



## 2001 CHAPTER 14

### PART I

#### THE DUTY OF CARE

##### **The duty of care**

1.—(1) Whenever the duty under this subsection applies to a trustee, he must exercise such care and skill as is reasonable in the circumstances, having regard in particular—

- (a) to any special knowledge or experience that he has or holds himself out as having, and
- (b) if he acts as trustee in the course of a business or profession, to any special knowledge or experience that it is reasonable to expect of a person acting in the course of that kind of business or profession.

(2) In this Act the duty under subsection (1) is called “the duty of care”.

##### **Application of duty of care**

2. Schedule 1 makes provision about when the duty of care applies to a trustee.