



Law of Property Act 1922

1922 CHAPTER 16

PART III

AMENDMENTS OF THE CONVEYANCING ACTS.

- 83 Amendments of sections 5, 19, 23 and 24 of the Act of 1881, and of the Act of 1882, and of section 8 of the Act of 1911.**
- (1) For removing doubts, it is hereby declared as follows:—
- (i) The expression " the mortgaged property " where first used in clause (ii) of subsection (1) of section nineteen of the Conveyancing Act, 1881, and where used in clause (iii) of the same subsection, and in section twenty-four of the said Act means and shall be deemed always to have meant the property which, or the estate or interest in property which is mortgaged;
 - (ii) The expression " bankruptcy " in the Conveyancing Act, 1882, has and shall be deemed to have always had the same meaning as in the Conveyancing Act, 1881.
- (2) The power for the court under section five of the Conveyancing Act, 1881, to declare land to be freed from an incumbrance shall extend to other land affected by the incumbrance besides the land sold or exchanged; and this power may be exercised, either after or without notice to the incumbrancer, notwithstanding that on a previous occasion the order was confined to the land then sold or exchanged or part thereof; and in that section (as amended) references to sales shall include exchanges.
- (3) The words " effected under the mortgage deed or under this Act " in subsection (3) of section twenty-three of the Conveyancing Act, 1881, are hereby repealed, and the words " of mortgaged property against loss or damage " by fire or otherwise effected under this Act or for the " maintenance of which the mortgagor is liable under the " mortgage deed " are hereby inserted in their place, and are also inserted after the word " insurance " in subsection (4) of section twenty-three aforesaid.
- (4) At the end of subsection (1) of section eight of the Conveyancing Act, 1911, the words " or other the trustees or trustee for the time being of the trust " are hereby inserted and that subsection shall be construed as if those words had always formed part thereof.