



Trusts (Scotland) Act 1921

1921 CHAPTER 58 11 and 12 Geo 5

[^{F1}29A Errors in distribution: circumstances in which trustee not personally liable

- (1) A trustee is not personally liable for any error in the distribution of any property, or the income of property, vested in the person as trustee if—
 - (a) the error was caused by the trustee not knowing (either or both)—
 - (i) of the existence, or non-existence, of a person,
 - (ii) of a person's relationship, or lack of relationship, to another person,and
 - (b) the distribution takes place—
 - (i) in good faith and after such enquiries as any reasonable and prudent trustee would have made in the circumstances of the case, or
 - (ii) in accordance with an order of the court.
- (2) Subsection (1) does not affect any right which a person entitled to the property or income concerned has to recover it from another person.
- (3) Subsection (2) is without prejudice to section 24 of the Succession (Scotland) Act 2016.
- (4) This section applies only in relation to a distribution which takes place on or after the day on which section 23 of the Succession (Scotland) Act 2016 comes into force.]

Textual Amendments

F1 S. 29A inserted (1.11.2016) by [Succession \(Scotland\) Act 2016 \(asp 7\)](#), **ss. 23, 31(2)**; [S.S.I. 2016/210](#), [reg. 2\(1\)\(b\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Trusts (Scotland) Act 1921, Section 29A.