



# Law of Property Act 1922

## 1922 CHAPTER 16

### PART II

#### AMENDMENTS OF THE SETTLED LAND ACTS.

#### **48 As to duration of settlements.**

- (1) Land which has been subject to a settlement shall be deemed for the purposes of the Acts to remain and be settled land, and the settlement shall be deemed to be a subsisting settlement for the purposes of the Acts, so long as' any limitation, charge, or power of charging under the settlement subsists, or is capable of being exercised, or, where under Part I. of this Act any equitable interest or power takes effect as if limited by or arising under that settlement, so long as any such equitable interest or power subsists, or is capable of being exercised, or so long as a person who, if of full age, would be entitled as beneficial owner to have that land vested in him for a legal estate is an infant.
- (2) Subsection (4) of section two of the Settled Land Act, 1882, is hereby repealed.
- (3) Where, by a disentailing assurance, settled land is expressed to be limited (subject or not to any estates, interests, charges or powers thereby expressly created or conferred) to or upon the uses or trusts subsisting with respect thereto immediately before the execution of such disentailing assurance, or any of such uses or trusts, then, for the purposes of the Acts or otherwise, a person entitled to any estate or interest in the settled land under any such "previously subsisting use or trust shall be and be deemed always to have been entitled thereto after the execution of such disentailing assurance as of his former estate or interest.
- (4) Where, by a resettlement of settled land, any estate or interest therein is expressed to be limited to any person (subject or not to any estate, interest, charge or power expressly created or conferred by the resettlement) in restoration or confirmation of his estate or interest under a prior settlement, then, for the purposes of the Acts or otherwise, such person shall be and be deemed always to have been entitled to the estate or interest so restored or confirmed as of his former estate or interest; and in addition to the powers exercisable by him in respect of such former estate or interest, he shall be capable and be deemed always to have been capable of exercising the powers conferred by the

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Acts and the powers (if any) by way of extension and enlargement of the same powers conferred by the resettlement, and any other powers thereby conferred, in the same manner as if his estate or interest under the prior settlement had not been so restored or confirmed, but was an estate or interest subsisting under the resettlement only.