2 para. 6(2)(b)(6)**(with ss. 24(2), 25(4)(5)); S.I. 1996/2974, **art.2**
- F4** Words in s. 1(3) substituted (1.1.1997) by 1996 c. 47, s. 5(1), **Sch. 2 para. 6(3)(6)**(with ss. 24(2), 25(4)(5)); S.I. 1996/2974, **art.2**
- F5** Words in s. 1(4) substituted (1.1.1997) by 1996 c. 47, s. 5(1), **Sch. 2 para. 6(4)(6)**(with ss. 24(2), 25(4)(5)); S.I. 1996/2974, **art.2**
- F6** Words in s. 1(5) substituted (1.11.1996) by 1996 c. 56, ss. 582(1), 583(2), **Sch. 37 Pt. I para. 67(2)**(with ss. 1(4), 582(3), Sch. 39)

#### Marginal Citations

- M1** 1980 c. 58.

**Changes to legislation:**

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