



Settled Land Act 1925

1925 CHAPTER 18 15 and 16 Geo 5

PART IV

IMPROVEMENTS

Sundry Provisions as to Improvements

86 Concurrence in improvements.

The tenant for life may join or concur with any other person interested in executing any improvement authorised by this Act, or in contributing to the cost thereof.

87 Court may order payment for improvements executed.

The court may, in any case where it appears proper, make an order directing or authorising capital money to be applied in or towards payment for any improvement authorised by the ^{M1}Settled Land Acts, 1882 to 1890, or this Act, notwithstanding that a scheme was not, before the execution of the improvement, submitted for approval, as required by the Settled Land Act, 1882, to the trustees of the settlement or to the court, and notwithstanding that no capital money is immediately available for the purpose.

Marginal Citations

M1 [1882 c. 38.](#)

88 Obligation on tenant for life and successors to maintain, insure, &c.

- (1) The tenant for life, and each of his successors in title having under the trust instrument a limited estate or interest only in the settled land, shall, during such period, if any, as the ^{F1}Secretary of State] by certificate in any case prescribes, maintain and repair, at his own expense, every improvement executed under the foregoing provisions of this Act or the enactments replaced thereby, and where a building or work in its nature insurable

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against damage by fire is comprised in the improvement, shall at his own expense insure and keep insured the improvement in such amount, if any, as the [^{F1}Secretary of State] by certificate in any case prescribes.

- (2) The tenant for life, or any of his successors as aforesaid, shall not cut down or knowingly permit to be cut down, except in proper thinning, any trees planted as an improvement under the foregoing provisions of this Act, or under the enactments replaced by those provisions.
- (3) The tenant for life, and each of his successors as aforesaid, shall from time to time, if required by the [^{F2}Secretary of State] on or without the application of any person having under the trust instrument any estate or interest in the settled land in possession, remainder, or otherwise, report to the [^{F2}Secretary of State] the state of every improvement executed under this Act, and the fact and particulars of fire insurance, if any.
- (4) The [^{F3}Secretary of State] may vary any certificate made by him under this section in such manner or to such extent as circumstances appear to him to require, but not so as to increase the liabilities of the tenant for life, or any of his successors as aforesaid.
- (5) If the tenant for life, or any of his successors as aforesaid, fails in any respect to comply with the requisitions of this section, or does any act in contravention thereof, any person having, under the trust instrument, any estate or interest in the settled land in possession, remainder, or reversion, shall have a right of action, in respect of that default or act, against the tenant for life; and the estate of the tenant for life, after his death, shall be liable to make good to the persons entitled under the trust instrument any damages occasioned by that default or act.
- (6) Where in connexion with any improvement an improvement rentcharge, as hereinbefore defined, has been created, and that rentcharge has been redeemed out of capital money, this section shall apply to the improvement as if it had been an improvement executed under this Act.

Textual Amendments

- F1** Words in s. 88(1) substituted (27.3.2002) by [S.I. 2002/794, art. 5\(1\), Sch. 1 para. 3\(2\)](#) (with arts. 5(3), 6)
- F2** Words in s. 88(3) substituted (27.3.2002) by [S.I. 2002/794, art. 5\(1\), Sch. 1 para. 3\(3\)](#) (with arts. 5(3), 6)
- F3** Words in s. 88(4) substituted (27.3.2002) by [S.I. 2002/794, art. 5\(1\), Sch. 1 para. 3\(4\)](#) (with arts. 5(3), 6)

Modifications etc. (not altering text)

- C1** S. 88 extended by [Agricultural Credits Act 1932 \(c. 35\), s. 3\(3\)](#)

89 Protection as regards waste in execution and repair of improvements.

The tenant for life, and each of his successors in title having, under the trust instrument, a limited estate or interest only in the settled land, and all persons employed by or under contract with the tenant for life or any such successor, may from time to time enter on the settled land, and, without impeachment of waste by any remainderman or reversioner, thereon execute any improvement authorised by this Act, or inspect, maintain, and repair the same, and for the purposes thereof do, make, and use on the

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settled land, all acts, works, and conveniences proper for the execution, maintenance, repair, and use thereof, and get and work freestone, limestone, clay, sand, and other substances, and make tramways and other ways, and burn and make bricks, tiles, and other things, and cut down and use timber and other trees not planted or left standing for shelter or ornament.

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