



Law of Property Act 1925

1925 CHAPTER 20 15 and 16 Geo 5

PART I

GENERAL PRINCIPLES AS TO LEGAL ESTATES, EQUITABLE INTERESTS AND POWERS

Transitional Provisions

39 Transitional provisions in First Schedule.

For the purpose of effecting the transition from the law existing prior to the commencement of the ^{M1}Law of Property Act, 1922, to the law enacted by that Act (as amended), the provisions set out in the First Schedule to this Act shall have effect—

- (1) for converting existing legal estates, interests and charges not capable under the said Act of taking effect as legal interests into equitable interests;
- (2) for discharging, getting in or vesting outstanding legal estates;
- (3) for making provision with respect to legal estates vested in infants;
- (4) for subjecting land held in undivided shares to [^{F1}trusts];
- (5) for dealing with party structures and open spaces held in common;
- (6) ^{F2}.....
- (7) for converting existing freehold mortgages into mortgages by demise;
- (8) for converting existing leasehold mortgages into mortgages by sub-demise.

Textual Amendments

- F1** Word in s. 39(4) substituted (1.1.1997) by 1996 c. 47, s. 25(1), **Sch. 3 para. 4(10)** (with ss. 24(2), 25(4)); S.I. 1996/2974, **art.2**
- F2** S. 39(6) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), **Sch. 1 Pt. 12**

Changes to legislation: Law of Property Act 1925, Section 39 is up to date with all changes known to be in force on or before 05 April 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) [View outstanding changes](#)

Marginal Citations

M1 1922 c. 16.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied by [2023 asc 3 s. 146\(5\)](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 52(2)(dc)(dd) inserted by [2016 c. 22 Sch. 7 para. 1\(2\)](#)