

1999 No. 667

CHARITIES

**The Royal College of Physicians of London (Charter
Amendment) Order 1999**

Made - - - - 10th March 1999

Coming into force 11th March 1999

At the Court at Buckingham Palace, the 10th day of March 1999

Present,

The Queen's Most Excellent Majesty in Council

WHEREAS the Royal College of Physicians of London (hereinafter referred to as "the College") was incorporated by Royal Charter dated 23rd September 1518:

AND WHEREAS the Charity Commissioners for England and Wales, in exercise of their powers under section 15 of the Charities Act 1993(a), have made a Scheme dated 1st March 1999 for the purpose of extending the permitted application of the funds of the College:

AND WHEREAS by virtue of section 15(1) of the said Act the said Scheme cannot come into operation unless or until Her Majesty thinks fit to amend the Charter in such manner as will permit the Scheme to have effect:

AND WHEREAS the College has accordingly made application to Her Majesty in Council for amendment of the Charter:

NOW, THEREFORE, Her Majesty, in exercise of the powers contained in section 15(2) of the said Act, and all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, that the said Charter be amended in the manner set forth in the Schedule to this Order.

This Order may be cited as the Royal College of Physicians of London (Charter Amendment) Order 1999 and shall come into force on 11th March 1999.

A.K. Galloway
Clerk of the Privy Council

SCHEDULE

AMENDMENT TO THE CHARTER OF THE ROYAL COLLEGE OF PHYSICIANS OF LONDON DATED 23RD SEPTEMBER 1518

The following shall be added immediately before the last paragraph:

“AND We do also will and grant that, in addition to any powers enjoyed by the College in law, the College:

(1) may pay reasonable remuneration to the President, Registrar, Treasurer and Senior Censor of the College, notwithstanding that they are Trustees of the College, but only if and in so far as it is necessary to pay such remuneration to ensure the good administration of the College and the said remuneration is reasonable having regard to

- (a) the services rendered to the College by the said Trustees, and
- (b) the income of the College

and provided that the said Trustees must withdraw from any meeting of the Trustees, or part thereof, at which the terms and conditions of their remuneration are being discussed;

(2) may pay to a member of the College (whether or not a Trustee)

- (a) reasonable and proper fees for acting as an examiner or lecturer for the College, or
- (b) any fellowship or scholarship or research grant awarded by the College in pursuance of its objects; and

(3) may pay any premium in respect of any indemnity insurance to cover the liability of the Trustees which by virtue of any rule of law would otherwise attach to them in respect of any negligence, default, breach of trust or breach of duty of which they may be guilty in relation to the College, provided that any insurance shall not extend to:

- (a) any claim arising from any act or omission which
 - (i) the Trustees or any of them knew to be a breach of trust or breach of duty, or
 - (ii) was committed by the Trustees or any of them in reckless disregard of whether it was a breach of trust or breach of duty or not; and
- (b) the costs of an unsuccessful defence to a criminal prosecution brought against the Trustees or any of them in their capacity as Trustees of the College.”.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Charter of the Royal College of Physicians of London (“the College”) so as to give effect to a Scheme made by the Charity Commissioners for England and Wales extending the permitted application of the funds of the College to the payment of remuneration to certain trustees and to the purchase of indemnity insurance.

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