

SCHEDULES

SCHEDULE 1

Section 1.

CONSEQUENTIAL AMENDMENTS RELATING TO DEEDS

The Law of Property Act 1925

- 1 The Law of Property Act 1925 shall be amended as follows.
- 2 In section 52(2)(e) for the words “not required by law to be under seal” there shall be substituted the words “other than those falling within section 115 below”.
- 3 In section 74(2) for the words “not under seal” there shall be substituted the words “which is not a deed”.
- 4 In section 80(1) for the words from “under” to “eighty-one” there shall be substituted the words “made under seal after 31st December 1881 but before the coming into force of section 1 of the Law of Property (Miscellaneous Provisions) Act 1989 or executed as a deed in accordance with that section after its coming into force”.
- 5 The following subsection shall be added at the end of section 81—
 - “(5) In its application to instruments made after the coming into force of section 1 of the Law of Property (Miscellaneous Provisions) Act 1989 subsection (1) above shall have effect as if for the words “under seal, and a bond or obligation under seal,” there were substituted the words “bond or obligation executed as a deed in accordance with section 1 of the Law of Property (Miscellaneous Provisions) Act 1989”.

The Powers of Attorney Act 1971

- 6 In section 1 of the Powers of Attorney Act 1971—
 - (a) in subsection (1), for the words “signed and sealed by, or by direction and in the presence of,” there shall be substituted the words “executed as a deed by”; and
 - (b) subsection (2) shall cease to have effect.
- 7 (1) The following words shall be substituted for the words from the beginning of subsection (1) of section 7 of that Act to the end of paragraph (a)—
 - “7 (1) If the donee of a power of attorney is an individual, he may, if he thinks fit—
 - (a) execute any instrument with his own signature, and”.
 - (2) In subsection (2) of that section—
 - (a) the words “or (4)” shall cease to have effect; and
 - (b) for the words “those subsections” there shall be substituted the words “that subsection”.

Status: This is the original version (as it was originally enacted).

The Solicitors Act 1974

- 8 In section 22(3)(b) of the Solicitors Act 1974 for the words “under seal” these shall be substituted the words “intended to be executed as a deed”.