



### CHAPTER Ivii

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1936 relating to the Advocates' Widows' Fund. [5th July 1956.]

**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 Procedure (Scotland) Act 1936 and it is requisite that the said 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 Advocates' Widows' Fund Order Confirmation Act 1956. Short title.

## SCHEDULE

## ADVOCATES' WIDOWS' FUND

*Provisional Order for amending and extending the Act 11 Geo. 4 c. xli (local) intituled "An Act to raise a Fund for Provisions to Widows of the Members of the Faculty of Advocates of Scotland" with respect to the investment of the said Fund and for other purposes.*

WHEREAS an Act was passed in the eleventh year of the reign of his late Majesty King George the Fourth (11 Geo. 4 c. xli (local)) intituled "An Act to raise a Fund for Provisions to Widows of the Members of the Faculty of Advocates of Scotland" (hereinafter referred to as "the principal Act"):

And whereas by section XXXII of the principal Act the whole moneys to be exacted levied and paid under the provisions of the principal Act with the income profits interests dividends and every increase accruing thereon or thereto were vested in the Trustees of the said Fund appointed in pursuance of the principal Act (hereinafter referred to as "the Trustees" and "the Fund" respectively) and powers were conferred on the Trustees with respect to the investment of the Fund but such powers have become unduly restricted and it is expedient that the powers of the Trustees with respect to the investment of the Fund should be enlarged and extended as provided in this Order:

And whereas it is expedient to amend the principal Act in regard to the date for the holding of the annual meeting of the contributors to the Fund and of the meeting of the Trustees in November as provided in this Order:

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 said last-mentioned Act the Secretary of State orders as follows:—

Short and  
collective titles.

1. This Order may be cited as the Advocates' Widows' Fund Order 1956 This Order and the Advocates' Widows' Fund Acts 1830 and 1925 may be cited together as the Advocates' Widows' Fund Acts 1830 to 1956.

Interpretation.

2. In this Order words and expressions to which meanings are assigned by the Advocates Widows' Fund Acts 1830 and 1925 shall have the same respective meanings.

Extension of  
powers of  
investment.

3. In section XXXII of the principal Act for the words "and the said Trustees shall from time to time" to the end of the section there shall be substituted the following words (that is to say):—

"And the said Trustees shall invest the whole or any part of the said moneys or so much thereof as are not required for the payment of the annuities and other charges as aforesaid in or upon all or any of the following investments securities or obligations (that is to say):—

(1) Investments in which Trustees are authorised to invest trust funds according to the law of Scotland or the law of England for the time being:

(2) In or upon the public stocks or funds or Government securities of any part of Her Majesty's dominions or of the territories under Her protection or the United States of America:

(3) In or upon the deposit receipts bonds debentures debenture or loan stock whether convertible or not mortgages or securities of any corporation company or body whether municipal railway public-utility commercial industrial investment trust mortgage insurance banking or otherwise registered or incorporated in the United Kingdom of Great Britain and Northern Ireland or any part of Her Majesty's dominions or of the territories under Her protection or the United States of America or in or upon the guaranteed lien preference or preferred or ordinary or deferred or common stocks or shares of or upon any securities whatsoever issued or guaranteed by any such corporation company or body and in the case of banks and insurance companies whether or not there is liability for calls or other payments".

4. The principal Act shall be read and have effect as if for section XXXIII thereof there were substituted the following section (that is to say):—

Nominees to hold investments granting of discharges etc.

"XXXIII. All investments and loans forming part of the said Widows' Fund may be taken in names of the Trustees for the time being and their successors in office or in the names of bank nominees or in such manner as the Trustees in their discretion may consider convenient and appropriate and all receipts discharges renunciations conveyances dispositions assignations mandates and other deeds and instruments falling to be granted or executed by the Trustees shall if duly executed by a quorum of the Trustees be sufficient and effectual to the persons to whom or in whose favour the same may be granted."

5. Wherever in sections XXX XXXI XLII and XLIII of the principal Act reference is made to a stated general meeting or to an annual general meeting of the Contributors being held on the second Wednesday of June the principal Act shall be read and have effect as if for the word "second" wherever occurring in the said sections there were substituted the word "fourth".

Alteration of date of stated and annual general meetings.

6. Wherever in sections XXXIV XXXIX and XLV of the principal Act reference is made to a meeting of the Trustees to be held on the third Wednesday of November the principal Act shall be read and have effect as if for the words "third Wednesday of November" wherever occurring in the said sections there were substituted the words "fourth Wednesday of November".

Alteration of date of statutory meeting of Trustees in November.

7. The costs charges and expenses of and incidental to the preparation obtaining and confirming of this Order or otherwise in relation thereto shall be paid by the Trustees out of the Fund.

Costs of Order.

*Table of Statutes referred to in this Act*

Short title	Session and chapter
An Act to raise a Fund for Provisions to Widows of the Members of the Faculty of Advocates of Scotland ... ..	11 Geo. 4 c. xli.
Advocates Widows' Fund (Widowers' Provisions) Order Confirmation Act 1925 ...	15 & 16 Geo. 5 c. xvi.
Private Legislation Procedure (Scotland) Act 1936 ... ..	26 Geo. 5 & 1 Edw. 8 c. 52.

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