11. Trusts of land

This chapter focuses on what the law requires of trustees of land and how it protects the beneficiaries of those trusts. All trusts of land are now governed by the statutory framework set out in the Trusts of Land and Appointment of Trustees Act 1996. The Act sets out the rights and responsibilities of trustees, and the rights of beneficiaries, under a trust of land. Trustees have extensive powers over the land, but have a duty to act in the interests of the beneficiaries, to consult them, and to give effect to their wishes where possible. The beneficiaries (with an interest in possession) have a right to occupy the land, although the trustees have the power, under certain circumstances, to restrict or exclude them from occupation. The chapter also discusses the powers of the court under TOLATA 1996; cases of bankruptcy; and the Settled Land Act 1925.

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11. Trusts of land

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