



Perpetuities and Accumulations Act 2009

2009 CHAPTER 18

Application of statutory provisions

16 Limitation of 1964 Act to existing instruments

In section 15 of the [Perpetuities and Accumulations Act 1964 \(c. 55\)](#) the following subsections are inserted after subsection (5) (which makes provision as to the instruments to which the Act applies)—

“(5A) The foregoing sections of this Act shall not apply in relation to an instrument taking effect on or after the day appointed under section 22(2) of the Perpetuities and Accumulations Act 2009 (commencement), but this shall not prevent those sections applying in relation to an instrument so taking effect if—

- (a) it is a will executed before that day, or
- (b) it is an instrument made in the exercise of a special power of appointment, and the instrument creating the power took effect before that day.

(5B) Subsection (5A) above shall not affect the operation of sections 4(6) and 11(2) above.”