



Trusts (Scotland) Act 1921

1921 CHAPTER 58 11 and 12 Geo 5

26 Powers of court under this Act to be exercised by Lord Ordinary.

Applications to the court under the authority of this Act shall be by petition addressed to the court, and shall be brought in the first instance before one of the Lords Ordinary officiating in the Outer House, who may direct such intimation and service thereof and such investigation or inquiry as he may think fit, and the power of the Lord Ordinary before whom the petition is enrolled may be exercised by the Lord Ordinary on the Bills during vacation, and all such petitions shall, as respects procedure, disposal and review, be subject to the same rules and regulations as are enacted with respect to petitions coming before the Junior Lord Ordinary in virtue of the ^{M1}Court of Session Act, 1857: Provided that, when in the exercise of the powers pertaining to the court of appointing trustees and regulating trusts, it shall be necessary to settle a scheme for the administration of any charitable or other permanent endowment, the Lord Ordinary shall, after preparing such scheme, report to one of the divisions of the court, by whom the same shall be finally adjusted and settled, and in all cases where it shall be necessary to settle any such scheme, intimation shall be made to His Majesty's Advocate, who shall be entitled to appear and intervene for the interests of the charity or any object of the trust or the public interest.

Modifications etc. (not altering text)

C1 S. 26: functions transferred (*temp.* 20.5.1999 - 1.7.1999) by virtue of S.I. 1999/901, arts. 2, 5, Sch.

Marginal Citations

M1 1857 c. 56.

Changes to legislation:

There are currently no known outstanding effects for the Trusts (Scotland) Act 1921, Section 26.