



# Trusts of Land and Appointment of Trustees Act 1996

## 1996 CHAPTER 47

### PART I

#### TRUSTS OF LAND

##### *Purchaser protection*

#### 16 Protection of purchasers

- (1) A purchaser of land which is or has been subject to a trust need not be concerned to see that any requirement imposed on the trustees by section 6(5), 7(3) or 11(1) has been complied with.
- (2) Where—
  - (a) trustees of land who convey land which (immediately before it is conveyed) is subject to the trust contravene section 6(6) or (8), but
  - (b) the purchaser of the land from the trustees has no actual notice of the contravention,the contravention does not invalidate the conveyance.
- (3) Where the powers of trustees of land are limited by virtue of section 8—
  - (a) the trustees shall take all reasonable steps to bring the limitation to the notice of any purchaser of the land from them, but
  - (b) the limitation does not invalidate any conveyance by the trustees to a purchaser who has no actual notice of the limitation.
- (4) Where trustees of land convey land which (immediately before it is conveyed) is subject to the trust to persons believed by them to be beneficiaries absolutely entitled to the land under the trust and of full age and capacity—
  - (a) the trustees shall execute a deed declaring that they are discharged from the trust in relation to that land, and

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*Status: This is the original version (as it was originally enacted).*

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- (b) if they fail to do so, the court may make an order requiring them to do so.
- (5) A purchaser of land to which a deed under subsection (4) relates is entitled to assume that, as from the date of the deed, the land 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.
- (6) Subsections (2) and (3) do not apply to land held on charitable, ecclesiastical or public trusts.
- (7) This section does not apply to registered land.