Statute of Frauds (Ireland) 1695

Chapter 12

An Act for Prevention of Frauds and Perjuries.[1]

FOR prevention of many fraudulent practices which are commonly endeavoured to be upheld by perjury, and subornation of perjury;

S.I rep. by SLR (NI) 1953

Defendant not to be charged upon special promise for debt, &c. of another, or contract or sale of lands, unless in writing and signed.

II. AND . . .[2] no action shall be brought . . .[3] whereby to charge the defendant upon any special promise to answer for the debt, default, or miscarriage of another person, . . .[3] or upon any contract or sale of lands, tenements, or hereditaments, or any interest in or concerning them, . . .[3] unless the agreement upon which such action shall be brought, or some memorandum or note thereof, shall be in writing, and signed by the party to be charged therewith, or some other person thereunto by him lawfully authorized.

S.III rep. by 1837 c.26 ss.2, 34

Declarations or creations of trusts of lands shall be in writing and signed, or by last will in writing.

IV. AND further . . .[2] all declarations or creations of any trusts or confidences of any lands, tenements, or hereditaments, shall be manifested and proved by some writing signed by the party who is by law enabled to declare such trust, or by his last will in writing, or else they shall be utterly void and of none effect.

Not to extend to trusts arising by implication, or transferred or extinguished by act of law.

V. PROVIDED always, that where any conveyance shall be made of any lands or tenements, by which a trust or confidence shall or may arise by implication or construction of law, or to be transferred or extinguished by act or operation of law, then, and in every such case, such trust or confidence shall be of the like force and effect as the same would have been if this statute had not been made; any thing herein before contained to the contrary notwithstanding.

Grants and assignments of trusts shall be in writing signed, or by such last will.

VI. AND further all grants and assignments of any trust or confidence shall likewise be in writing, signed by the party granting or assigning the same, or by such last will and devise, or else shall likewise be utterly void and of none effect.

Ss. VII–XX rep. by 1837 c.26 s.2 (with saving); SLR 1953; SLR (NI) 1953; 1955 c.24 (NI) ss.46, 48 sch.3 (with saving); 1969 c.30 (NI) s.132 sch.6; 1978 c.23 s.122(2) sch.7 Pt.II

References

1. Short title "The Statute of Frauds (Ireland) 1695". 1951 c.1 (NI)
2. Rep., SLR (NI) 1953
3. Rep., 1954 c.26 (NI) s.1