

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Law of Property (Miscellaneous Provisions) Act 1989. (See end of Document for details)

SCHEDULES

SCHEDULE 1

Section 1.

CONSEQUENTIAL AMENDMENTS RELATING TO DEEDS

The Law of Property Act 1925

1 The ^{M1}Law of Property Act 1925 shall be amended as follows.

Marginal Citations

M1 1925 c. 20.

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 ^{M2}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.

Marginal Citations

M2 1971 c. 27.

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- 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 ”.

The Solicitors Act 1974

- 8 In section 22(3)(b) of the ^{M3}Solicitors Act 1974 for the words “under seal” these shall be substituted the words “ intended to be executed as a deed ”.

Marginal Citations

M3 1974 c. 47.

SCHEDULE 2

Section 4.

REPEALS

Chapter .	Short Title	Extent
15 & 16 Geo. 5 c. 20.	The Law of Property Act 1925.	Section 40. Section 73. In section 74(3), the words “and in the case of a deed by affixing his own seal,”.
1971 c. 27.	The Powers of Attorney Act 1971.	Section 1(2). In section 7, subsection (1), the words “and seal” and in subsection (2), the words “or (4)”.

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