



# Settled Land Act 1925

1925 CHAPTER 18 15 and 16 Geo 5

## PART VI

### GENERAL PROVISIONS AS TO TRUSTEES

#### **102 Management of land during minority or pending contingency.**

- (1) If and as long as any person who is entitled to a beneficial interest in possession affecting land is an infant, the trustees appointed for this purpose by the settlement, or if there are none so appointed, then the trustees of the settlement, unless the settlement or the order of the court whereby they or their predecessors in office were appointed to be such trustees expressly provides to the contrary, or if there are none, then any persons appointed as trustees for this purpose by the court on the application of a guardian or next friend of the infant, may enter into and continue in possession of the land on behalf of the infant, and in every such case the subsequent provisions of this section shall apply.
- (2) The trustees shall manage or superintend the management of the land, with full power—
  - (a) to fell timber or cut underwood from time to time in the usual course for sale, or for repairs or otherwise; and
  - (b) to erect, pull down, rebuild, and repair houses, and other buildings and erections; and
  - (c) to continue the working of mines, minerals, and quarries which have usually been worked; and
  - (d) to drain or otherwise improve the land or any part thereof; and
  - [<sup>F1</sup>(e) to insure against risks of loss or damage due to any event under section 19 of the Trustee Act 1925;]
  - (f) to make allowances to and arrangements with tenants and others; and
  - (g) to determine tenancies, and to accept surrenders of leases and tenancies; and
  - (h) generally to deal with the land in a proper and due course of management;

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*Changes to legislation: There are currently no known outstanding effects for the Settled Land Act 1925, Section 102. (See end of Document for details)*

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but so that, where the infant is impeachable for waste, the trustees shall not commit waste, and shall cut timber on the same terms only, and subject to the same restrictions, on and subject to which the infant could, if of full age, cut the same.

- (3) The trustees may from time to time, out of the income of the land, including the produce of the sale of timber and underwood, pay the expenses incurred in the management, or in the exercise of any power conferred by this section, or otherwise in relation to the land, and all outgoings not payable by any tenant or other person, and shall keep down any annual sum, and the interest of any principal sum, charged on the land.
- (4) This section has effect subject to an express appointment by the settlement, or the court, of trustees for the purposes of this section or of any enactment replaced by this section.
- (5) Where any person is contingently entitled to land, this section shall, subject to any prior interests or charges affecting that land, apply until his interest vests, or, if his interest vests during his minority, until he attains the age of [<sup>F2</sup>eighteen years].

This subsection applies only where a person becomes contingently entitled under an instrument coming into operation after the commencement of this Act.

- (6) This section applies only if and as far as a contrary intention is not expressed in the instrument, if any, under which the interest of the infant or person contingently entitled as aforesaid arises, and has effect subject to the terms of that instrument and to the provisions therein contained.

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**Textual Amendments**

- F1** S. 102(2)(e) substituted (1.2.2001) by 2000 c. 29, s. 40(1), **Sch. 2 Pt. II para. 15** (with s. 35); S.I. 2001/49, **art. 2**
- F2** Words substituted by Family Law Reform Act 1969 (c. 46), s. 1(3), **Sch. 1 Pt. I**

**Changes to legislation:**

There are currently no known outstanding effects for the Settled Land Act 1925, Section 102.