



# Irish Land Act 1903

## 1903 CHAPTER 37

### PART I

#### LAND PURCHASE

##### *Trustees*

#### **52 Public trustee**

- (1) For the purpose of the Land Purchase Acts there shall be a public trustee.
- (2) The public trustee shall be a corporation under that name, with perpetual succession and an official seal, and may sue and be sued under that name.
- (3) The Lord Lieutenant shall appoint a fit person to the office of public trustee to hold that office during pleasure.
- (4) The public trustee shall, out of money provided by Parliament, be paid such salary as the Treasury may sanction.
- (5) The public trustee may employ such officers and persons as, subject to the sanction of the Treasury, he may find necessary for the purposes of this Act, and those officers and persons shall be remunerated at such rates and in such manner as the Treasury may sanction, and the expenses of and incidental to the office of public trustee shall be paid as part of the expenses of the Land Commission.
- (6) No fees shall be payable to the public trustee for any services rendered by him under this Act.
- (7) The public trustee shall not incur any liability by reason of any act or thing done by him in good faith in pursuance of the provisions of this Act.
- (8) The public trustee may hold property jointly with any persons or corporation aggregate or sole, and under that name may be entered in the books of any company or person as holder, either alone or jointly with any person, of stock, shares, or securities entered in such books.

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*Status: This is the original version (as it was originally enacted).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

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- (9) The order of the public trustee given under his seal, shall be a necessary and sufficient authority to any such company or person for the transfer of any such stock, shares, and securities, so far as respects the interest of the public trustee.
- (10) Where any settled land has been purchased by means of an advance under the Land Purchase Acts, and there is no trustee of the settlement, the public trustee may be appointed by the Land Commission to be trustee of the settlement.
- (11) Where the trustees of any such settlement refuse or neglect to invest the purchase money in any securities authorised in pursuance of the last preceding section, the tenant for life may apply to the Land Commission to substitute the public trustee for those trustees, and the Land Commission may by order make such substitution accordingly.
- (12) The trustees of any such settlement may apply to the Land Commission to be discharged from their trust, and that the public trustee be appointed in their place, and the Land Commission may, if they think fit, make an order accordingly.
- (13) Where the public trustee is appointed trustee of any settlement under the provisions of this section, the Land Commission may make such further or other orders as may be necessary for the purpose of vesting the trust funds in him, or otherwise as the circumstances of the case may require.
- (14) The powers conferred on the Land Commission by the foregoing provisions of this section may be exercised by the Land Judge in any case where the purchase money of land sold under the Land Purchase Acts is distributable or has been distributed by him, and those provisions shall apply accordingly with the substitution of the Land Judge for the Land Commission.
- (15) Rules may be made by the Land Judge and the Land Commission with the approval of the Lord Lieutenant for the purpose of carrying this section into effect, and for regulating the exercise of the powers and duties of the public trustee, and in particular may provide that the trustee shall, on the request of any person proposing to sell an estate, give an estimate of the probable financial effect of such sale.