



Perpetuities and Accumulations Act 2009

2009 CHAPTER 18

Application of rule against perpetuities

1 Application of the rule

- (1) The rule against perpetuities applies (and applies only) as provided by this section.
- (2) If an instrument limits property in trust so as to create successive estates or interests the rule applies to each of the estates or interests.
- (3) If an instrument limits property in trust so as to create an estate or interest which is subject to a condition precedent and which is not one of successive estates or interests, the rule applies to the estate or interest.
- (4) If an instrument limits property in trust so as to create an estate or interest subject to a condition subsequent the rule applies to—
 - (a) any right of re-entry exercisable if the condition is broken, or
 - (b) any equivalent right exercisable in the case of property other than land if the condition is broken.
- (5) If an instrument which is a will limits personal property so as to create successive interests under the doctrine of executory bequests, the rule applies to each of the interests.
- (6) If an instrument creates a power of appointment the rule applies to the power.
- (7) For the purposes of subsection (2) an estate or interest includes an estate or interest—
 - (a) which arises under a right of reverter on the determination of a determinable fee simple, or
 - (b) which arises under a resulting trust on the determination of a determinable interest.
- (8) This section has effect subject to the exceptions made by section 2 and to any exceptions made under section 3.
- (9) In section 4(3) of the Law of Property Act 1925 (c. 20) (rights of entry affecting a legal estate) omit the words from “but” to the end.

Changes to legislation: There are currently no known outstanding effects for the Perpetuities and Accumulations Act 2009, Section 1. (See end of Document for details)

Commencement Information

II [S. 1](#) in force at 6.4.2010 by [S.I. 2010/37](#), [art. 2](#)

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