



# Law of Property Act 1925

1925 CHAPTER 20 15 and 16 Geo 5

## PART II

CONTRACTS, CONVEYANCES AND OTHER INSTRUMENTS

### *Conveyances and other Instruments*

#### 74 Execution of instruments by or on behalf of corporations.

[<sup>F1</sup>(1) In favour of a purchaser an instrument shall be deemed to have been duly executed by a corporation aggregate if a seal purporting to be the corporation's seal purportsto be affixed to the instrument in the presence of and attested by—

- (a) two members of the board of directors, council or other governing body of the corporation, or
- (b) one such member and the clerk, secretary or other permanent officer of the corporation or his deputy.]

[<sup>F2</sup>(1A) Subsection (1) of this section applies in the case of an instrument purporting to have been executed by a corporation aggregate in the name or on behalf of another person whether or not that person is also a corporation aggregate.]

[<sup>F3</sup>(1B) For the purposes of subsection (1) of this section, a seal purports to be affixed in the presence of and attested by an officer of the corporation, in the case of an officer which is not an individual, if it is affixed in the presence of and attested by an individual authorised by the officer to attest on its behalf.]

(2) The board of directors, council or other governing body of a corporation aggregate may, by resolution or otherwise, appoint an agent either generally or in any particular case, to execute on behalf of the corporation any agreement or other instrument [<sup>F4</sup>which is not a deed] in relation to any matter within the powers of the corporation.

(3) Where a person is authorised under a power of attorney or under any statutory or other power to convey any interest in property in the name or on behalf of a corporation sole or aggregate, he may as attorney execute the conveyance by signing the name of the corporation in the presence of at least one witness [<sup>F5</sup>who attests the signature], <sup>F6</sup> . . .

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*Changes to legislation: Law of Property Act 1925, Section 74 is up to date with all changes known to be in force on or before 24 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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and such execution shall take effect and be valid in like manner as if the corporation had executed the conveyance.

- (4) Where a corporation aggregate is authorised under a power of attorney or under any statutory or other power to convey any interest in property in the name or on behalf of any other person (including another corporation), an officer appointed for that purpose by the board of directors, council or other governing body of the corporation by resolution or otherwise, may execute the [<sup>F7</sup>instrument by signing it] in the name of such other person [<sup>F8</sup>or, if the instrument is to be a deed, by so signing it in the presence of a witness who attests the signature]; and where an instrument appears to be executed by an officer so appointed, then in favour of a purchaser the instrument shall be deemed to have been executed by an officer duly authorised.
- (5) The foregoing provisions of this section apply to transactions wherever effected, but only to deeds and instruments executed after the commencement of this Act, except that, in the case of powers or appointments of an agent or officer, they apply whether the power was conferred or the appointment was made before or after the commencement of this Act or by this Act.
- (6) Notwithstanding anything contained in this section, any mode of execution or attestation authorised by law or by practice or by the statute, charter, [<sup>F9</sup>articles], deed of settlement or other instrument constituting the corporation or regulating the affairs thereof, shall (in addition to the modes authorised by this section) be as effectual as if this section had not been passed.

#### Textual Amendments

- F1** S. 74(1) substituted (15.9.2005) by [The Regulatory Reform \(Execution of Deeds and Documents\) Order 2005 \(S.I. 2005/1906\)](#), arts. 1(1), **3**
- F2** S. 74(1A) inserted (15.9.2005) by [The Regulatory Reform \(Execution of Deeds and Documents\) Order 2005 \(S.I. 2005/1906\)](#), arts. 1(1), **7(1)**
- F3** S. 74(1B) inserted (15.9.2005) by [The Regulatory Reform \(Execution of Deeds and Documents\) Order 2005 \(S.I. 2005/1906\)](#), arts. 1(1), 10(1), **Sch. 1 para. 2**
- F4** Words substituted by [Law of Property \(Miscellaneous Provisions\) Act 1989 \(c. 34, SIF 98:1\)](#), s. 1(8), **Sch. 1 para. 3**
- F5** Words in S. 74(3) inserted (15.9.2005) by [The Regulatory Reform \(Execution of Deeds and Documents\) Order 2005 \(S.I. 2005/1906\)](#), arts. 1(1), 10(1), **Sch. 1 para. 3**
- F6** Words repealed by [Law of Property \(Miscellaneous Provisions\) Act 1989 \(c. 34, SIF 98:1\)](#), s. 4, **Sch. 2**
- F7** Words in s. 74(4) substituted (15.9.2005) by [The Regulatory Reform \(Execution of Deeds and Documents\) Order 2005 \(S.I. 2005/1906\)](#), arts. 1(1), 10(1), **Sch. 1 para. 4(a)**
- F8** Words in s. 74(4) inserted (15.9.2005) by [The Regulatory Reform \(Execution of Deeds and Documents\) Order 2005 \(S.I. 2005/1906\)](#), arts. 1(1), 10(1), **Sch. 1 para. 4(b)**
- F9** Word in s. 74(6) substituted (1.10.2009) by [The Companies Act 2006 \(Consequential Amendments, Transitional Provisions and Savings\) Order \(S.I. 2009/1941\)](#), art. 2(1), {Sch. 1 para. 4} (with art. 10)

#### Modifications etc. (not altering text)

- C1** S. 74(3)(4) modified by [Powers of Attorney Act 1971 \(c. 27\)](#), s. **7(2)**

**Changes to legislation:**

Law of Property Act 1925, Section 74 is up to date with all changes known to be in force on or before 24 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act applied by [2023 asc 3 s. 146\(5\)](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 52(2)(dc)(dd) inserted by [2016 c. 22 Sch. 7 para. 1\(2\)](#)