

SCHEDULE 1

Article 3(1)

CONSEQUENTIAL AMENDMENTS

PART 1

PRIMARY LEGISLATION

Welsh Church (Temporalities) Act 1919

1. Section 7(1) of the Welsh Church (Temporalities) Act 1919 (provisions as to charities)(1) is repealed.

King's College London Act 1978

2. Section 18 of the King's College London Act 1978 (King's College to be an exempt charity)(2) is repealed.

Education Reform Act 1988

3. In section 125A of the Education Reform Act 1988 (charitable status of a higher education corporation)(3) for the words from “(and in accordance” to the end of the section substitute—

“and—

- (a) an English higher education corporation is, in accordance with Schedule 2 to that Act, an exempt charity for the purpose of that Act; and
- (b) a Welsh higher education corporation is, in accordance with regulations made under section 3A(4)(b) of that Act(4), excepted from registration under that Act.”.

Charities Act 1993

4.—(1) The 1993 Act(5) is amended as follows.

(2) After section 36(9)(a) (dispositions to which section 36 does not apply) insert—

“(aa) to any disposition for which the authorisation or consent of the Secretary of State is required under the Universities and College Estates Act 1925(6); or”.

(3) In section 37(1)(ii) (supplementary provisions relating to dispositions) after “paragraph (a),” insert “(aa),”.

(4) In section 38(5) (mortgages to which section 38 does not apply) after “above” insert “or for which the authorisation or consent of the Secretary of State is required as mentioned in section 36(9)(aa) above”.

(1) 1919 c.65.

(2) 1978 c.xii.

(3) 1988 (c.40). Section 125A was inserted by the Teaching and Higher Education Act 1998 (c.30), section 41. It was substituted by the Charities Act 2006, Schedule 8, paragraph 85.

(4) Section 3A of the Charities Act 1993 was inserted by the Charities Act 2006, section 9. Section 3A was amended by S.I. 2006/2951, Schedule, paragraph 4(d).

(5) There are amendments to sections 36 to 38 of the 1993 Act which are not relevant to this Order.

(6) 1925 c. 24. There are amendments to the 1925 Act which are not relevant to this Order.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

University of Manchester Act 2004

5. Section 11 of the University of Manchester Act 2004 (University to be an exempt charity)(7) is repealed.

PART 2

OTHER ENACTMENTS

Exempt Charities Order 1962

6. In the Schedule to the Exempt Charities Order 1962(8), omit—
- (a) “University of Wales”;
 - (b) “University College of Wales, Aberystwyth”;
 - (c) “University College of North Wales”;
 - (d) “University College of South Wales and Monmouthshire”;
 - (e) “University College of Swansea”;
 - (f) the heading “Institutions connected with the University of Wales”;
 - (g) “Welsh National School of Medicine”.

Exempt Charities Order 1965

7. In the Schedule to the Exempt Charities Order 1965(9) omit “St David’s College, Lampeter”.

Exempt Charities Order 1984

8. The Exempt Charities Order 1984(10) is revoked.

Land Registration Rules 2003

9.—(1) Rule 180 of the Land Registration Rules 2003 (statements to be contained in dispositions by a charity)(11) is amended as follows.

(2) In paragraph (1)(b) and (c) for “paragraph (a), (b) or (c)” substitute “paragraph (a), (aa), (b) or (c)”.

Charities (Accounts and Reports) Regulations 2008

10.—(1) Regulation 2 of the Charities (Accounts and Reports) Regulations 2008(12) is amended as follows.

(2) In paragraph (1) in the definition of “special case charity”—

(a) omit “and” at the end of sub-paragraph (b)(iii); and

(b) after sub-paragraph (b) insert—

“(c) a charity which is a college or hall in the University of Cambridge;

(7) 2004 c.iv.

(8) S.I. 1962/1343.

(9) S.I. 1965/1715.

(10) S.I.1984/1976

(11) S.I. 2003/1417. There are amendments to the Rules which are not relevant to this Order.

(12) S.I. 2008/629.

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- (d) a charity which was an exempt charity by virtue of an Order in Council made under paragraph (c) of Schedule 2 to the 1993 Act but ceased to be so when that Order was amended or revoked by the Charities Act 2006 (Changes in Exempt Charities) Order 2009;
 - (e) a charity which is a Welsh higher education corporation;”.
- (3) After paragraph (1) insert—
- “(1A) For the purposes of these Regulations, a higher education corporation is a “Welsh higher education corporation” if the activities of the institution conducted by that corporation are carried on, or principally carried on, in Wales.”.