Trustee Act 1925

1925 CHAPTER 19 15 and 16 Geo 5

PART IV

POWERS OF THE COURT

Jurisdiction to make other Orders

59 Power to give judgment in absence of a trustee.

Where in any action the court is satisfied that diligent search has been made for any person who, in the character of trustee, is made a defendant in any action, to serve him with a process of the court, and that he cannot be found, the court may hear and determine the action and give judgment therein against that person in his character of a trustee as if he had been duly served, or had entered an appearance in the action, and had also appeared by his counsel and solicitor at the hearing, but without prejudice to any interest he may have in the matters in question in the action in any other character.

Modifications etc. (not altering text)

C1 S. 59 amended (1.1.1992) by S.I. 1991/2684, arts. 1, 2(1), 4, **Sch. 1**

C2 S. 59 applied (with modifications) (23.12.2011) by The Legal Services Act 2007 (Designation as a Licensing Authority) (No. 2) Order 2011 (S.I. 2011/2866), art. 1(2), **Sch. 2**

Changes to legislation:
There are currently no known outstanding effects for the Trustee Act 1925, Section 59.