

ELIZABETH II



1986 CHAPTER xvi

An Act to empower The General Service Board of Alcoholics Anonymous (Great Britain) Limited to disclaim all or part of property donated to it in certain circumstances; and for purposes incidental thereto.

[25th July 1986]

WHEREAS—

(1) Alcoholics Anonymous is an inchoate fellowship whose members seek to overcome their addiction to alcohol by the practice of and adherence to a code of principles which have evolved empirically since the fellowship was founded and which are now published and promulgated by The General Service Board of Alcoholics Anonymous (Great Britain) Limited (hereinafter called “the Company”) and the said code of principles includes the traditions that every group of members of Alcoholics Anonymous ought to be fully self supporting and decline outside contributions and that such a group should never endorse or finance any related facility or outside enterprise lest problems of money, property and prestige divert the fellowship from its primary purpose:

1985 c. 6.

(2) The Company is a company limited by guarantee and incorporated under the Companies Act 1985:

(3) The purposes of Alcoholics Anonymous are charitable and those of the Company are principally charitable it being concerned in practice with the activities described in paragraph (6) below:

(4) The majority of the 25 present members of the Company are elected from nominees put forward by Alcoholics Anonymous groups throughout Great Britain:

(5) The practice of the Company is that it does not engage in any activity otherwise than on behalf of Alcoholics Anonymous and all funds of Alcoholics Anonymous groups throughout Great Britain not required for immediate expenditure are paid to the Company and to no other person or body:

(6) The objects of the Company include the following provision:—

“(A) To help chronic alcoholics to overcome their addiction to alcohol, and with a view thereto;

(i) to service the Fellowship known as Alcoholics Anonymous in such of its work in assisting alcoholics to achieve sobriety as is of a charitable nature;

(ii) to publish, distribute and sell books, pamphlets and other literature relating to alcoholism;

(iii) to hold net monies arising from any publications of the Company and all other monies and property which may accrue to the Company by way of gift or otherwise pending the application thereof to the purposes of the Company;

(iv) to explain the work and objects of the Company to the general public through such media as may from time to time seem appropriate”:

(7) The Company or Alcoholics Anonymous from time to time receive legacies or gifts of such magnitude as would, if accepted in whole, endanger the principle of self help upon which Alcoholics Anonymous operates:

(8) Difficulties in law have been found in disclaiming such legacies or gifts whilst securing the charitable purposes of the legacy or gift and been made more acute by the rule of law prohibiting disclaimer in part:

(9) It is expedient that the Company should be empowered to deal with legacies or gifts in such a way as to both uphold the principles of Alcoholics Anonymous and the charitable intent of the benefactor:

May it therefore please Your Majesty that it may be enacted, and be it 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.—(1) This Act may be cited as the Alcoholics Anonymous (Dispositions) Act 1986. Citation and commencement.

(2) This Act comes into operation after the expiry of a period of two months beginning with the date on which it is passed.

2. In this Act, except where the context otherwise requires— Interpretation.

“the 1981 Act” means the Licensing (Alcohol Education and Research) Act 1981;

1981 c. 28.

“the Company” means The General Service Board of Alcoholics Anonymous (Great Britain) Limited;

“the Council” means the Alcohol Education and Research Council established by the 1981 Act;

“the Fund” means the Alcohol Education and Research Fund established by the 1981 Act;

“will” includes a codicil or other testamentary instrument and in Scotland includes a trust disposition and settlement and any deed taking effect on the death of any person whereby any part of his estate is disposed of, or under which a succession thereto arises;

“relevant disposition” means any bequest, gift, trust or other benefit in favour of the Company or Alcoholics Anonymous (whether expressed in terms of The General Service Board of Alcoholics Anonymous (Great Britain) Limited or “Alcoholics Anonymous” or in substantially similar terms) for some or all of the purposes of Alcoholics Anonymous whether such bequest, gift, trust or other benefit is made, regulated or constituted by any will, settlement, scheme, arrangement or order of the court or of the Charity Commissioners, or in any other manner.

3. This Act applies—

Application.

(a) to a relevant disposition made by the will of a person dying after the commencement of this Act; and

(b) to any other relevant disposition taking effect after the commencement of this Act.

4. The Company may if it thinks fit disclaim all or part of the property comprised in any relevant disposition.

Company's power to disclaim.

Destination of
disclaimed
assets.

5.—(1) If and to the extent that the Company disclaims the property comprised in a relevant disposition then (unless a contrary intention is expressed in the will, deed or other document) such disposition shall take effect—

- (a) (so long as the Council is in existence and is administering the Fund) as a gift to the Council to form part of the Fund; or
- (b) (if the Council shall have been dissolved or shall have ceased to administer the Fund) as a gift to a charity appointed under subsection (2) below.

(2) If the Council shall be dissolved or shall cease to administer the Fund the Company may within 6 months of the dissolution or the cessation, as the case may be, appoint for the purpose of subsection (1) (b) above, with the approval of the Charity Commissioners, a charity having purposes similar to those of the Fund.

(3) For the purposes of this section a relevant disposition shall not be taken as expressing a contrary intention by reason only that it does not (or may not) evince a general charitable intention.

Application to
Scotland.

6. This Act extends to Scotland.

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