



## 2001 CHAPTER 14

### PART I

#### THE DUTY OF CARE

##### **The duty of care**

**1.**—(1) Whenever the duty under this subsection applies to a trustee, he must exercise such care and skill as is reasonable in the circumstances, having regard in particular—

- (a) to any special knowledge or experience that he has or holds himself out as having, and
- (b) if he acts as trustee in the course of a business or profession, to any special knowledge or experience that it is reasonable to expect of a person acting in the course of that kind of business or profession.

(2) In this Act the duty under subsection (1) is called “the duty of care”.

##### **Modifications etc. (not altering text)**

- C1** S. 1(1) applied (18.2.2011) by [Charities Act \(Northern Ireland\) 2008 \(c. 12\), ss. 89\(2\), 185\(1\)](#); S.R. 2011/11, [art. 2](#), Sch.
- C2** S. 1(1) applied (18.2.2011) by [Charities Act \(Northern Ireland\) 2008 \(c. 12\), ss. 93\(5\), 185\(1\)](#); S.R. 2011/11, [art. 2](#), Sch.

##### **Application of duty of care**

**2.** Schedule 1 makes provision about when the duty of care applies to a trustee.

**Changes to legislation:**

There are currently no known outstanding effects for the Trustee Act (Northern Ireland) 2001, PART I.