



# Law of Property Act 1922

## 1922 CHAPTER 16

### PART I

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

##### *Miscellaneous Provisions.*

#### **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.