



Land Registration Act 1925 (repealed)

1925 CHAPTER 21 15 and 16 Geo 5

PART X

MISCELLANEOUS PROVISIONS

111 †Infants, defectives and lunatics.

- (1) A purported disposition of any registered land or charge to an infant made after the commencement of this Act, or by the will of a proprietor dying after such commencement, shall not entitle the infant to be registered as proprietor of the registered land or charge until he attains full age, but in the meantime shall operate only as a declaration binding on the proprietor or personal representative that the registered land or charge is to be held on trust to give effect to minor interests in favour of the infant corresponding, as nearly as may be, with the interests which the disposition purports to transfer or create; and the disposition or a copy thereof or extract therefrom shall be deposited at the registry, and shall, unless and until the tenants for life, statutory owners, personal representatives or [^{F1}trustees of land] are registered as proprietors, be protected by means of a restriction or otherwise on the register:

Provided that—

- (a) If the disposition is made to the infant jointly with another person of full age, that person shall, during the minority, be entitled to be registered as proprietor, and the infant shall not be registered until he attains full age;
 - (b) Where the registered land or charge is subject to any trusts or rights of redemption in favour of any person other than the infant, nothing in this section shall affect such trusts or rights of redemption;
 - (c) Where by reason of the minority or otherwise the land is settled land, the provisions of this Act relating to settled land shall apply thereto.
- (2) Where an infant becomes entitled under a will or on an intestacy to any registered land or charge, the same shall not be transferred by the personal representative to the infant until he attains full age.

Status: Point in time view as at 01/01/1997. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Land Registration Act 1925 (repealed), Section 111. (See end of Document for details)

- (3) Where an infant becomes entitled to the benefit or a registered charge, the charge shall during the minority be registered in the names of the personal representatives, trustees, or other persons who if the charge had affected unregistered land would have been able to dispose of the same, and they shall for the purposes of this Act have the same powers in reference thereto as the infant would have had if of full age.
- (4) A caution may be lodged in the name or on behalf of an infant by his parent, trustee or guardian.
- (5) Where a proprietor of any registered land or charge is [^{F2}incapable, by reason of mental disorder within the meaning of [^{F3}the ^{M1}Mental Health Act 1983], of managing and administering his property and affairs, his receiver or (if no receiver is acting for him) any person authorised in that behalf shall, under an order of the authority having jurisdiction under [^{F3}Part VII of the Mental Health Act 1983, or]of the court, or under any statutory power, have and may exercise in the name and behalf of [^{F2}the proprietor]all the powers which under this Act [^{F2}the proprietor]could have exercised if free from disability, and a copy of every such order shall be filed with the registrar and may be referred to on the register.]
- (6) All the provisions of the ^{M2}Trustee Act 1925, and of [^{F4}Part VII of the ^{M3}Mental Health Act 1983]and of any Act amending the same, shall apply to estates and charges registered under this Act, subject to the express provisions of this Act and to the rules made thereunder.

Textual Amendments

- F1** Words in s. 111(1) substituted (1.1.1997) by 1996 c. 47, s. 25(1), **Sch. 3 para. 5(11)** (with ss. 24(2), 25(4)); S.I. 1996/2974, **art. 2**
- F2** Words substituted by **Mental Health Act 1959** (c. 72, SIF 85), **Sch. 7 Pt. I**
- F3** Words substituted by **Mental Health Act 1983** (c. 20, SIF 85), **Sch. 4 para. 6(a)**
- F4** Words substituted by **Mental Health Act 1983** (c. 20, SIF 85), **Sch. 4 para. 6(b)**

Modifications etc. (not altering text)

- C1** Unreliable marginal note

Marginal Citations

- M1** 1983 c. 20 (85).
- M2** 1925 c. 19 (98:4).
- M3** 1983 c. 20 (85).

Textual Amendments applied to the whole legislation

- F1** Act repealed (prosp.) by **Land Registration Act 2002** (c. 9), ss. 135, 136(2), **Sch. 13** (with s. 129, Sch. 12)

Status:

Point in time view as at 01/01/1997. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Land Registration Act 1925 (repealed), Section 111.