



Trustee Act 1925

1925 CHAPTER 19 15 and 16 Geo 5

PART II

GENERAL POWERS OF TRUSTEES AND PERSONAL REPRESENTATIVES

General Powers

12 Power of trustees for sale to sell by auction, &c.

- (1) Where [^{F1}a trustee has a duty or power to sell property], he may sell or concur with any other person in selling all or any part of the property, either subject to prior charges or not, and either together or in lots, by public auction or by private contract, subject to any such conditions respecting title or evidence of title or other matter as the Trustee thinks fit, with power to vary any contract for sale, and to buy in at any auction, or to rescind any contract for sale and to re-sell, without being answerable for any loss.
- (2) A [^{F2}duty] or power to sell or dispose of land includes a [^{F2}duty] or power to sell or dispose of part thereof, whether the division is horizontal, vertical, or made in any other way.
- (3) This section does not enable an express power to sell settled land to be exercised where the power is not vested in the tenant for life or statutory owner.

Textual Amendments

- F1** Words in s. 12(1) substituted (1.1.1997) by 1996 c. 47, s. 25(1), **Sch. 3 para. 3(2)(a)** (with ss. 24(2), 25(4)); S.I. 1996/2974, **art.2**
- F2** Words in s. 12(2) substituted (1.1.1997) by 1996 c. 47, s. 25(1), **Sch. 3 para. 3(2)(b)** (with ss. 24(2), 25(4)); S.I. 1996/2974, **art.2**

Changes to legislation:

There are currently no known outstanding effects for the Trustee Act 1925, Section 12.