
STATUTORY INSTRUMENTS

1989 No. 673

TRUSTS

**The Recognition of Trusts Act 1987
(Overseas Territories) Order 1989**

Made - - - - - *18th April 1989*
Laid before Parliament *26th April 1989*
Coming into force *1st June 1989*

**THE RECOGNITION OF TRUSTS ACT 1987
(OVERSEAS TERRITORIES) ORDER 1989**

1. This Order may be cited as the Recognition of Trusts...
2. (1) The Recognition of Trusts Act 1987 and the Schedule...
Signature

SCHEDULE 1 TO THE — THE RECOGNITION OF TRUSTS ACT 1987 AND THE
ORDER SCHEDULE THERETO AS MODIFIED AND EXTENDED TO
THE TERRITORIES SPECIFIED IN SCHEDULE 2 TO THE
ORDER

1. (1) The provisions of the Convention set out in the...
3. (1) This Act may be cited as the Recognition of...

SCHEDULE TO THE — CONVENTION ON THE LAW APPLICABLE TO TRUSTS AND
ACT ON THEIR RECOGNITION
CHAPTER I – SCOPE

ARTICLE 1

This Convention specifies the law applicable to trusts and governs...

ARTICLE 2

For the purposes of this Convention, the term “trust” refers...
A trust has the following characteristics —

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

The reservation by the settlor of certain rights and powers,...

ARTICLE 3

The Convention applies only to trusts created voluntarily and evidenced...

ARTICLE 4

The Convention does not apply to preliminary issues relating to...

ARTICLE 5

The Convention does not apply to the extent that the...

CHAPTER II –
APPLICABLE LAW

ARTICLE 6

A trust shall be governed by the law chosen by...
Where the law chosen under the previous paragraph does not...

ARTICLE 7

Where no applicable law has been chosen, a trust shall...
In ascertaining the law with which a trust is most...

ARTICLE 8

The law specified by Article 6 or 7 shall govern...
In particular that law shall govern —

ARTICLE 9

In applying this Chapter a severable aspect of the trust,...

ARTICLE 10

The law applicable to the validity of the trust shall...

CHAPTER III –
RECOGNITION

ARTICLE 11

A trust created in accordance with the law specified by...
Such recognition shall imply, as a minimum, that the trust...
In so far as the law applicable to the trust...

ARTICLE 12

Where the trustee desires to register assets, movable or immovable,...

ARTICLE 14

The Convention shall not prevent the application of rules of...

CHAPTER IV –
GENERAL CLAUSES

ARTICLE 15

The Convention does not prevent the application of provisions of...

ARTICLE 16

The Convention does not prevent the application of those provisions...

ARTICLE 17

In the Convention the word “law” means the rules of...

ARTICLE 18

The provisions of the Convention may be disregarded when their...

ARTICLE 22

The Convention applies to trusts regardless of the date on...

SCHEDULE 2 TO THE —
ORDER

Bermuda British Antarctic Territory Falkland Islands St Helena and
Dependencies...

Explanatory Note