



Settled Land Act 1925

1925 CHAPTER 18

PART I

GENERAL PRELIMINARY PROVISIONS.

Settlements and Settled Land.

9 Procedure in the case of settlements and of instruments deemed to be trust instruments.

- (1) Each of the following settlements or instruments shall for the purposes of this Act be deemed to be a trust instrument, and any reference to a trust instrument contained in this Act shall apply thereto, namely:—
- (i) An instrument executed, or, in case of a will, coming onto operation, after the commencement of this Act which by virtue of this Act is deemed to be a settlement;
 - (ii) A settlement which by virtue of this Act is deemed to have been made by any person after the commencement of this Act;
 - (iii) An instrument inter vivos intended to create a settlement of a legal estate in land which is executed after the commencement of this Act, and does not comply with the requirements of this Act with respect to the method of effecting such a settlement; and
 - (iv) A settlement made after the commencement of this Act (including a settlement by the will of a person who dies after such commencement) " of any of the following interests—
 - (a) an equitable interest in land which is capable, when in possession, of subsisting at law; or
 - (b) an entailed interest; or
 - (c) a base or determinable fee or any corresponding interest in leasehold land,but only if and when the interest settled takes effect free from all equitable interests and powers under every prior settlement (if any).

Status: This is the original version (as it was originally enacted).

- (2) As soon as practicable after a settlement, or an instrument which for the purposes of this Act is deemed to be a trust instrument, takes effect as such, the trustees of the settlement may, and on the request of the tenant for life or statutory owner shall, execute a principal vesting deed, containing the proper statements and particulars, declaring that the legal estate in the settled land shall vest or is vested in the person or persons therein named, being the tenant for life or statutory owner, and including themselves if they are the statutory owners, and such deed shall, unless the legal estate is already so vested, operate to convey or vest the legal estate in the settled land to or in the person or persons aforesaid and, if more than one, as joint tenants.
- (3) If there are no trustees of the settlement, then (in default of a person able and willing to appoint such trustees) an application under this Act shall be made to the court for the appointment of such trustees.
- (4) The provisions of the last preceding section with reference to a conveyance shall apply, so far as they are applicable, to a principal vesting deed under this section.