



Law of Property Act 1925

CHAPTER 20

LAW OF PROPERTY ACT 1925

PART I

GENERAL PRINCIPLES AS TO LEGAL ESTATES, EQUITABLE INTERESTS AND POWERS

- 1 Legal estates and equitable interests.
- 2 Conveyances overreaching certain equitable interests and powers.
- 3 Manner of giving effect to equitable interests and powers.
- 4 Creation and disposition of equitable interests.
- 5 Satisfied terms, whether created out of freehold or leasehold land to cease.
- 6 Saving of lessors' and lessees' covenants.
- 7 Saving of certain legal estates and statutory powers.
- 8 Saving of certain legal powers to lease.
- 9 Vesting orders and dispositions of legal estates operating as conveyances by an estate owner.
- 10 Title to be shown to legal estates.
- 11 Registration in Middlesex and Yorkshire as respects legal estates.
- 12 Limitation and Prescription Acts.
- 13 Effect of possession of documents.
- 14 Interests of persons in possession.
- 15 Presumption that parties are of full age.

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Infants and Lunatics

- 19 Effect of conveyances of legal estates to infants.

Status: Point in time view as at 01/07/1996.

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- 20 Infants not to be appointed trustees.
- 21 Receipts by married infants.
- 22 Conveyances on behalf of persons suffering from mental disorder and as to land held by them on trust for sale.

Dispositions on Trust for Sale

- 23 Duration of trusts for sale.

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- 24 Appointment of trustees of dispositions on trust for sale.
- 25 Power to postpone sale.
- 26 Consents to the execution of a trust for sale.
- 27 Purchaser not to be concerned with the trusts of the proceeds of sale which are to be paid to two or more trustees or to a trust corporation.
- 28 Powers of management, &c. conferred on trustees for sale.
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- 31 Trust for sale of mortgaged property where right of redemption is barred.
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- 42 Provisions as to contracts.
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- 44 Statutory commencements of title.
- 45 Other statutory conditions of sale.
- 46 Forms of contracts and conditions of sale.
- 47 Application of insurance money on completion of a sale or exchange.
- 48 Stipulations preventing a purchaser, lessee, or underlessee from employing his own solicitor to be void.
- 49 Applications to the court by vendor and purchaser.
- 50 Discharge of incumbrances by the court on sales or exchanges.

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Conveyances and other Instruments

- 51 Lands lie in grant only.
- 52 Conveyances to be by deed.
- 53 Instruments required to be in writing.
- 54 Creation of interests in land by parol.
- 55 Savings in regard to last two sections.
- 56 Persons taking who are not parties and as to indentures.
- 57 Description of deeds.
- 58 Provisions as to supplemental instruments.
- 59 Conditions and certain covenants not implied.
- 60 Abolition of technicalities in regard to conveyances and deeds.
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- 62 General words implied in conveyances.
- 63 All estate clause implied.
- 64 Production and safe custody of documents.
- 65 Reservation of legal estates.
- 66 Confirmation of past transactions.
- 67 Receipt in deed sufficient.
- 68 Receipt in deed or indorsed evidence.
- 69 Receipt in deed or indorsed authority for payment to solicitor.
- 70 Partial release of security from rentcharge.
- 71 Release of part of land affected from a judgment.
- 72 Conveyances by a person to himself, &c.
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- 74 Execution of instruments by or on behalf of corporations.
- 74A Execution of instrument as a deed
- 75 Rights of purchaser as to execution.

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- 76 Covenants for title.
- 77 Implied covenants in conveyances subject to rents.
- 78 Benefit of covenants relating to land.
- 79 Burden of covenants relating to land.
- 80 Covenants binding land.
- 81 Effect of covenant with two or more jointly.
- 82 Covenants and agreements entered into by a person with himself and another or others.
- 83 Construction of implied covenants.
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- 85 Mode of mortgaging freeholds.
- 86 Mode of mortgaging leaseholds.
- 87 Charges by way of legal mortgage.
- 88 Realisation of freehold mortgages.
- 89 Realisation of leasehold mortgages.
- 90 Realisation of equitable charges by the court.
- 91 Sale of mortgaged property in action for redemption or foreclosure.

