



Charities Act (Northern Ireland) 1964

1964 CHAPTER 33

PART I

POWERS OF MINISTRY OF FINANCE AS CHARITY AUTHORITY

CY-PRÈS JURISDICTION OF MINISTRY, ETC.

14 Misdесcribed charitable beneficiaries in wills.

- (1) Where—
- (a) under the will of any deceased person (in this section referred to as “the testator”) property not exceeding^{[F1} £2,500] in value is devised or bequeathed to any institution; and
 - (b) the personal representatives of the testator are satisfied—
 - (i) that no such institution as is described in the will of the testator exists; and
 - (ii) that the testator intended to devise or bequeath the property to a charity;they may transfer the property to the Ministry, if the Ministry agrees to accept it.
- (2) A receipt given by the Ministry in respect of any property accepted by it under subsection (1) shall be a full discharge to the personal representatives who transferred that property to the Ministry.
- (3) The Ministry may accept any property under subsection (1) only if it is satisfied that the testator intended to devise or bequeath the property to a charity.
- (4) Where the Ministry accepts any property under subsection (1) it shall endeavour to ascertain the charity to which the testator intended to devise or bequeath the property; and—
- (a) if the Ministry is satisfied that a specific charity is the devisee or legatee intended by the testator, it shall, if the Attorney-General consents, transfer the property to that charity;

Status: Point in time view as at 01/01/2006. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Charities Act (Northern Ireland) 1964, Section 14. (See end of Document for details)

- (b) if the Ministry is unable to satisfy itself as to which charity in a class of charities is the devisee or legatee intended by the testator but is satisfied that the testator intended to devise or bequeath the property to a charity in that class, it shall, if the Attorney-General consents, either—
 - (i) transfer the property to such charity in that class as appears to the Ministry to be appropriate having regard to the intentions of the testator; or
 - (ii) distribute the property, in such proportions as the Ministry thinks fit, among such charities in that class as appear to the Ministry to be appropriate having regard to the intentions of the testator;
- (c) if the Ministry is not satisfied as mentioned in paragraph (b), but it appears to the Ministry that the testator intended to give the property for charitable purposes generally, it shall, if the Attorney-General consents, transfer the property to such charity as appears to the Ministry to be appropriate having regard to the intentions of the testator.

Status:

Point in time view as at 01/01/2006. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Charities Act (Northern Ireland) 1964, Section 14.