



# Trusts (Scotland) Act 1921

1921 CHAPTER 58 11 and 12 Geo 5

## 23 Court may remove trustees in certain cases.

In the event of any trustee being or becoming insane or incapable of acting by reason of physical or mental disability or being absent from the United Kingdom continuously for a period of at least six months, or having disappeared for a like period, such trustee, in the case of insanity or incapacity of acting by reason of physical or mental disability, shall, and in the case of continuous absence from the United Kingdom or disappearance for a period of six months or upwards, may, on application in manner in this section provided by any co-trustee or any beneficiary or other person interested in the trust estate, be removed from office upon such evidence as shall satisfy the court to which the application is made of the insanity, incapacity, or continuous absence or disappearance of such trustee. Such application [<sup>F1</sup>may be made either to the Court of Session or to an appropriate sheriff court].

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### Textual Amendments

**F1** Words substituted by [Law Reform \(Miscellaneous Provisions\) \(Scotland\) Act 1980 \(c. 55, SIF 36:3\)](#), s. 13(b)

**Changes to legislation:**

There are currently no known outstanding effects for the Trusts (Scotland) Act 1921, Section 23.