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- 92 Power to authorise land and minerals to be dealt with separately.
- 93 Restriction on consolidation of mortgages.
- 94 Tacking and further advances.
- 95 Obligation to transfer instead of re-conveying, and as to right to take possession.
- 96 Regulations respecting inspection, production and delivery of documents, and priorities.
- 97 Priorities as between puisne mortgages.
- 98 Actions for possession by mortgagors.
- 99 Leasing powers of mortgagor and mortgagee in possession.
- 100 Powers of mortgagor and mortgagee in possession to accept surrenders of leases.
- 101 Powers incident to estate or interest of mortgagee.
- 102 Provision as to mortgages of undivided shares in land.
- 103 Regulation of exercise of power of sale.
- 104 Conveyance on sale.
- 105 Application of proceeds of sale.
- 106 Provisions as to exercise of power of sale.
- 107 Mortgagee's receipts, discharges, &c.
- 108 Amount and application of insurance money.
- 109 Appointment, powers, remuneration and duties of receiver.
- 110 Effect of bankruptcy of the mortgagor on the power to sell or appoint a receiver.
- 111 Effect of advance on joint account.
- 112 Notice of trusts on transfer of mortgage.
- 113 Notice of trusts affecting mortgage debts.
- 114 Transfers of mortgages.
- 115 Reconveyances of mortgages by endorsed receipts.
- 116 Cesser of mortgage terms.
- 117 Forms of statutory legal charges.
- 118 Forms of statutory transfers of legal charges.
- 119 Implied covenants, joint and several.
- 120 Form of discharge of statutory mortgage or charge.

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- 134 Restriction on executory limitations.
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- 140 Apportionment of conditions on severance.
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- 142 Obligation of lessor's covenants to run with reversion.
- 143 Effect of licences granted to lessees.
- 144 No fine to be exacted for licence to assign.
- 145 Lessee to give notice of ejection to lessor.
- 146 Restrictions on and relief against forfeiture of leases and underleases.
- 147 Relief against notice to effect decorative repairs.
- 148 Waiver of a covenant in a lease.
- 149 Abolition of *interesse termini*, and as to reversionary leases and leases for lives.
- 150 Surrender of a lease, without prejudice to underleases with a view to the grant of a new lease.
- 151 Provision as to attornments by tenants.
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- 153 Enlargement of residue of long terms into fee simple estates.
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- 159 Execution of powers not testamentary.
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186 Rights of pre-emption capable of release.
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- 193 Rights of the public over commons and waste lands.
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Judgments, &c. affecting Land

195 Equitable charges in right of judgment debt, &c.

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196 Regulations respecting notices.
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204 Orders of court conclusive.
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209 Short title, commencement, and extent.

Law of Property Act 1925

FIRST SCHEDULE — Transitional Provisions

Part I — CONVERSION OF CERTAIN EXISTING LEGAL ESTATES INTO
EQUITABLE INTERESTS

Part II — VESTING OF LEGAL ESTATES

1 Where the purposes of a term of years, created or...
2 Where immediately after the commencement of this Act any owner...
3 Where immediately after the commencement of this Act any person...
4 Any person who, immediately after the commencement of this Act,...
5 For the purposes of this Part of this Schedule, a...
6 Under the provisions of this Part of this Schedule, the...
7 Nothing in this Part of this Schedule shall operate—
8 Any legal estate acquired by virtue of this Part of...
9 No stamp duty shall become payable by reason only of...
Part III — PROVISIONS AS TO LEGAL ESTATE VESTED IN INFANT
1 Where immediately before the commencement of this Act a legal...
2 Where immediately before the commencement of this Act a legal...
3 Where, immediately before the commencement of this Act, a legal...
3A The county court has jurisdiction under proviso (iii) to paragraph...
4 Where, immediately before the commencement of this Act, a legal...
5 This Part of this Schedule does not affect the estate...

