



# Trusts and Succession (Scotland) Act 2024

## 2024 asp 2

### PART 1 **S**

#### TRUSTS

### CHAPTER 1 **S**

#### APPOINTMENT, ASSUMPTION, RESIGNATION, REMOVAL AND DISCHARGE OF TRUSTEES

##### *Appointment or assumption*

PROSPECTIVE

### **3** Assumption of additional trustee **S**

- (1) Except in so far as the trust deed, expressly or by implication, provides otherwise (or, in a case where there is no trust deed, the context requires or implies otherwise), the trustees may assume an additional trustee.
- (2) [Subsection \(3\)](#) applies where—
  - (a) a protector has been appointed in respect of the trust,
  - (b) there has been conferred on the protector, by virtue of [paragraph \(b\)](#) of [section 53\(3\)](#), the power to direct the assumption of an additional trustee, and
  - (c) the protector gives such a direction.
- (3) An additional trustee must, without delay, be assumed by the other trustees.
- (4) [This section](#) applies irrespective of when the trust was created.

#### Commencement Information

- II** S. 3 not in force at Royal Assent, see [s. 88\(3\)](#)

**Status:**

This version of this provision is prospective.

**Changes to legislation:**

There are currently no known outstanding effects for the Trusts and Succession (Scotland) Act 2024, Section 3.