



# Trusts and Succession (Scotland) Act 2024

## 2024 asp 2

### PART 1

### TRUSTS

### CHAPTER 1

#### APPOINTMENT, ASSUMPTION, RESIGNATION, REMOVAL AND DISCHARGE OF TRUSTEES

#### *Appointment or assumption*

PROSPECTIVE

#### **1 Appointment of additional or new trustee by court: general**

- (1) The court may, as regards any trust—
  - (a) on the application of one or more of the trustees or of any person with an interest in the trust property, appoint an additional trustee if the court considers it necessary to do so for the administration of the trust, or
  - (b) if no capable trustee exists or is traceable, appoint a new trustee on the application of any person with an interest in the trust property.
- (2) The court ceases to have power at common law to appoint a trustee.
- (3) The making of an appointment under [subsection \(1\)\(b\)](#) removes any existing trustee from the office of trustee.
- (4) [This section](#) applies irrespective of when the trust was created.

---

#### **Commencement Information**

- II** S. 1 not in force at Royal Assent, see [s. 88\(3\)](#)

**Status:**

This version of this provision is prospective.

**Changes to legislation:**

There are currently no known outstanding effects for the Trusts and Succession (Scotland) Act 2024, Section 1.