



Belfast Charitable Society Act 1996

CHAPTER vi

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ELIZABETH II



1996 CHAPTER vi

An Act to make provision as to the objects, powers, constitution and management of the Belfast Charitable Society; and for connected purposes.

[18th July 1996]

WHEREAS—

(1) By an Act of the Parliament of Ireland intituled “An Act for amending an Act made the last Session of Parliament, intituled, An Act for badging such Poor as shall be found unable to support themselves by Labour, and otherwise providing for them, and for restraining such as shall be found able to support themselves by Labour and Industry, from begging” the Belfast Charitable Society (“the Society”) was incorporated in 1774 by the name of “the president and assistants of the Belfast charitable society” for the better carrying into execution under proper regulations the charitable and humane design of maintaining the poor of the town of Belfast with power to make laws, rules, orders and regulations for the government and management of the infirmary and poor house now known as Clifton House and to make byelaws and regulations and to exercise the same powers with respect to all idle and sturdy beggars within Belfast as certain corporations within counties and cities in Ireland were then enabled to do:

1774 c. 46 (Ir).

(2) Further provision was made with respect to the Society by subsequent Acts of the Parliament of Ireland, including limited powers to purchase and lease lands:

(3) The business of the Society is managed by a Board of Management established by regulations made under section 12 of the said Act of 1774:

(4) In order to ensure that the Society will be able to serve the present-day and likely future needs of the community it is necessary to modernise the objects and powers of the Society, together with its constitution and management:

(5) It is expedient that the other provisions of this Act should be enacted:

(6) The purposes of this Act cannot be effected without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted, and be it enacted, by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

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|-------------------------|--|
| Short title. | 1. This Act may be cited as the Belfast Charitable Society Act 1996. |
| Definitions. | 2. In this Act, unless the context otherwise requires — |
| 1800 c. 37 (Ir.). | <p>“the 1774 Act” means the first Act mentioned in columns (1) and (2) of the Schedule to this Act;</p> <p>“the 1800 Act” means the Act of the Parliament of Ireland intituled “An Act for paving, cleansing, and lighting, and improving the several Streets, Squares, Lanes and Passages within the Town of Belfast in the County of Antrim, and for removing and preventing all Encroachments, Obstructions and Annoyances therein, and also for establishing and maintaining a Nightly Watch throughout the said Town and Precincts thereof, and for other Purposes”;</p> <p>“the Board” means the Board of Management of the Society;</p> <p>“the existing enactments” means the Acts mentioned in columns (1) and (2) of the Schedule to this Act and the 1800 Act;</p> <p>“the officers” means the persons who for the time being are respectively the President, the Chairman, the Honorary Treasurer and the Honorary Secretary of the Society;</p> <p>“regulations” means regulations made under section 6 (Regulations) of this Act;</p> <p>“the Society” means the President and Assistants of the Belfast Charitable Society.</p> |
| Continuance of Society. | 3. The Society shall continue in being as a body corporate but the provisions of this Act as to the objects, powers, constitution and management of the Society shall have effect in place of the provisions for those purposes in the existing enactments. |
| Objects of Society. | <p>4. The objects of the Society are —</p> <p>(a) to pursue all or any charitable activities which advance the interests or are for the benefit of persons appearing to the Society to be disadvantaged, primarily in Northern Ireland, including the care of the elderly, the relief of poverty, homelessness, distress, infirmity and sickness and providing for the educational and other needs of such persons; and</p> <p>(b) to participate in and encourage all forms of co-operation among appropriate parties which are calculated to achieve any of the objects mentioned in paragraph (a) above.</p> |

5. Notwithstanding anything contained in the existing enactments, and without prejudice to the generality of section 4 (Objects of Society) of this Act, the Society shall in the furtherance of its objects have the following powers:—

Subsidiary powers of Society.

- (a) to dispose of any land, personal estate or property (including moneys secured on mortgage of or charged upon any land), or any rights or interests therein, vested in the Society or which shall hereafter be vested in or acquired by the Society, or any part thereof, and to do and execute all such acts, deeds, matters and things as may be necessary for effectuating and completing any such sale, mortgage, charge, letting, surrender, exchange, licence or other dealing;
- (b) to purchase, take on lease in fee farm or in exchange or otherwise acquire any real and personal property and any rights and privileges;
- (c) to construct, maintain, alter or demolish any buildings and improve or develop any property;
- (d) without prejudice to paragraphs (a) to (c) above, to manage land or any other property and to effect any dealings in land or such property as the Society shall in its absolute discretion think fit;
- (e) to form and promote, or join with any person in forming and promoting, any body corporate;
- (f) to subscribe for or acquire shares, stock, debentures, debenture stock or any other security of a like nature of a body corporate;
- (g) to dispose of any shares or other securities subscribed for or acquired under this section;
- (h) without prejudice to paragraphs (a) to (g) above, to make such investments of whatever nature and wheresoever and whether involving liability or not as the Society shall in its absolute discretion think fit;
- (i) to carry on businesses;
- (j) to borrow or raise or secure the payment of money for any purpose and in any manner (including by way of mortgage) and secure the same or the repayment or performance of any debt, liability, contract, guarantee or other repayment incurred or to be entered into by the Society and so that no lender shall be concerned to see for what purpose any money is raised or as to the application thereof;
- (k) to make appeals, advertise and conduct such other lawful activities as may be appropriate to raise funds for the Society or to make known its existence, purposes and work;
- (l) to make loans, gifts or grants;
- (m) to determine, demand and receive fees, subscriptions and deposits;
- (n) to employ such persons as may be required for the purposes of the Society;
- (o) to appoint any person being a bank, trust corporation or member of a recognised stock exchange or of a professional body to accept and hold in trust for the Society any property of the Society or in which it is interested and to execute and do all such deeds, acts and things as may be requisite in relation to any such trust and to provide for the remuneration of such trustee or trustees;

