

**1976 No. 836**
**TRUSTEES**
**The Public Trustee (Custodian Trustee) Rules 1976**

<i>Made</i> - - - -	26th May 1976
<i>Laid before Parliament</i>	7th June 1976
<i>Coming into Operation</i>	1st July 1976

The Lord Chancellor, in exercise of the powers conferred on him by section 14(1) of the Public Trustee Act 1906(a) and with the concurrence of the Treasury, hereby makes the following Rules:—

1.—(1) These Rules may be cited as the Public Trustee (Custodian Trustee) Rules 1976 and shall come into operation on 1st July 1976.

(2) The Interpretation Act 1889(b) shall apply to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament.

2. Rule 30 of the Public Trustee Rules 1912(c), as amended by the Public Trustee (Custodian Trustee) Rules 1975(d), shall be further amended as follows:—

(a) the following sub-paragraph shall be added after paragraph (h) (iv):—

“(v) the Common Council of the City of London”;

(b) the following paragraph shall be added after paragraph (h):—

“(i) any of the following, namely:—

(i) a metropolitan district council or a non-metropolitan county council,

(ii) the corporation of any London borough (acting by the council),

(iii) the Common Council of the City of London,

(iv) the Council of the Isles of Scilly,

but only in relation to any trust under which property devolves for the sole benefit of a person who occupies residential accommodation provided under section 21(1)(a) of the National Assistance Act 1948(e) by the local authority concerned or is in the care of that authority; and a corporation acting as a cus-

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(a) 1906 c. 55.

(b) 1889 c. 63.

(c) S.R. & O. 1912/348 (Rev. XXIII, p. 311; 1912, p. 1231).

(d) S.I. 1975/1189 (1975 II, p. 4093).

(e) 1948 c. 29.

todian trustee by virtue of this paragraph in relation to any trust shall be entitled to continue so to act in relation to that trust until a new custodian trustee is appointed, notwithstanding that the person concerned ceases to occupy such accommodation or to be in the care of that authority, as the case may be.”.

Dated 22nd May 1976.

*Elwyn-Jones, C.*

We concur,  
Dated 26th May 1976.

*T. Pendry,  
David Stoddart,*  
Two of the Lords Commissioners  
of Her Majesty's Treasury.

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#### EXPLANATORY NOTE

*(This Note is not part of the Rules.)*

These Rules, which amend rule 30 of the Public Trustee Rules 1912, as amended by the Public Trustee (Custodian Trustee) Rules 1975, prescribe the classes of local authorities entitled to act as custodian trustees of trusts for the sole benefit of children in their care or persons occupying residential accommodation provided by them under section 21(1)(a) of the National Assistance Act 1948 (persons in need of care and attention).

The Rules also include the Common Council of the City of London in the classes of local authorities entitled under rule 30 to act as custodian trustees of charitable or public trusts affecting their areas.

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