



## CHAPTER xix

An Act to confirm a Provisional Order under the Private  
Legislation Procedure (Scotland) Act, 1936, relating to  
the Melville Trust. [3rd July, 1962.]

**W**HEREAS the Provisional Order set forth in the schedule  
hereunto annexed has been made by the Secretary of  
State under the provisions of the Private Legislation 26 Geo. 5 &  
Procedure (Scotland) Act, 1936, and it is requisite that the said 1 Edw. 8 c. 52.  
Order should be confirmed by Parliament:

Be it therefore 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:—

1. The Provisional Order contained in the schedule hereunto  
annexed is hereby confirmed. Confirmation  
of Order in  
schedule.

2. This Act may be cited as the Melville Trust Order  
Confirmation Act, 1962. Short title.

## SCHEDULE

## MELVILLE TRUST

*Provisional Order to confer powers on The Melville Estate Trustees with respect to the acceptance of legacies, gifts and transfers of property and to enable them to enter into agreements and arrangements with other bodies and for purposes connected therewith.*

Whereas the late George Fisher Melville, Advocate, who died on the twelfth day of July nineteen hundred and seventeen, by his testamentary writings directed that the whole of his property, funds and estate (hereinafter called the "trust fund") should, after the death of certain beneficiaries, be devoted by his trustees to the care and cure of cancer:

And whereas with a view to carrying into effect the purposes aforesaid The Melville Estate Trustees (hereinafter called the "Trustees") were incorporated by the Melville Trust Order, 1922 (hereinafter called the "Order of 1922"), and certain powers were thereby conferred on them in regard to the trust fund:

And whereas the trust fund is at present administered by the Trustees in accordance with the provisions of the Order of 1922 and of a scheme prepared by the Trustees in pursuance of section 24 of the Order of 1922 and approved by the Court of Session on the seventeenth day of July, nineteen hundred and fifty-two:

And whereas doubts have arisen as to the power of the Trustees to accept legacies or other gifts or transfers of property and it is expedient that such power should be conferred upon them and that they should have power to enter into agreements and arrangements with other bodies carrying on work similar to work being carried on by the Trustees:

And whereas the purposes aforesaid cannot be effected without an Order confirmed by Parliament under the provisions of the Private Legislation Procedure (Scotland) Act, 1936:

Now therefore in pursuance of the powers contained in the last-mentioned Act the Secretary of State orders as follows:—

1. This Order may be cited as the Melville Trust Order, 1962, and this Order and the Order of 1922 may be cited together as the Melville Trust Orders, 1922 and 1962.

2. The following words and expressions in this Order have, unless there be something in the subject or context repugnant to such construction, the meanings hereby assigned to them, that is to say:—

Interpretation.

“ Order of 1922 ” means the Melville Trust Order, 1922;

“ Trustees ” means “ The Melville Estate Trustees ”;

“ trust fund ” has the same meaning as in the Order of 1922;

“ Trust Scheme ” means any scheme made under section 24 (Scheme for application of trust fund) of the Order of 1922 and for the time being in force.

3.—(1) In addition to the powers conferred upon them by the Order of 1922 and by the Trust Scheme the Trustees may accept legacies, donations, subscriptions, endowments and other gifts and transfers of property, including the funds and property of any society or body, whether incorporated or not.

Power to Trustees to accept legacies, etc.

(2) All sums of money and other property accepted by the Trustees under the foregoing subsection shall form part of the trust fund and shall be administered by the Trustees in accordance with the provisions of the Order of 1922 and of this Order and of the Trust Scheme:

Provided that nothing in this subsection shall authorise the Trustees to administer any such sums of money or other property in any manner inconsistent with any condition attached to any legacy, donation, endowment or other gift or transfer of property by virtue or in consequence of which the same became vested in the Trustees.

4. The Trustees shall have power to enter into and carry into effect (on such terms and conditions as the Trustees may think fit) any agreement or arrangement for co-operating with or assisting or being assisted by any society or body (whether incorporated or not) carrying on work similar to any work at the time being carried on under the Trust Scheme:

Power to enter into agreements, arrangements, etc.

Provided that nothing in this section shall authorise the Trustees to administer the trust fund or any part thereof otherwise than in accordance with the provisions of the Order of 1922 and of this Order and of the Trust Scheme.

5. The costs, charges and expenses of and incidental to the preparing for, obtaining and confirming of this Order or otherwise in relation thereto shall be paid by the Trustees out of the trust fund.

Costs of Order.

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*Melville Trust Order*  
*Confirmation Act, 1962*

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## ARRANGEMENT OF SECTIONS

### Section

1. Confirmation of Order in schedule.
2. Short title.

## SCHEDULE

### MELVILLE TRUST

1. Short and collective titles.
2. Interpretation.
3. Power to Trustees to accept legacies, etc.
4. Power to enter into agreements, arrangements, etc.
5. Costs of Order.