Part IV — PROVISIONS SUBJECTING LAND HELD IN UNDIVIDED SHARES TO
A TRUST FOR SALE

1 Where, immediately before the commencement of this Act, land is...
2 Where undivided shares in land, created before the commencement of...
3 This Part of this Schedule shall not save as hereinafter...
4 Where, immediately before the commencement of this Act, there are...

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Part V — PROVISIONS AS TO PARTY STRUCTURES AND OPEN SPACES

- 1 Where, immediately before the commencement of this Act, a party...
- 2 Where, immediately before the commencement of this Act, an open...
- 3 Any person interested may apply to the court for an...

Part VI — CONVERSION OF TENANCIES BY ENTIRETIES INTO JOINT TENANCIES

Part VII — CONVERSION OF EXISTING FREEHOLD MORTGAGES INTO MORTGAGES BY DEMISE

- 1 All land, which immediately before the commencement of this Act,...
- 2 All land, which immediately before the commencement of this Act,...
- 3 The estate in fee simple which, immediately before the commencement...
- 4 If a sub-mortgage by conveyance of the fee simple is...
- 5 This Part of this Schedule applies to land enfranchised by...
- 6 A mortgage affecting a legal estate made before the commencement...
- 7 Nothing in this Part of this Schedule shall affect priorities...
- 8 This Part of this Schedule does not apply unless a...

Part VIII — CONVERSION OF EXISTING LEASEHOLD MORTGAGES INTO MORTGAGES BY SUBDEMISE

- 1 All leasehold land, which immediately before the commencement of this...
- 2 All leasehold land, which immediately before the commencement of this...
- 3 The term of years absolute which was assigned by any...
- 4 If a sub-mortgage by assignment of a term is subsisting...
- 5 A mortgage affecting a legal estate made before the commencement...
- 6 This Part of this Schedule applies to perpetually renewable leaseholds,...
- 7 This Part of this Schedule applies (save where expressly excepted)...
- 8 Nothing in this Part of this Schedule shall affect priorities...

SECOND — Implied Covenants
SCHEDULE

- Part I
- Part II
- Part III
- Part IV
- Part V
- Part VI

Part VII — COVENANT IMPLIED IN A CONVEYANCE FOR VALUABLE CONSIDERATION, OTHER THAN A MORTGAGE, OF THE ENTIRETY OF LAND AFFECTED BY A RENTCHARGE

Part VIII — COVENANTS IMPLIED IN A CONVEYANCE FOR VALUABLE CONSIDERATION, OTHER THAN A MORTGAGE, OR PART OF LAND AFFECTED BY A RENTCHARGE, SUBJECT TO A PART (NOT LEGALLY APPORTIONED) OF THAT RENTCHARGE

Part IX — COVENANT IN A CONVEYANCE FOR VALUABLE CONSIDERATION, OTHER THAN A MORTGAGE, OF THE ENTIRETY OF THE LAND COMPRISED IN A LEASE FOR THE RESIDUE OF THE TERM OR INTEREST CREATED BY THE LEASE

Part X — COVENANTS IMPLIED IN A CONVEYANCE FOR VALUABLE CONSIDERATION, OTHER THAN A MORTGAGE, OR PART OF THE LAND COMPRISED IN A LEASE, FOR THE RESIDUE OF THE TERM

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OR INTEREST CREATED BY THE LEASE, SUBJECT TO A PART (NOT
LEGALLY APPORTIONED) OF THAT RENT

THIRD SCHEDULE — Forms of Transfer and Discharge of Mortgages

FOURTH SCHEDULE — Forms relating to Statutory Charges or Mortgages of Freehold or
Leasehold Land

FIFTH SCHEDULE — Forms of Instruments

SIXTH SCHEDULE — Epitomes of Abstracts of Title

SEVENTH —
SCHEDULE

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