



Land Registration Act 1925 (repealed)

1925 CHAPTER 21 15 and 16 Geo 5

PART VIII

APPLICATION TO PARTICULAR CLASSES OF LAND

87 Changes of ownership of settled land.

- (1) On the death of a proprietor, or of the survivor of two or more joint proprietors of settled land (whether the land is settled by his will or by an instrument taking effect on or previously to his death), his personal representative shall hold the settled land subject to payment or to making provision for payment of all death duties and other liabilities affecting the land, and having priority to the settlement, upon trust to transfer the same by an assent in the prescribed manner to the tenant for life or statutory owner, and in the meantime upon trust to give effect to the minor interests under the settlement; but a transfer shall not be made to an infant.
- (2) Rules may be made—
 - (a) for enabling a personal representative or proprietor in proper cases to create legal estates by registered dispositions for giving effect to or creating interests in priority to the settlements;
 - (b) to provide for the cases in which application shall be made by the personal representative or proprietor for the registration of restrictions or notices; and
 - (c) for discharging a personal representative or former proprietor who has complied with the requirements of this Act and rules from all liability in respect of minor interests under a settlement.
- (3) Where a tenant for life or statutory owner who, if the land were not registered, would be entitled to have the settled land vested in him, is not the proprietor, the proprietor shall (notwithstanding any stipulation or provision to the contrary) be bound at the cost of the trust estate to execute such transfers as may be required for giving effect on the register to the rights of such tenant for life or statutory owner.
- (4) Where the trustees of a settlement have in the prescribed manner released the land from the minor interests under such settlement, the registrar shall be entitled to assume that

Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Land Registration Act 1925 (repealed), Section 87. (See end of Document for details)

the settlement has determined, and the restrictions for protecting the minor interests thereunder shall be cancelled.

- (5) Where an order is made under the ^{M1}Settled Land Act 1925, authorising the trustees of the settlement to exercise the powers on behalf of a tenant for life who is registered as proprietor, they may in his name and on his behalf do all such acts and things under this Act as may be requisite for giving effect on the register to the powers authorised to be exercised in like manner as if they were registered as proprietors of the land, but a copy of the order shall be filed at the registry before any such powers are exercised.
- (6) Where a proprietor ceases in his lifetime to be a tenant for life, he shall transfer the land to his successor in title, or, if such successor is an infant, to the statutory owner, and on the registration of such successor in title or statutory owner it shall be the duty of the trustees of the settlement, if the same be still subsisting, to apply for such alteration, if any, in the restrictions as may be required for the protection of the minor interests under the settlement.

Marginal Citations

M1 1925 c. 18 (98:3).

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](#))

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