



Law of Property Act 1925

1925 CHAPTER 20 15 and 16 Geo 5

PART VII

PERPETUITIES AND ACCUMULATIONS

Perpetuities

161 Abolition of the double possibility rule.

- (1) The rule of law prohibiting the limitation, after a life interest to an unborn person, of an interest in land to the unborn child or other issue of an unborn person is hereby abolished, but without prejudice to any other rule relating to perpetuities.
- (2) This section only applies to limitations or trusts created by an instrument coming into operation after the commencement of this Act.

162 Restrictions on the perpetuity rule.

- (1) For removing doubts, it is hereby declared that the rule of law relating to perpetuities does not apply and shall be deemed never to have applied—
 - (a) To any power to distrain on or to take possession of land or the income thereof given by way of indemnity against a rent, whether charged upon or payable in respect of any part of that land or not; or
 - (b) To any rentcharge created only as an indemnity against another rentcharge, although the indemnity rentcharge may only arise or become payable on breach of a condition or stipulation; or
 - (c) To any power, whether exercisable on breach of a condition or stipulation or not, to retain or withhold payment of any instalment of a rentcharge as an indemnity against another rentcharge; or
 - (d) To any grant, exception, or reservation of any right of entry on, or user of, the surface of land or of any easements, rights, or privileges over or under land for the purpose of—

Status: Point in time view as at 01/02/1991.

Changes to legislation: Law of Property Act 1925, Cross Heading: Perpetuities is up to date with all changes known to be in force on or before 13 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (i) winning, working, inspecting, measuring, converting, manufacturing, carrying away, and disposing of mines and minerals;
- (ii) inspecting, grubbing up, felling and carrying away timber and other trees, and the tops and lops thereof;
- (iii) executing repairs, alterations, or additions to any adjoining land, or the buildings and erections thereon;
- (iv) constructing, laying down, altering, repairing, renewing, cleansing, and maintaining sewers, watercourses, cesspools, gutters, drains, water-pipes, gas-pipes, electric wires or cables or other like works.

(2) This section applies to instruments coming into operation before or after the commencement of this Act.

163 F1

<p>.....</p> <p>Textual Amendments</p> <p>F1 S. 163 repealed by Perpetuities and Accumulations Act 1964 (c. 55), s. 4(6)</p>

Status:

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