- (p) to appoint any person or firm to act as investment advisers or investment managers and to permit any money, investments or other property belonging to or in the hands of the Society to be registered or held in the name of any nominee within the United Kingdom on behalf of the Society without being liable for any loss occasioned thereby in each case subject to such conditions and upon such terms (including the payment of remuneration) as may from time to time be agreed in writing between the Society and the person or firm concerned;
- (q) to accept, receive and retain legacies, devises, gifts, grants, annuities, allowances and other benefits and consistently with the objects of the Society to undertake and perform any services or conditions attached to the acceptance, receipt or retention thereof;
- (r) to promote or oppose any Bill, measure, order, scheme or application in Parliament or any other legislature or before any government department or court, authority or tribunal and to prosecute or defend any legal proceedings;
- (s) to enter into and carry into effect any agreement or arrangement with any national or local authority or any institution, association or other body (whether incorporated or not) for co-operating with or assisting or being assisted by such authority, institution, association or other body in any manner and for any purpose which is consonant with any of the objects of the Society;
- (t) to establish, maintain and administer unemployment, benevolent, superannuation, death benefit and provident funds for or in respect of employees and charitable funds;
- (u) to combine, amalgamate or merge with any other body having charitable objects substantially similar to those of the Society;
- (v) to do all such other things as shall be necessary for the attainment of any of the objects of the Society.

Regulations.

6. Subject to the provisions of this Act, the Society may make regulations with respect to the membership, organisation and management of the Society and the government and administration of its affairs, undertaking, property and income.

Board of Management.

7.—(1) The affairs of the Society shall continue to be managed by the Board.

(2) The regulations—

- (a) may authorise the Board to delegate any of its functions to a committee of the Board; and
- (b) may authorise such a committee to delegate any of its functions to a sub-committee.

Membership.

8.—(1) The membership of the Society shall consist of the officers, the Board and such other members for the time being (including honorary members) as may be elected by the Board at its sole discretion in accordance with the regulations.

(2) Any person who, immediately before the passing of this Act, was a member of the Society by virtue of section 13 (1 guinea subscribers, members for 1 year) of the 1774 Act shall be deemed to have been duly elected under subsection (1) above on the passing of this Act.

- 9.** No act done at a meeting of the Society, the Board or any committee or sub-committee of the Board shall be invalid by reason of any defect in the appointment or qualification of a person participating in the meeting. Validity of acts done at meetings.
- 10.**—(1) The provisions of this Act may be altered from time to time in any manner whatever by order made by the Department of Health and Social Services upon the application of the Society. Power to alter Act.
- (2) The power to make an order under this section shall be exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979. S.I. 1979/1573 (N.I.12).
- (3) An order under this section shall be subject to negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954 as if it were a statutory instrument within the meaning of that Act; but during the interim period (as defined by subsection (4) of section 1 of the Northern Ireland Act 1974) an order made under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament in like manner as a statutory instrument and section 5 of the Statutory Instruments Act 1946 shall apply accordingly. 1954 c. 33 (N.I.).
1974 c. 28.
1946 c. 36.
- 11.** The enactments mentioned in the Schedule to this Act are hereby repealed to the extent mentioned in column (3) of that Schedule. Repeals.

Sections 2 and
11.

SCHEDULE

REPEALS

Chapter (1)	Title (2)	Extent of repeal (3)
13 & 14 Geo. 3 c. 46 (1774) (Ir.).	An Act for amending an Act made the last Session of Parliament, intituled, An Act for badging such Poor as shall be found unable to support themselves by Labour, and otherwise providing for them, and for restraining such as shall be found able to support themselves by Labour and Industry, from begging.	In section 12, the words from "and the said president" to "discretion". Section 13. Section 14. Section 16. Section 18.
57 Geo. 3 c. lvii (1817).	An Act for giving further Powers to the President and Assistants of the Charitable Society of the Town of Belfast, in the County of Antrim, to supply the said Town with Water, and to improve their Estates.	Section 14. Section 68.
3 & 4 Vict. c. lxxxviii (1840).	An Act to amend the several Acts relating to the Belfast Charitable Society.	Sections 1 to 4.

PRINTED IN ENGLAND FOR MIKE LYNN

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LONDON: PUBLISHED BY HMSO

ISBN 0-10-510696-8



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