



# Law of Property Act 1925

## 1925 CHAPTER 20 15 and 16 Geo 5

### PART II

#### CONTRACTS, CONVEYANCES AND OTHER INSTRUMENTS

##### *Conveyances and other Instruments*

#### 74 Execution of instruments by or on behalf of corporations.

- (1) In favour of a purchaser a deed shall be deemed to have been duly executed by a corporation aggregate if its seal be affixed thereto in the presence of and attested by its clerk, secretary or other permanent officer or his deputy, and a member of the board of directors, council or other governing body of the corporation, and where a seal purporting to be the seal of a corporation has been affixed to a deed, attested by persons purporting to be persons holding such offices as aforesaid, the deed shall be deemed to have been executed in accordance with the requirements of this section, and to have taken effect accordingly.
- (2) The board of directors, council or other governing body of a corporation aggregate may, by resolution or otherwise, appoint an agent either generally or in any particular case, to execute on behalf of the corporation any agreement or other instrument [<sup>F1</sup>which is not a deed] in relation to any matter within the powers of the corporation.
- (3) Where a person is authorised under a power of attorney or under any statutory or other power to convey any interest in property in the name or on behalf of a corporation sole or aggregate, he may as attorney execute the conveyance by signing the name of the corporation in the presence of at least one witness, . . . <sup>F2</sup>and such execution shall take effect and be valid in like manner as if the corporation had executed the conveyance.
- (4) Where a corporation aggregate is authorised under a power of attorney or under any statutory or other power to convey any interest in property in the name or on behalf of any other person (including another corporation), an officer appointed for that purpose by the board of directors, council or other governing body of the corporation by resolution or otherwise, may execute the deed or other instrument in the name of such other person; and where an instrument appears to be executed by an officer so

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*Status: Point in time view as at 25/07/1991. This version of this provision has been superseded.*

*Changes to legislation: Law of Property Act 1925, Section 74 is up to date with all changes known to be in force on or before 11 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)*

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appointed, then in favour of a purchaser the instrument shall be deemed to have been executed by an officer duly authorised.

- (5) The foregoing provisions of this section apply to transactions wherever effected, but only to deeds and instruments executed after the commencement of this Act, except that, in the case of powers or appointments of an agent or officer, they apply whether the power was conferred or the appointment was made before or after the commencement of this Act or by this Act.
- (6) Notwithstanding anything contained in this section, any mode of execution or attestation authorised by law or by practice or by the statute, charter, memorandum or articles, deed of settlement or other instrument constituting the corporation or regulating the affairs thereof, shall (in addition to the modes authorised by this section) be as effectual as if this section had not been passed.

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**Textual Amendments**

**F1** Words substituted by [Law of Property \(Miscellaneous Provisions\) Act 1989 \(c. 34, SIF 98:1\), s. 1\(8\)](#),

[Sch. 1 para. 3](#)

**F2** Words repealed by [Law of Property \(Miscellaneous Provisions\) Act 1989 \(c. 34, SIF 98:1\), s. 4, Sch. 2](#)

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**Modifications etc. (not altering text)**

**C1** [S. 74\(3\)\(4\)](#) modified by [Powers of Attorney Act 1971 \(c. 27\), s. 7\(2\)](#)

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