

SCHEDULES

SCHEDULE 3

MINOR AND CONSEQUENTIAL AMENDMENTS

The Land Registration Act 1925 (c. 21)

- 5 (1) The Land Registration Act 1925 is amended as follows.
- (2) In section 3(xv)(a)—
- (a) for the words “held on trust for sale” substitute “subject to a trust of land”, and
 - (b) for the words “trustees for sale” substitute “trustees”.
- (3) In section 4, for the words “trustee for sale” substitute “trustee of land”.
- (4) In section 8(1), for the words “trustee for sale” substitute “trustee of land”.
- (5) In section 49—
- (a) in subsection (1)(d)—
 - (i) for the words “the proceeds of sale of land held on trust for sale” substitute “land subject to a trust of land”, and
 - (ii) for the words “disposition on trust for sale or of the” substitute “trust or”,
 - (b) in subsection (2), for the words “trust for sale” substitute “trust of land”,
 - (c) in the proviso to that subsection, for the words “a disposition on trust for sale or” substitute “land, or trustees of”, and
 - (d) in subsection (3), for the words “on trust for sale” substitute “subject to a trust of land”.
- (6) In section 78(4), at the end insert “registered at the commencement of this Act”.
- (7) In section 83, in paragraph (b) of the proviso to subsection (11), for the words “held on trust for sale” substitute “subject to a trust of land”.
- (8) In section 94—
- (a) for subsection (1) substitute—

“(1) Where registered land is subject to a trust of land, the land shall be registered in the names of the trustees.”,
 - (b) in subsection (3), for the words “trust for sale, the trustees for sale” substitute “trust of land, the trustees”,
 - (c) after that subsection insert—

“(4) There shall also be entered on the register such restrictions as may be prescribed, or may be expedient, for the protection of the rights of the persons beneficially interested in the land.

Status: This is the original version (as it was originally enacted).

- (5) Where a deed has been executed under section 16(4) of the Trusts of Land and Appointment of Trustees Act 1996 by trustees of land the registrar is entitled to assume that, as from the date of the deed, the land to which the deed relates is not subject to the trust unless he has actual notice that the trustees were mistaken in their belief that the land was conveyed to beneficiaries absolutely entitled to the land under the trust and of full age and capacity.”, and
- (d) in accordance with the amendments made by paragraphs (a) to (c), in the sidenote, for the words “on trust for sale” substitute “in trust”.
- (9) In section 95, for the words “on trust for sale” substitute “subject to a trust of land”.
- (10) In paragraph (b) of the proviso to section 103(1)—
- (a) for the words “on trust for sale” substitute “subject to a trust of land”, and
- (b) for the words “the execution of the trust for sale” substitute “a sale of the land by the trustees”.
- (11) In section 111(1), for the words “trustees for sale” substitute “trustees of land”.