



Trusts of Land and Appointment of Trustees Act 1996

1996 CHAPTER 47

PART I

TRUSTS OF LAND

Functions of trustees of land

7 Partition by trustees.

- (1) The trustees of land may, where beneficiaries of full age are absolutely entitled in undivided shares to land subject to the trust, partition the land, or any part of it, and provide (by way of mortgage or otherwise) for the payment of any equality money.
- (2) The trustees shall give effect to any such partition by conveying the partitioned land in severalty (whether or not subject to any legal mortgage created for raising equality money), either absolutely or in trust, in accordance with the rights of those beneficiaries.
- (3) Before exercising their powers under subsection (2) the trustees shall obtain the consent of each of those beneficiaries.
- (4) Where a share in the land is affected by an incumbrance, the trustees may either give effect to it or provide for its discharge from the property allotted to that share as they think fit.
- (5) If a share in the land is absolutely vested in a minor, subsections (1) to (4) apply as if he were of full age, except that the trustees may act on his behalf and retain land or other property representing his share in trust for him.

[^{F1}(6) Subsection (1) is subject to sections 21 (part-unit: interests) and 22 (part-unit: charging) of the Commonhold and Leasehold Reform Act 2002.]

Changes to legislation: *There are currently no known outstanding effects for the Trusts of Land and Appointment of Trustees Act 1996, Section 7. (See end of Document for details)*

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Textual Amendments

- F1** S. 7(6) added (27.9.2004) by [Commonhold and Leasehold Reform Act 2002 \(c. 15\)](#), s. 181(1), [Sch. 5 para. 8](#); [S.I. 2004/1832](#), art. 2

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