



# Law of Property Act 1925

## 1925 CHAPTER 20 15 and 16 Geo 5

### PART I

#### GENERAL PRINCIPLES AS TO LEGAL ESTATES, EQUITABLE INTERESTS AND POWERS

#### **3 Manner of giving effect to equitable interests and powers.**

(1) All equitable interests and powers in or over land shall be enforceable against the estate owner of the legal estate affected in manner following (that is to say):—

(a) Where the legal estate affected is settled land, the tenant for life or statutory owner shall be bound to give effect to the equitable interests and powers in manner provided by the <sup>M1</sup>Settled Land Act, 1925;

<sup>F1</sup>(b) .....

(c) [<sup>F2</sup>In any other case], the estate owner shall be bound to give effect to the equitable interests and powers affecting his estate of which he has notice according to their respective priorities. This provision does not affect the priority or powers of a legal mortgagee, or the powers of personal representatives for purposes of administration.

<sup>F1</sup>(2) .....

(3) Where, by reason . . . <sup>F3</sup>of an equitable right of entry taking effect, or for any other reason, a person becomes entitled to require a legal estate to be vested in him, then and in any such case the estate owner whose estate is affected shall be bound to convey or create such legal estate as the case may require.

(4) If any question arises whether any and what legal estate ought to be transferred or created as aforesaid, any person interested may apply to the court for directions in the manner provided by this Act.

(5) If the <sup>F4</sup>. . . estate owners refuse or neglect for one month after demand to transfer or create any such legal estate, or if by reason of their being out of the United Kingdom or being unable to be found, or by reason of the dissolution of a corporation, or for any other reason, the court is satisfied that the transaction cannot otherwise be effected, or cannot be effected without undue delay or expense, the court may, on the application

*Status: Point in time view as at 01/01/1997.*

*Changes to legislation: Law of Property Act 1925, Section 3 is up to date with all changes known to be in force on or before 14 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

of any person interested, make a vesting order transferring or creating a legal estate in the manner provided by this Act.

(6) This section does not affect a purchaser of a legal estate taking free from an equitable interest or power.

[<sup>F5</sup>(7) The county court has jurisdiction under this section where the land which is to be dealt with in the court does not exceed [<sup>F6</sup>£30,000] in capital value <sup>F7</sup> . . .]

#### Textual Amendments

- F1** S. 3(1)(b)(2) repealed (1.1.1997) by 1996 c. 47, s. 25(2), **Sch. 4** (with ss. 24(2), 25(4)); S.I. 1996/2974, **art. 2**
- F2** Words in s. 3(1)(c) substituted (1.1.1997) by 1996 c. 47, s. 25(1), **Sch. 3 para. 4(3)** (with ss. 24(2), 25(4)); S.I. 1996/2974, **art. 2**
- F3** Words repealed by **Reverter of Sites Act 1987** (c. 15, SIF 98:1), ss. 6(1), 8(2)(3)(4), **Sch.**
- F4** Words in s. 3(5) repealed (1.1.1997) by 1996 c. 47, s. 25(2), **Sch. 4** (with ss. 24(2), 25(4)); S.I. 1996/2974, **art. 2**
- F5** S. 3(7) added by **County Courts Act 1984** (c. 28, SIF 34), s. 148(1), **Sch. 2 Pt. II para. 2(1)(3)**
- F6** Words in s. 3(7) substituted (1.7.1991) by S.I. 1991/724, art. 2(8), **Sch. Pt. I** (with art. 12)
- F7** Words in s. 3(7) omitted (1.7.1991) by virtue of S.I. 1991/724, art. 2(8), **Sch. Pt. I** (with art. 12)

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

- C1** S. 3 extended (1.7.1991) by S.I. 1991/724, **art. 2(3)** (with art. 12)
- C2** S. 3(7) modified by **County Courts Act 1984** (c. 28, SIF 34), **s. 24(1)(2)(c)**
- C3** S. 3(7) amended by S.I. 1990/776, **art. 4(1)(b)**

#### Marginal Citations

- M1** 1925 c. 18.

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