



Law of Property Act 1922

1922 CHAPTER 16

PART I

ASSIMILATION AND AMENDMENT OF THE LAW OF REAL AND PERSONAL ESTATE.

Miscellaneous Provisions.

20 Rights of pre-emption and entry, and extension of the Satisfied Terms Act.

- (1) All statutory or other rights of pre-emption affecting a legal estate shall be and be deemed always to have been capable of release, and unless released shall remain in force in equity only; and, for removing doubts, it is hereby declared that—

All rights of entry affecting a legal estate which by law are exercisable, on condition broken, or for any other reason, by a person or his heirs or otherwise—

- (a) are assignable by deed ; and
 - (b) (without prejudice to the devolution thereof on the death of the person entitled thereto for an interest not ceasing on his death, to his personal representatives as part of his estate) can be disposed of by will; and
 - (c) after the commencement of this Act may, but, in regard to an estate in fee simple, (not being a rentcharge held for a legal estate) only within the period authorised by the rule relating to perpetuities, be made exercisable by any person and the persons deriving title under him.
- (2) After the commencement of this Act, the Satisfied Terms Act, 1845, shall apply and extend to all terms of years created or limited out of leasehold land in like manner as if the term had been limited out of freehold land, whether the term is created before or after such commencement, and any such term shall when satisfied merge in the reversion expectant thereon.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

21 Vesting orders and dispositions of legal estates operating as conveyances by an estate owner.

- (1) Every vesting order made by any court or other competent authority, vesting declaration (express or implied) under any statutory power, conveyance by a person appointed for the purpose under an order of the court or authorised under any statutory power to convey in the name or on behalf of an estate owner, and every conveyance made under any power reserved or conferred by this Part of this Act, which is made or executed for the purpose of vesting, conveying, or creating a legal estate, shall operate to convey or create the legal estate disposed of in like manner as if the same had been a conveyance executed by the estate owner of the legal estate to which the order, declaration, or conveyance relates,
- (2) Where the order, declaration, or conveyance is made in favour of a purchaser, then the provisions of this Act relating to a conveyance of a legal estate to a purchaser shall apply thereto.
- (3) The provisions, of the Trustee Act, 1893 (as amended by any subsequent enactment), relating to vesting orders and orders appointing a person to Convey shall apply to all Testing orders authorised to be made by this Part of this Act.

22 Provisions of Act to apply to incorporeal hereditaments.

- (1) The provisions of this Part of this Act relating to freehold land shall apply to manors, reputed manors, lordships, advowsons, tithe and perpetual rent-charges, and other incorporeal hereditaments, subject only to the qualifications necessarily arising by reason of the inherent nature of the hereditament affected.
- (2) This Part of this Act shall not affect the special restrictions imposed on dealings with advowsons by the Benefices Act, 1898, or any other statute, nor affect the limitation of, or authorise any disposition to be made Of, a title or dignity of honour which in its nature is inalienable.
- (3) This section shall take effect subject to the express provisions of this Act relating to undivided shares.

23 Easements.

Where an easement, right or privilege for a legal estate is created, it shall enure for the benefit of the land to which it is intended to be annexed.

24 Reservations.

- (1) A reservation of a legal estate shall operate at law without any execution of the conveyance by the grantee of the legal estate out of which the reservation is made, or any regrant by him, so as to create the legal estate reserved, by way of transmutation of possession, and so as to vest the same in possession in the person (whether being the grantor or not) for whose benefit the reservation is made.
- (2) A conveyance of a legal estate, subject to another legal estate not in existence immediately before the date of the conveyance, shall operate in like manner as a reservation, so as to create the last-mentioned estate and to vest the same in possession in the person for whose benefit that estate is to be created.
- (3) This section applies to leasehold land as well as to freehold land.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

25 Confirmation of past transactions.

- (1) A deed containing a declaration by the estate owner that his estate shall go and devolve in such a manner as may be requisite for confirming any interests intended to affect his estate and capable under this Act of subsisting as legal estates which, at some prior date, were expressed to have been transferred or created, and any dealings therewith which would have been legal if those interests had been legally and validly transferred or created, shall, to the extent of the estate of the estate owner, but without prejudice to the restrictions imposed by this Act in the case of mortgages, operate to give legal effect to the interests so expressed to have been transferred or created and to the subsequent dealings aforesaid.
- (2) This section applies to leasehold land as well as to freehold land; and the powers conferred by this section may be exercised by a tenant for life of full age, statutory owner, trustee for sale and a personal representative as well as by an absolute owner.

26 Charitable and public trusts.

- (1) All land vested or to be vested in trustees on charitable, ecclesiastical, or public trusts or purposes shall be deemed to be settled land, and the trustees shall, in reference to the land, have all the powers which are by the Settled Land Acts conferred on a tenant for life and on the trustees of the settlement, and the instrument creating the trust shall be deemed the settlement, but, save where the trust is created by will coming into operation after the commencement of this Act, a vesting instrument shall not be deemed necessary for giving effect to the settlement.
- (2) The said powers shall be exercisable subject to such consents or orders (if any) being obtained as would have been required to authorise the transaction if this Act had not been passed. And, where the land is vested in the official trustee of charity lands, the said powers shall be exercisable by the managing trustees, and the official trustee aforesaid shall not be liable for giving effect to their directions,
- (3) Nothing in this section shall affect the jurisdiction of the court, Charity Commissioners, Board of Education, or other competent authority, in regard to The administration of charitable, ecclesiastical, or public trusts.
- (4) Where any trustees or the majority of any set of trustees have power to transfer or create any legal estate, the same shall be transferred or created by them in the names and on behalf of the persons (including the official trustee of charity lands) in whom the legal estate is vested.
- (5) This section applies whether the trust was created before or after the commencement of this Act.

27 Examples of abstracts of title and instruments.

- (1) Examples of abstracts of title framed in accordance with the provisions of this Act are contained in the Eighth Schedule to this Act.
- (2) Examples of instruments framed in accordance with the provisions of this Act are contained in the Ninth Schedule to this Act.