



Trustee Act 1925

1925 CHAPTER 19 15 and 16 Geo 5

PART IV **E+W+N.I.**

POWERS OF THE COURT

Payment into Court

63 Payment into court by trustees. **E+W**

- (1) Trustees, or the majority of trustees, having in their hands or under their control money or securities belonging to a trust, may pay the same into court; . . . ^{F1}
- (2) The receipt or certificate of the proper officer shall be a sufficient discharge to trustees for the money or securities so paid into court.
- (3) Where money or securities are vested in any persons as trustees, and the majority are desirous of paying the same into court, but the concurrence of the other or others cannot be obtained, the court may order the payment into court to be made by the majority without the concurrence of the other or others.
- (4) Where any such money or securities are deposited with any banker, broker, or other depositary, the court may order payment or delivery of the money or securities to the majority of the trustees for the purpose of payment into court.
- (5) Every transfer payment and delivery made in pursuance of any such order shall be valid and take effect as if the same had been made on the authority or by the act of all the persons entitled to the money and securities so transferred, paid, or delivered.

Textual Amendments

F1 Words repealed by [Administration of Justice Act 1965 \(c. 2\)](#), [Sch. 3](#)

Changes to legislation: There are currently no known outstanding effects for the Trustee Act 1925, Cross Heading: Payment into Court. (See end of Document for details)

Modifications etc. (not altering text)

- C1** S. 63 applied by London Passenger Transport Act 1933 (c. 14), s. 98(4)(b) and Housing Act 1985 (c. 68, SIF 61), ss. 272(5), 288(5), 307

[^{F2}**63A Jurisdiction of County Court.** **E+W**]

- (1) The county court has jurisdiction under the following provisions where the amount or value of the trust estate or fund to be dealt with in the court does not exceed the county court limit—
- section 41;
 - section 42;
 - section 51;
 - section 57;
 - section 60;
 - section 61;
 - section 62.
- (2) The county court has jurisdiction under the following provisions where the land or the interest or contingent right in land which is to be dealt with in the court forms part of a trust estate which does not exceed in amount or value the county court limit—
- section 44;
 - section 45;
 - section 46.
- (3) The county court has jurisdiction—
- (a) under sections 47 and 48 of this Act, where the judgment is given or order is made by the court;
 - (b) under sections 50 and 56, where a vesting order can be made by the court;
 - (c) under section 53, where the amount or value of the property to be dealt with in the court does not exceed the county court limit; and
 - (d) under section 63 (including power to receive payment of money or securities into court) where the money or securities to be paid into court do not exceed in amount or value the county court limit.
- (4) Any reference to the court in section 59 of this Act includes a reference to the county court.
- (5) In this section, in its application to any enactment, “the county court limit” means the amount for the time being specified by an Order in Council under section 145 of the County Courts Act 1984 as the county court limit for the purposes of that enactment (or, where no such Order in Council has been made, the corresponding limit specified by Order in Council under section 192 of the County Courts Act 1959).]

Textual Amendments

- F2** S. 63A inserted by County Courts Act 1984 (c. 28, SIF 34), s. 148(1), **Sch. 2 Pt. I para. 1**

Modifications etc. (not altering text)

- C2** S. 63A modified by County Courts Act 1984 (c. 28, SIF 34), s. 24(2)(b)

Changes to legislation:

There are currently no known outstanding effects for the Trustee Act 1925, Cross Heading:
Payment into Court.