



# Trusts and Succession (Scotland) Act 2024

## 2024 asp 2

### PART 1

### TRUSTS

### CHAPTER 1

#### APPOINTMENT, ASSUMPTION, RESIGNATION, REMOVAL AND DISCHARGE OF TRUSTEES

#### *Appointment or assumption*

PROSPECTIVE

#### **2 Appointment of new trustee by truster**

- (1) Except in so far as the trust deed, expressly or by implication, provides otherwise (or, in a case where there is no trust deed, the context requires or implies otherwise), if no capable trustee exists or is traceable the truster may appoint a new trustee.
- (2) The making of an appointment under [subsection \(1\)](#) removes any existing trustee from the office of trustee.
- (3) [This section](#)—
  - (a) applies irrespective of when the trust was created, but
  - (b) does not apply as respects a public trust.

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#### **Commencement Information**

- 11** S. 2 not in force at Royal Assent, see [s. 88\(3\)](#)

**Status:**

This version of this provision is prospective.

**Changes to legislation:**

There are currently no known outstanding effects for the Trusts and Succession (Scotland) Act 2024, Section 2.