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*Changes to legislation:* There are currently no known outstanding effects for the Trusts of Land and Appointment of Trustees Act 1996, Cross Heading: Intestacy. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 2

#### AMENDMENTS OF STATUTORY PROVISIONS IMPOSING TRUST FOR SALE

##### *Intestacy*

- 5 (1) Section 33 of the <sup>M1</sup>Administration of Estates Act 1925 (implied trust for sale on intestacy) is amended as follows.
- (2) For subsection (1) substitute—
- “(1) On the death of a person intestate as to any real or personal estate, that estate shall be held in trust by his personal representatives with the power to sell it.”
- (3) In subsection (2), for the words from the beginning to “pay all” substitute—
- “(2) The personal representatives shall pay out of—
- (a) the ready money of the deceased (so far as not disposed of by his will, if any); and
- (b) any net money arising from disposing of any other part of his estate (after payment of costs),
- all”.
- (4) In subsection (4), for the words from “including” to “retained” substitute “ and any part of the estate of the deceased which remains ”.
- (5) The amendments made by this paragraph apply whether the death occurs before or after the commencement of this Act.

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#### **Marginal Citations**

**M1** 1925 c. 23.

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