



Perpetuities and Accumulations Act 2009

2009 CHAPTER 18

General

17 The Crown

- (1) This Act does not extend the application of the rule against perpetuities in relation to the Crown.
- (2) Subject to that, this Act binds the Crown.

18 Rule as to duration not affected

This Act does not affect the rule of law which limits the duration of non-charitable purpose trusts.

19 Provision made otherwise than by instrument

If provision is made in relation to property otherwise than by an instrument, this Act applies as if the provision were contained in an instrument taking effect on the making of the provision.

20 Interpretation

- (1) For the purposes of this Act this section contains provisions relating to the interpretation of these expressions—
 - (a) power of appointment, general power of appointment and special power of appointment;
 - (b) relevant pension scheme;
 - (c) taking effect (in relation to a will);
 - (d) will.
- (2) A power of appointment includes—
 - (a) a discretionary power to create a beneficial interest in property without the provision of valuable consideration;

- (b) a discretionary power to transfer a beneficial interest in property without the provision of valuable consideration.
- (3) Section 11 applies to interpret references to a general or special power of appointment.
- (4) Each of these is a relevant pension scheme—
 - (a) an occupational pension scheme;
 - (b) a personal pension scheme;
 - (c) a public service pension scheme.
- (5) The expressions in subsection (4)(a) to (c) have the meanings given by sections 1 and 181(1) of the [Pension Schemes Act 1993 \(c. 48\)](#).
- (6) An instrument which is a will takes effect at the testator's death.
- (7) A reference to a will includes a reference to a codicil.

21 Repeals

The enactments mentioned in the Schedule are repealed to the extent specified, but subject to the provision at the end of the Schedule.

22 Commencement

- (1) This section and sections 23 and 24 come into force on the day on which this Act is passed.
- (2) The other provisions of this Act come into force on such day as the Lord Chancellor may appoint by order made by statutory instrument.

23 Extent

This Act extends to England and Wales only.

24 Short title

This Act may be cited as the Perpetuities and Accumulations Act 2009.