



2008 CHAPTER 12

PART 6

APPLICATION OF PROPERTY CY-PRÈS AND ASSISTANCE AND SUPERVISION OF CHARITIES BY COURT AND COMMISSION

Extended powers of Court and variation of charters

[^{F1}Gifts for mixed purposes

29A.—(1) This section applies where property is given for purposes so described that, consistently with the terms of the gift, the property could all be used for charitable purposes but could equally well be used wholly or partly for purposes which are not charitable.

(2) If, but for this section, the gift would be invalid, the gift shall have effect as a gift for such charitable purposes as may be determined by a scheme made by the Court or the Commission.

(3) Where the terms of a gift and the surrounding circumstances appear to the Court or the Commission to show a predominant intention on the part of the donor to further a particular charitable purpose, the Court or the Commission shall, in making a scheme under subsection (2), have regard, so far as practicable, to that intention.

(4) Where—

- (a) property is disposed of by way of successive gifts so that a gift is dependent upon a prior gift; and
- (b) the prior gift has been made the subject of a scheme under this section,

Changes to legislation: There are currently no known outstanding effects for the Charities Act (Northern Ireland) 2008, Section 29A. (See end of Document for details)

any gift dependent upon the prior gift shall have the like effect as it would have had if the prior gift had at all times been for the purposes determined by that scheme.]

.....

Textual Amendments

F1 S. 29A inserted (19.1.2013) by Charities Act (Northern Ireland) 2013 (c. 3), ss. 2, 10(1)

Changes to legislation:

There are currently no known outstanding effects for the Charities Act (Northern Ireland) 2008, Section 29A.